

APPLICATION NO.	P16/S3001/O
APPLICATION TYPE	OUTLINE
REGISTERED	12.9.2016
PARISH	GORING
WARD MEMBER(S)	Kevin Bulmer
APPLICANT	Elegant Homes Goring Ltd
SITE	Land to the rear of Cleeve Cottages, Icknield Road, Goring
PROPOSAL	New access road and erection of 10 new dwellings. (As amended and amplified by information received 7, 26 & 31 October 2016 to address tree and ecology concerns and submission of landscape visual impact assessment and as further clarified by revised arboricultural impact assessment, services plan and wildlife area plan accompanying agent's email dated 19 December 2016. As further clarified by drawing no 204A received 19 January 2017 showing right of way on site).
AMENDMENTS	None
GRID REFERENCE	460794/181571
OFFICER	Sharon Crawford

1.0 INTRODUCTION

- 1.1 The application was deferred from the meeting on 1 February 2017 to correct two errors in the previous report. The application has been referred to the Planning Committee because the recommendation to grant planning permission conflicts with the views of the Goring Parish Council.
- 1.2 The site is some 0.63 hectares in size and occupies a backland location behind properties on Icknield and Elvendon Road on the north eastern edge of Goring village. The Chilterns Area of Outstanding Natural Beauty washes over the whole of Goring and the surrounding countryside. There are a number of significant trees surrounding the site, many of which are protected by Tree Preservation Orders.
- 1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

- 2.1 The application seeks outline planning permission for 10 no three bedroom dwellings with an open area for wildlife. The details to be considered at this stage are access and layout. Access is to be provided onto Icknield Road between 1 Cleeve Cottages and the Fire Station. All other detailed matters are reserved. These include landscaping, appearance, scale and on-site parking. These reserved matters will be subject of a further detailed application should outline permission be granted.
- 2.2 The application submission includes the following documents;
 - Planning and Access Statement
 - Transport Statement
 - Noise Assessment
 - Arboricultural Impact Assessment
 - Ecological Report
 - Layout plan (including Right of Way across site)

Additional information has also been submitted in respect of ecology, forestry, a Landscape Visual Impact Assessment and the inclusion of a Right of Way across site on the layout plan.

- 2.3 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council's website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full responses can be found on the Council's website but are summarised below.

- 3.1 Goring Parish Council Refuse. The site is in a fairly sensitive location between Icknield Road and Elvendon Road both roads having a sylvan feel within the AONB in what is currently a fairly rural area of the village likely to be inhabited by various ecological specimens including wildlife such as deer, rabbits, badgers, foxes as well as those identified in the reptile survey slow worms and grass snakes (both being protected species). Cllrs were unhappy with the lack of detail supplied with the application in relation to the exact type of houses proposed (as the application is for "Outline" planning permission) but also agreed in their view the proposal of 10 new dwellings could potentially be an overdevelopment of the site given its location.
- Contrary to policy CSR1 which states "the local character and distinctiveness should be protected" as well as policy CSEN1 of the South Oxfordshire Core Strategy which states "the district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced. High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs and Areas of Outstanding Natural Beauty and that planning decisions will have regard for their setting". It was noted that again Goring is at present in the process of trying to formulate its own Neighbourhood Plan to identify its preferred sites for new housing by a democratic process and this undertaking has not yet been finalized" Cllrs were particularly unhappy with the proposal being for "outline" development and the lack of detail with regard to the proposed housing therefore supplied with the application.

OCC
(highways)

No objection subject to conditions.

OCC
(Archaeology)

No objection subject to conditions.

Countryside
Officer

The additional information has addressed ecology concerns. No objection subject to conditions.

Forestry
Officer

The additional information has addressed forestry concerns. No objection subject to conditions.

Community
Infrastructure
Officer

Standing advice on S106 and CIL contributions.

Waste
Management
Officer

Standing advice on waste and bins.

Neighbours
Objections
(14)

We wish to object to the proposed dwellings on the meadow to the rear of Cleeve Park Cottages.

This application should not be allowed under the Infill Policy. This is not a small gap between dwellings or a site closely surrounded by buildings. The only buildings near this site are Cleeve Park Cottages, the houses to the south are a considerable distance away.

This is a large site for Goring and is over 0.5 hectares and would be extending the size of the village. This pleasant green meadow is teeming with wild life. In addition to the species mentioned in the ecological report there are Barn Owls, Tawny Owls, Great Spotted Woodpeckers and Green Woodpeckers.

The development will have a detrimental impact on this AONB. This site GNP2/GOR4 is one of those under consideration by the Goring Neighbourhood Plan. It would be wrong to circumvent this democratic process by granting permission for this development under another guise. The outcome of the Neighbourhood Plan should be respected. To act now on a site that has already been consulted on and under consideration for Goring's allocated extra housing needs would render this process pointless and a waste of money, time and personal commitment by all those involved.

The access to this site is very narrow with poor sight lines on to Icknield Road. The entrance is very near to the junction of Springhill Road and next to the fire station and Goring scout hut. The number of houses proposed is far too many given the limitations of the access road and size of the site.

This site played a role as an emergency soak away for storm water. Icknield Road and Elvendon Roads are both on hills and in our experience Icknield Road can become a river during exceptional rainfall.

Whilst the application attempts to suggest that all 'significant trees and landscape features' will be maintained, several large and mature trees have already been removed from the site by the developer.

The gardens of the development appear to be relatively short, and on the south side will be in close proximity to the hedges and trees of the gardens along Elvendon Road. This greenery affords us privacy at the rear of the garden, but may impact on the light of any property built so near to the boundary. We would request assurances that any development would not jeopardise our privacy by restricting the height of our existing boundary now or in the future.

Overall, the proposal detracts from the character of this part of the village, which sits on the rise of the Chiltern Hills in the AONB and at the end of the unspoilt Elvendon valley. The site has never been developed and clearly does not form part of any garden or backfill

4.0 **RELEVANT PLANNING HISTORY**

4.1 P16/S3263/SCR – EIA Not required (12/10/2016)

Screening opinion request for new Access road and erection of 11 new dwellings

[P16/S1067/PEJ](#) - Letter Response (11/05/2016)

Construction of new access road and erection of 12 new dwellings of which 5 to be affordable.

[P62/H0126](#) - Refused (25/04/1962) Undesirable backland development. Inadequate access. Loss of agricultural land.

Site for 11 houses and garages with new estate road off Icknield Way.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies

- CS1 - Presumption in favour of sustainable development
- CSB1 - Conservation and improvement of biodiversity
- CSEM1 - Supporting a successful economy
- CSEN1 - Landscape protection
- CSH1 - Amount and distribution of housing
- CSH2 - Housing density
- CSH3 - Affordable housing
- CSH4 - Meeting housing needs
- CSI1 - Infrastructure provision
- CSR1 - Housing in villages
- CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 policies;

- C10 - Landscape Features
- C4 - Landscape setting of settlements
- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON13 - Archaeological investigation recording & publication
- D1 - Principles of good design
- D10 - Waste Management
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- D7 - Access for all
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP6 - Sustainable drainage
- G2 - Protect district from adverse development
- G3 - Development well served by facilities and transport
- G4 - Protection of Countryside
- H4 - Housing sites in towns and larger villages outside Green Belt
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2016

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance

Chilterns AONB Management Plan 2014-2019

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.

Emerging South Oxfordshire Local Plan 2032

The council carried out a consultation on the Preferred Options of the Local Plan 2032 in the summer of 2016. This proposes to allocate housing in rural communities through the neighbourhood plan process.

Emerging Goring Neighbourhood Plan.

Goring are working towards the adoption of a neighbourhood plan but the plan carries limited weight at this stage – see paragraph 6.15 -6.17.

5.4 Environmental Impact.

Given the AONB location of the site there is a need to screen the application to assess whether an Environmental Statement is required. The proposal is below the indicative thresholds of 150 dwellings and 5 hectare site area set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. The main issues to be considered are highway safety, landscape, neighbour and ecology impacts and drainage. The application has been supported by sufficient documents for these aspects of the scheme to be considered in full. Thus, it is considered an Environmental Statement is not required for this proposal and the development is not EIA development. This recommendation holds when considering the impact of this development cumulatively with the permitted sites in the village and area. A formal screening opinion was issued on 12 October 2016.

Other Relevant Legislation

- The Chilterns Design Guide
- The AONB Management Plan
- Environmental Impact Regulations, as amended 2015
- Community & Infrastructure Levy Legislation Human Rights Act 1998
- 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
- Human Rights Act 1998
- Equality Act 2010 section 149
- CIL Regulations 2010 (as amended)

6.0 PLANNING CONSIDERATIONS

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

- The principle of the development, including:
 - how the development of the site fits with the council's spatial strategy,
 - whether the proposal represents a major development and if any exceptional circumstances exist,
 - accordance with the Neighbourhood Plan.
- Matters of detail / technical issues, including:
 - landscape impact,
 - design and layout,
 - ecology,
 - trees,
 - highway safety and traffic impact,
 - affordable housing,
 - neighbour amenity and amenity of future residents,
 - flood risk and surface / foul drainage.
 - provision of garden areas

- Infrastructure requirements, including:
 - on-site infrastructure to be secured under a legal agreement,
 - off-site contributions pooled under the Community Infrastructure Levy

- 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. In the case of South Oxfordshire, the most relevant parts of the Development Plan are the Core Strategy which was adopted in December 2012, the saved policies of the South Oxfordshire Local Plan 2011 and any relevant neighbourhood plans. Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.
- 6.3 Goring is designated as a 'larger village' in the Core Strategy. Policy CSS1 sets out an overall strategy for the District, which seeks, among other things, to support and enhance the larger villages as local service centres, while focusing 'major new development' at Didcot and supporting the roles of Henley, Thame and Wallingford.
- 6.4 Policy CSH1 identified the distribution of housing within South Oxfordshire including housing in the 12 larger villages. Policy CSR1 indicates that housing provision in the villages will be achieved through allocations, infill development and rural exception sites for affordable housing and that there would be no limit on infill development in these settlements.
- 6.5 The Core Strategy definition of infill development is "the filling of a small gap in an otherwise built-up frontage or on other sites within settlements where the site is closely surrounded by buildings". The site is on the edge of the village, however, due to its location between Icknield Road and Elvendon Road, it is almost completely surrounded by residential garden areas except for a short 30 metre length on the north eastern side. The site is close to buildings on Icknield Road (20m distance). Whilst the density of development on Elvendon Road is less and distances to the dwellings is greater (30m at closest point), it is my view that the site falls within the definition of an infill site and development here would accord with the Council's spatial strategy. In addition the site is allocated for the development of approximately 10 houses in the emerging Goring Neighbourhood Plan (GNP) and has been found to be a sustainable location.
- 6.6 To significantly boost the supply of housing, the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. This supply should include an additional buffer of 5% to ensure choice and competition in the market for land. Alternatively, where there has been persistent under delivery of housing, the buffer should increase to 20% to provide a realistic prospect of achieving the planned supply.
- 6.7 The most recent evidence base that informs the council's housing requirements is the 2014 Strategic Housing Market Assessment (SHMA). To meet the identified housing need for the district, the SHMA committed economic growth housing forecast is 750 homes per annum. This is a sizable uplift from the requirement for 547 homes per annum set out in the SOCS.
- 6.8 Based on the evidence in the SHMA and past delivery, the council has a housing land supply in the region of 3.8 years (including the 20% buffer for under delivery). Therefore

the council cannot currently demonstrate a 5 year housing land supply. In these circumstances, Paragraph 49 of the NPPF states that 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 land and the ‘presumption in favour of sustainable development’ should be applied. Policy CSR1 clearly relates to housing supply and is not up to date.

- 6.9 Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, **granting permission unless:**
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - **specific policies in this Framework indicate development should be restricted.**

Footnote 4 (formerly footnote 9) of the NPPF introduces the specific policies in the NPPF that indicate development should be restricted. Amongst these are policies relating to an Area of Outstanding Natural Beauty designated historic assets such as conservation areas.

- 6.10 Given that the site is located within the Area of Outstanding Natural Beauty (AONB), the presumption in favour of sustainable development within the NPPF is not engaged unless the requirements set out in para 115 and 116 are met. Paragraph 14 of the NPPF transfers assessment of the application to paragraphs 115 and 116 of the NPPF. If development does not conflict with paragraphs 115 and 116 then the presumption in favour of sustainable development will apply.
- 6.11 **Whether the proposal represents a major development and if any exceptional circumstances exist**
Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB "*which have the highest status of protection*". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000. In addition, paragraph 116 confirms that planning permission for major developments within AONBs should be refused unless there are **exceptional circumstances and** where it is in the public interest to grant planning permission.
- 6.12 In assessing whether paragraph 116 is engaged it needs to be established whether the development constitutes major development in the AONB. In this context, the NPPF definition of "major" development is not the same as the "ten houses or more" definition used for classifying application types in the Development Management Procedure Order. The use of the word "major" in the NPPF is a more relative term and it is through case law that the quantum of what constitutes major development in the AONB has been determined. Case law to date indicates that factors such as the size of the development relative to the existing settlement and the severity of the development's impact on the landscape are all factors in the assessment of what represents "major" development in the AONB.
- 6.13 In this case the proposal is for 10 dwellings giving an approximate population of 23 people (2.3 per household). The population of Goring is in the region of 3500. The population increase associated with the proposal would equate to less than 1% of the total population, in my view this quantum of development is not major development for the purposes of para 116 of the NPPF. However, to ensure that AONB considerations are

addressed in full I will address para 116 further.

In para 116 cases, the council consideration of such applications must include an assessment of;

- The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.
- The cost of, and scope for developing elsewhere outside the designated area, or meeting the need for it in some other way
- Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

- 6.14 Goring is washed over by the AONB and there is a pressing need for housing which cannot be met in any other way other than by a site in the AONB. Such a need can constitute an exceptional circumstance for allowing major development in the AONB where development is in the public interest. This site is one of the allocated sites for residential development in the emerging GNP following on from a detailed analysis of potential harm of all the shortlisted sites. The chosen sites are those that show the least harm to the special landscape qualities and beauty of the AONB. Much of the GNP work has already carefully assessed this site against the para 116 bullet points.
- 6.15 **Goring 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.
- 6.16 Goring Parish are currently preparing the draft GNP and have selected their sites for new residential development. The results of the site selections process were the subject of a public exhibition on 10 December 2016. The site the subject of this application is one of the neighbourhood plan selected sites (GNP2) and is anticipated to be able to accommodate 10 dwellings. The plan has yet to be published in full form. It will need to be submitted to the council for approval and then tested by an external examiner. A referendum date is anticipated in May 2017.
- 6.17 The proposed development would not only accord with the Council's spatial strategy but it also accords with the draft GNP. However, the parish council maintain their objection to the scheme. They object to the classification of the development as "infill" because infill development does not count towards the growth numbers required for Goring. The GNP suggests that land for 86 dwellings is required for the growth of Goring between now and 2030. The Core Strategy envisaged growth of approximately 105 dwellings. However, the emerging 2032 local plan anticipates additional housing to accommodate the SMHA figures. It proposes to deliver 10 percent growth in the larger villages (based on the existing housing stock of the settlement).

6.18 Matters of detail / technical issues

Landscape impact. The whole of the site is within the Chilterns Area of Outstanding Natural Beauty (AONB). The fundamental aim of planning policies for the AONB is to conserve and enhance its natural beauty and landscape quality. The application includes a Landscape Visual Impact Assessment (LVIA). In addition The Goring Neighbourhood Plan group commissioned a detailed Landscape Capacity Study for all of the shortlisted sites from Bramhill Design. The conclusions of both assessments are similar. In relation to this site, the NP study has concluded the following.

GNP2 Land off Icknield Road

This site is located on a relatively small piece of land sandwiched between two residential streets and the fire station, and is contained within the village settlement area. It has a short boundary which adjoins open countryside to the east which, if planted, would provide effective screening of any development and would satisfactorily mitigate any adverse effects on landscape character and visual amenity from the wider area.

Visual Envelope

GNP 2 is visually contained, being enclosed and screened from three sides by surrounding development and gardens. From the north east, the site is visible from part of the footpath leading onto the downs at Wroxhills Wood, due to the rising landform, but mature trees ensure that winter views are filtered, with a stronger screening effect in the summer time.

The site is well enclosed by houses on Icknield and Elvenden Roads, and by rear garden hedges. Views from the roads are restricted except for glimpses over gardens and between houses. There will be views from the adjacent private houses and gardens, although many of these properties benefit from hedges and mature garden trees which provide some screening, or, for winter views, filtering. There are views into the site from the Fire Station (2) (P2) and from the access route off Icknield Road (1).

In longer views from the wider landscape, including views across the valley from the North Wessex Downs AONB area, owing to tree cover and surrounding housing it is not possible to identify this site as distinct from the surrounding area.

Visual effect

The visual impact of this potential development is assessed as **low adverse**; while there will not be a significant effect on public visual amenity, there will be some effect for walkers using the Chiltern Way. Creation of a planted landscape 'buffer' on the north-east boundary of the site will reduce visual effects upon walkers using this long distance trail.

Recommendations

Mitigation in the form of buffer planting along the north eastern boundary is recommended in order to protect visual amenity along the Chiltern Way and to strengthen the definition of the boundary between urban and rural landscapes. Retention of hedges where these are of landscape, visual and habitat value is also recommended, to provide local screening; planting of new trees between buildings and a new hedge line along the boundary with the fire station land would mitigate against the loss of greenfield site; new trees should be medium to large size species, to help conserve tree cover which is characteristic of this area of the village and would improve integration with the surroundings.

The whole of the site has capacity for development with good landscape mitigation and with stringent planning conditions as to design, materials, landscape and planting. Without mitigation it would not be suitable for development.

Extracts from Goring Neighbourhood Plan: Landscape Capacity Study - pages 29, GNP2-1 and GNP-5

- 6.19 An over-riding principle of the NPPF is that any development within the Chilterns or North Wessex Downs should conserve and enhance the natural beauty of the AONB and in so doing not result in harm to the special qualities of the AONB (para 14, 113, 115). Major development should not take place in the AONB, except in exceptional circumstances (para 116). The conclusions of the GNP, the LVIA with the application and Council's Landscape Capacity Study are that the site is suitable for development on landscape and visual grounds subject to buffer planting on the north eastern

boundary. Such landscaping can be controlled through a landscaping condition.

6.20 Design and layout.

The application is in outline only, but includes layout at this stage. Design/ appearance and scale are to be considered later at reserved matters stage. The layout provides for a cul de sac of 10 no two storey dwellings with 23 parking spaces. Most parking spaces are provided on plot apart from plots 2 and 3 where parking is provided in a parking court. The parking court also includes some visitor parking. Storage sheds are also shown within each garden. The cul- de sac includes access for maintenance to a wildlife area on the site. Icknield Place to the west and Icknield Close to the north are similar forms of cul-de-sac development in the immediate vicinity. As such, a new cul-de-sac in this location is entirely in keeping with the character of the area.

6.21 Ecology.

Policy CSB1 seeks to ensure that there is a no net loss for biodiversity as a result of new developments and seeks to achieve a net gain. The NPPF supports this stance and at Paragraph 109 calls for developments to minimise the impacts on biodiversity and provide net gains where possible contributing to the Government's commitment to halt the overall decline of biodiversity. Objectors have expressed concern about the loss of habitat and protected species on the site.

6.22 The site has been the subject of ecological surveys conducted by the applicant and by the District Council during the preparation of the Local Plan. The main ecological constraints identified are;

- a good population of slow-worms,
- a low population of grass snake; and,
- an area of UK Biodiversity Action Plan (BAP) Priority Habitat grassland.

The high population of slow-worms found on site suggests that the site is already at or near its natural carrying capacity for the species. Slow-worm and grass snake are protected under section 9(1) and all of subsection 9(5) of the Wildlife and Countryside Act 1981. This protects the species from intentional or reckless killing and injury and against sale and transportation for sale. The proposals involve the destruction of the habitats for common reptiles across approximately 75% of the site during the construction process and has the potential to cause the killing and injury of reptiles. The Ecological Report proposes mitigation designed to reduce the likelihood of the construction activities causing harm to the reptile population. The mitigation includes clearing reptiles from within the footprint of the construction activities and a combination of translocating them to the retained habitat on site (which may already be at or near its carrying capacity) and translocation off site to a suitable alternative location.

6.23 The applicant has submitted an acceptable Wildlife Area Plan for the retained slow worm population on site and have suggested an alternative site for translocation of slow worms to the Withymead Nature Reserve, as site in close proximity to the north near the Leathern Bottle PH, Bridle Way, Goring. Subject to recommended conditions 4 and 5 which require a habitat management plan for the on-site wildlife area and a method statement for reptile protection and translocation, the scheme is acceptable in terms of the impact on ecology.

6.24 Tree impact.

The majority of the trees growing around this site are protected by a tree preservation orders and are outside of the red edged site area. The Forestry Officer has no objection in principle to the development of the site subject to some further slight revisions to the submitted Arboricultural Method Statement (AMS) and service plan so all contractors working on site understand what is required. A revised AMS has been received with the required amendments and the Forestry Officers comments on the revisions will be

reported verbally at the meeting. I envisage that recommended condition 7 will need to be revised.

6.25 Highway safety and traffic impact.

The County Highways Officer has raised no objection to the application subject to the imposition of conditions and the completion of a legal agreement to secure a contribution towards the enhancement of local public transport infrastructure. In coming to this conclusion, the highways officer has considered the suitability of the access, level of parking provision provided within the site, the accessibility of the site for sustainable modes of travel, and trip generation.

6.26 The County Highways Officer is of the view that the trip distribution on the highway network would be acceptable. In terms of the accessibility of the site, it is within walking distance of a number of services and facilities, which would also be accessible by cycling. There is also a bus service through the village and a financial contribution for bus stop infrastructure at the nearby service 134 stops on Icknield Road would enhance the attractiveness of public transport. A travel information pack for new residents would also help to encourage residents of the site to use alternative modes of transport to the private car.

6.27 I am satisfied that the highway matters could be adequately address through conditions, the completion of a legal agreement, and the submission of details through a reserved matters application. As such, the proposal is acceptable in terms of highway safety.

6.28 Affordable housing.

There is a net gain of 10 dwellings on the site. Policy CSH3 of the core strategy seeks to achieve 40% of affordable housing on sites where there is a net gain of 3 houses.

6.29 However, in May 2016 the Court of Appeal effectively re-instated the Government's ministerial statement on affordable housing from November 2014. This means that developments of no more than 10 homes (with a gross floorspace not exceeding 1,000 sq m) would be exempted from levies for affordable housing and tariff-based contributions. In designated rural areas, National Parks and AONBs, the exemptions would apply only to developments not exceeding 5 new homes; developments of 6 to 10 homes would pay a commuted sum rather than providing affordable housing on site. The commuted sum would be payable either at or after completion of the development.

In the case of this site the requirement to provide affordable housing would only be triggered on schemes for 6 houses or more because of the AONB location and only applies on units 6 – 10. For these 5 units over the threshold in this scheme we would apply the formula for two of the units (40% of 5).

Using the Affordable Housing Viability Study Update 2011 formula, the commuted sum for one whole unit would be £196,020 so the total due for 2 units = **£320,000**. This commuted sum will be secured by a S106 agreement.

6.30 Neighbour amenity and amenity of future residents.

Based on the layout and the separation that is achieved between the proposed dwellings and neighbouring properties, I am of the opinion that the development of the site will not have any adverse impacts on neighbours in terms of light, outlook and privacy. The distance between dwellings on Icknield Road and the new dwellings is over 30m, the distance to properties on Elvendon Road is considerably greater. In addition the existing boundary screening provided by trees and shrubs is considerable. These distances are in excess of the minimum back to back distances recommended in the Design Guide and are acceptable in my view.

- 6.31 I am also satisfied that the proposed layout ensures that there would be no adverse overlooking, or loss of light and outlook, between plots.
- 6.32 **Flood risk and surface / foul drainage.**
The application site is within Flood Zone 1 (least probability of flooding) and as such, there are no objections to the development in relation to flood risk.
- 6.33 The site is known to be susceptible to surface water flooding and a detailed scheme for the site would need to incorporate a Sustainable Urban Drainage (SUDS) compliant strategy to ensure that all surface water run-off is accommodated within the confines of the site and discharged in a controlled manner. As advised by the council's drainage consultant, the details of this could be secured by condition. Details of foul drainage are also to be secured by condition.
- 6.34 **Provision of garden areas.** Minimum standards for new residential development are recommended in the South Oxfordshire Design Guide and in saved Policy D3 of the Local Plan. A minimum of 100 square metres for three and four (or above) bed dwellings is required. All the properties will be three bedroomed dwellings and 100 square metres of garden area should be provided for each dwelling. In this case the garden sizes for plots 1 and 2 are below the standard at some 93 square metres in size. Plots 9 and 10 are also substandard at approx. 83 square metres in size. All other garden sizes are in excess of the requirement.
- 6.35 The layout also provides for a wildlife area of some 1650 square metres. The wildlife area will be an amenity to residents providing priority habitat grassland (PHG) and a habitat for slow worms. This designation is not compatible with regular use as a play area or public open space and it is envisaged that some form of post and rail fencing will be provided to restrict some access. However, the provision of an interpretation board would allow for explanation of the value of the space and the provision of a bench within a restricted area would allow for appreciation of the space. Given the provision of the wildlife area and the easy access to the surrounding countryside the slight under provision of garden areas on 4 of the plots does not constitute a reason to refuse planning permission in my view.
- 6.36 **Infrastructure requirements**

On-site infrastructure to be secured under a legal agreement
- 6.37 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would also be required towards on-site infrastructure:
- commuted sum for affordable housing
 - Street naming and numbering
 - Provision of recycle bins
 - Monitoring fee
- 6.38 As advised by the County highways officer, the following site specific highways contributions would also need to be secured under a S106:
- Public transport contribution – the enhancement of local public transport infrastructure, specifically the provision of a standard pole, flag and information timetable case at each of the two unmarked bus stops on Icknield Road, of £1,320
 - (BCIS Index, base Oct 2016)
- 6.39 I consider that these contributions / obligations would accord with policy CSI1 of the SOCS, which requires new development to be supported by appropriate on and off-site

infrastructure and services. They would also accord with the relevant tests in the NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development and are fair and reasonably related in scale and kind to the development. In the absence of a completed S106 legal agreement, an additional reason for refusal would need to be attached to be added to the decision notice as the necessary contributions / obligations have not been secured.

6.40 Off-site contributions pooled under the Community Infrastructure Levy

The council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, any additional floor space is usually CIL liable at a rate of £156 per sq.m. The money collected can be pooled with contributions from other development sites to fund a wide range of off-site infrastructure to support growth, including schools, transport, community, leisure and health facilities.

6.41 Under the CIL regulations, the Parish Council would receive a proportion of CIL money. This could be spent on infrastructure projects that are priorities for the community. If the Neighbourhood Plan is made prior to the commencement of development, it would receive 25 percent of the CIL money collected from the development (as opposed to 15 percent without a Neighbourhood Plan) to spend it on local projects or contribute towards strategic infrastructure.

7.0 **CONCLUSION**

7.1 As set out in the report, this is an infill site even though it is on the edge of the village. It is a major application but there are exceptional circumstances to justify the development and the detailed site selection work undertaken in the Neighbourhood plan preparation supports development on the site. The site is also in a sustainable location. Residential development on the site accords with the Council's spatial strategy and the site has been allocated for such development in the emerging GNP. The Parish Council objection in relation to the numbers coming off the total dwellings required for the growth of Goring is not a justifiable reason for refusing planning permission given that there are no technical objections to the proposal.

The report describes the proposals in full and assesses the proposal against the relevant material planning considerations. The three strands of sustainable development are set out at paragraph 7 of the NPPF as economic, social and environmental. All these have been considered throughout the report and my conclusions against each of the strands is summarised below.

Economic role

The Government has made clear its view that house building plays an important role in promoting economic growth. In economic terms, the scheme would provide construction jobs and some local investment during its build out, as well as longer term expenditure in the local economy supporting the ongoing vibrancy of the village. I consider that moderate weight should be afforded to this benefit.

Social role

The proposal helps to support strong, vibrant and healthy communities, by providing the supply of 10 houses towards those required to meet the needs of present and future generations. It also does this by creating a high quality built environment, in a sustainable location with accessible local services close by for new residents to use. I consider moderate weight should be given to these social benefits.

Environmental role

In environmental terms, the scheme offers opportunities for habitat protection and

translocation of a protected species, which is a matter to which I afford moderate weight. This is an infill site even though it is on the edge of the village. It is a major application for development within the AONB but there are exceptional circumstances to justify the development and the detailed site selection work undertaken in the Neighbourhood plan preparations supports development on the site. There are no landscape objections to the scheme as the impact on the AONB local and contained and some loss will be inevitable in order to secure the delivery of the levels of housing required in South Oxfordshire over the plan period. Although the parish and local residents have identified concerns there is no evidence of harm that cannot be mitigated. There are no objections from Oxfordshire County Council for highways and education and no other infrastructure providers have raised objections.

Taking into account the benefits of the development and weighing these against the limited harm, I consider that the proposal represents a sustainable development, consistent with Paras.14, 115 and 116 of the NPPF and Policy CS1 of the South Oxfordshire Core Strategy and the emerging GNP. The proposal would contribute towards the objective to boost the supply of housing, consistent with Para.47 of the NPPF. Therefore, placing all of the relevant material considerations in the balance I conclude that the limited adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal and recommend the application for approval, subject to the prior completion of the relevant S106 Planning Obligation.

8.0 **RECOMMENDATION**

8.1 **To delegate to the Head of Planning to grant outline planning permission subject to the prior completion of the Section 106 agreement and the following conditions:**

1. **Commencement - outline planning permission.**
2. **Commencement - outline with reserved matters.**
3. **Approved plans.**
4. **Habitat management plan.**
5. **Reptile protection.**
6. **Landscaping (including access road and hard standings).**
7. **Revised arboricultural method statement required.**
8. **Surface water drainage works (details required).**
9. **New vehicular access.**
10. **Vision splay details.**
11. **Carriageway and footways.**
12. **Construction traffic management.**
13. **Travel information pack.**
14. **Written scheme of investigation.**
15. **Staged programme of archaeological work.**
16. **Foul drainage works (details required).**
17. **Secured by design.**
18. **Mix of units.**
19. **Lifetime homes.**

Author: Sharon Crawford
Contact No: 01235 422600
Email: planning@southoxon.gov.uk