

APPLICATION NO.	P17/S0094/O
APPLICATION TYPE	Outline
REGISTERED	16.1.2017
PARISH	Chalgrove
WARD MEMBER(S)	David Turner
APPLICANT	Mr Roy Brown
SITE	Land west of Marley Lane, Chalgrove, OX44 7TF
PROPOSAL	An outline application, with all matters reserved except for access, for up to 200 dwellings, a building for community use (D2 Use), open space, a sustainable drainage system, and associated infrastructure
AMENDMENTS	None
GRID REFERENCE	462607/197458
OFFICER	Joan Desmond

1.0 **INTRODUCTION**

1.1 The application site (which is shown on the OS extract **attached** as Appendix 1) is located west of the village of Chalgrove and comprises 19.7 ha of land which is mainly agricultural land with some former Ministry of Defence Land to the north. The site straddles the High Street and its northern boundary is defined by the B480. The southern boundary is defined by Chalgrove Brook. The north east boundary abuts onto Marley Lane and wraps around No 1 Marley Lane, a Grade II listed building. Shakespeare's Way, a nationally trail, passes through the site running east to west. The site is not within any areas of special landscape designation. The application is referred to the Planning Committee because of the scale of the development proposed.

2.0 **PROPOSAL**

2.1 This application seeks outline planning permission for up to 200 homes, including 40% affordable homes and provision of a scout hut building (D2) use. The application seeks approval of the proposed access including a roundabout and a priority junction with the B480 but reserves detailed matters relating to the scale, layout, and appearance and landscaping of the development for future consideration. It is proposed to re-align the High Street and Shakespeare's Way to avoid the allotments to the east and to locate the path through the proposed Public Open Space.

2.2 A revised illustrative masterplan has been submitted with the application to show how the site could accommodate up to 200 dwellings, scout building and associated public open space and green infrastructure. The development would be served by two main access points to the B480. This includes a new roundabout connecting the High Street to the B480 and a new priority junction arrangement with the B480 to the east. Given that the application is in outline, the masterplan is for indicative purposes only and is **attached** as Appendix 2. The application is accompanied by a number of supporting documents, including a Design and Access Statement and Planning Statement. These are available to view on the council's website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Chalgrove Parish Council** - gives approval of this application for a development on this site. Following a detailed site assessment which included a Strategic Flood Risk Assessment, this site is the preferred option in the Chalgrove Neighbourhood Development Plan and is supported by public consultation
1. This development can support 200 homes in accordance with the demands of the proposed South Oxfordshire Local Plan.
 2. Present infrastructure in Chalgrove can only support one development of this size. There are already concerns about growing pupil numbers in Chalgrove Community Primary School. Thames Water have said that before any major development takes place the water and sewerage systems need to be overhauled and updated with the possibility of an improved pumping station. This site is conveniently situated adjacent to the pumping station.
 3. The High Street leads into this site, connecting it favourably with the rest of the village. New exits onto the B480 are planned and will prove safer than the present one and have been welcomed during public consultations.
 4. There are plans for a much needed new Scout hut with extra parking areas, which will also be used by the allotment holders, therefore reducing the need for on street parking.
 5. With the risk of flooding being a major concern to those who live in Chalgrove, it is good to see that this site is downstream of the village, so any run off will have minimum flood risk to the rest of the village. The proposed riverside meadow will give a pleasant setting and outlook for the new homes and enhance the Shakespeare Way as it enters Chalgrove.

Chalgrove Neighbourhood Development Plan Committee – Request deferral of decision until the CNDP is produced. The Land West of Marley Lane is the preferred option of the CNDP. The figure of 200 dwellings - together with existing permissions - represents an increase in the number of houses in the village of about 17%. The Steering Group considers that such an increase is acceptable based on the allocation of the site West of Marley Lane. 200 new homes on this site is considered appropriate for the village because it represents a reasonable rate of growth and can be accommodated in a way that integrates the proposed site into the built-up area. This is in contrast to the other sites examined.

Stadhampton Parish Council – Concerned about implications of increase in traffic generated by developments in the area.

Cuxham and Easington Parish Meeting – Object on highway grounds due to increase in traffic and impact on infrastructure. All applications in the area should be considered at the same time with an overall plan and regard had to Neighbourhood Plans. Will intensify use of road through Cuxham which would be unsafe given its rural nature and would be harmful to the historic village and its listed buildings. Increase in pollution and run off to Marlbrook. Traffic should be instructed not to transit through Cuxham.

Oxfordshire County Council Highways – No objection subject to conditions and completion of a legal agreement to secure improved public transport and Travel plan monitoring fees.

Oxfordshire County Council Education – No objection subject to Community Infrastructure Levy funding to mitigate the impact on local infrastructure and services including early education, primary, secondary and special schools in the area.

Oxfordshire County Council Archaeology – Following the submission of archaeological field evaluation, no objection subject to a condition to secure a programme of archaeological investigation.

Oxfordshire County Council Property – No objection subject to Community Infrastructure Levy funding to mitigate the impact on County Council related infrastructure.

Conservation Officer - No in principle objection in heritage terms. Finer details that specifically consider the preservation or enhancement of the setting of the listed buildings will need to be agreed at reserved matters stage in particular with regard to No.1 Marley Lane.

Forestry Officer– Recommend retention of Oak tree. If required to be lost then its loss should be mitigated for as part of a comprehensive landscaping scheme.

Countryside Officer – Overall the proposals can deliver a net gain for biodiversity when compared to the baseline conditions. The proposals are unlikely to lead to any significant impacts on populations of protected species and there are opportunities within the scheme to provide species enhancements.

Urban Design Officer – Content that through good design at the reserved matters stage, the site will be able to accommodate the proposed development.

Environment Agency – Withdraw objection following submission of further information and recommend conditions to reduce flood risk.

Drainage Consultant (Monson) – No objection subject to condition requiring approval of sustainable drainage details.

Environmental Health Officer - No objection subject to conditions requiring the agreement of measures to mitigate the impact on air quality and noise during demolition/construction.

Housing Development Officer– Affordable housing provision should reflect the significant demand for two bedroom units for both rented and shared ownership tenures with a reduction in one-bedroom accommodation and an adjustment to the number of larger homes.

Campaign for the Preservation of Rural England (Rights of Way) – Object to the proposed development on public rights of way grounds as this substantial expansion of the village into open countryside would greatly detract from the amenity value of Chalgrove FP3 (Shakespeare's Way).

Local residents

5 responses in objection to the application – objections received in relation to the following matters:

- More houses not needed
- Highway safety concerns
- Flooding concerns
- Do not have proper flood defences
- Proposal must be considered alongside the planned New Town development at the airfield

- Would extend 1km away from the village in a ribbon form resulting in harm to the character and setting of the village and harm to the landscape
- Only a small proportion of the site is capable of development which would result in a cramped form of development with densities of 45pdh
- Open space in flood zone which will be unusable when waterlogged
- Parts of development would be distant (over 1.7km) from services which undermines integration with the village
- Ecology reports not fully robust in their assessments
- Significant re-alignment of High street proposed which will cause disruption and delay of work on site
- Environment Agency object on flood risk grounds
- Deliverability of site questioned given land ownership (part MOD land) and its ability to contribute to Council's 5 year housing land supply
- Chalgrove NDP carries very limited weight
- Village will become a town and lose its character and feeling
- Does not correspond with proposed allocated site in NDP

3 responses commenting on the application:

- Request significant buffer to No1 Marley Lane
- Concerned about impact during construction on listed building and occupants health
- Site to be adequately drained and maintained
- Concerned about noise and light pollution
- Pumping station inadequate and will prove dangerous when overloaded
- Need new scout HQ
- Should be considered with other applications including Chalgrove airfield and not before the NDP is finalised
- Road arrangements not co-ordinated with HCA proposals

1 response in support of the application on the following grounds:

- Preferred site for housing
- Positioned well being upstream to minimise flooding
- Provides improved access to the B480 and will reduce amount of traffic going through Chalrove
- Well designed and will integrate well into the village

Summary of response from agent on objections/comments made:

- Chalgrove has been identified as a sustainable location to meet South Oxfordshire's need for new homes. Indeed, policy seeks to sustain and enhance the role of Larger Villages given the part they play having vital role in meeting the social and economic needs of wider rural areas.
- The council cannot demonstrate a five year supply of land of housing and accordingly the presumption in favour of sustainable development applies.
- The application is supported by the Parish Council and the site has been identified as the preferred location for development in the Chalgrove Neighbourhood Plan. Whilst my clients' strongly support the process which the Neighbourhood Plan Group has been through, given the stage that plan has reached, it is considered that it can only attract limited weight in determining this application.
- Given the presumption in favour of sustainable development applies, it is necessary to consider whether any harm arising from the development significantly and demonstrably outweighs the benefits of development.
- In this instance, there are no objections from statutory or internal consultees.

Considerable and significant benefits would arise from the development including the provision of new homes, the delivery of 80 affordable homes, new jobs in construction, delivery of a significant area of informal open space along with ecological enhancements, the support for the social and economic well-being of Chalgrove and the surrounding rural area.

- The application delivers social, economic and environmental benefits, constitutes sustainable development and should be permitted.

4.0 **RELEVANT PLANNING HISTORY**

4.1 There is no relevant planning history relating to this site

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework**

5.2 **National Planning Policy Framework Planning Practice Guidance**

5.3 **South Oxfordshire Core Strategy (SOCS) 2027**

CS1 - Presumption in favour of sustainable development

CSB1 - Conservation and improvement of biodiversity

CSC1 - Delivery and contingency

CSEN1 - Landscape protection

CSEN3 - Historic environment

CSG1 - Green infrastructure

CSH1 - Amount and distribution of housing

CSH2 - Housing density

CSH3 - Affordable housing

CSH4 - Meeting housing needs

CSI1 - Infrastructure provision

CSM1 - Transport

CSM2 - Transport Assessments and Travel Plans

CSQ3 - Design

CSQ4 - Design briefs for greenfield neighbourhoods and major development sites

CSR1 - Housing in villages

CSR3 - Community facilities and rural transport

CSS1 - The Overall Strategy

5.4 **South Oxfordshire Local Plan 2011 saved policies**

C4 - Landscape setting of settlements

C6 - Maintain & enhance biodiversity

C8 - Adverse affect on protected species

C9 - Loss of landscape features

CF2 - Provision of additional community facilities

CON12 - Archaeological field evaluation

CON13 - Archaeological investigation recording & publication

D1 - Principles of good design

D12 - Public art

D6 - Community safety

EP1 - Adverse affect on people and environment

EP2 - Adverse affect by noise or vibration

EP4 - Impact on water resources

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
- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- R8 - Protection of existing public right of way
- T1 - Safe, convenient and adequate highway network for all users
- T7 - Protection and improvement to footpath and highway network

5.5 Emerging South Oxfordshire Local Plan 2032

The council has just completed the Second Preferred Options consultation of the Local Plan 2032. The Second Preferred Options seeks to build upon the existing settlement hierarchy and actively create a pattern of development central to the area. It identifies strategic levels of growth at three locations connecting through this central area of the District which includes Chalgrove. Given the strategic allocation at Chalgrove, it is not expected to deliver an additional 15% growth over and above what is already outlined for this location, however proposals made through robust and evidenced NDP will be supported.

5.6 Chalgrove Neighbourhood Plan (CNP)

The Parish Council is currently working on the draft version of its neighbourhood plan. The draft version is currently undergoing its six week consultation which ends on 5th June 2017 prior to its submission to the District Council.

5.7 South Oxfordshire Design Guide 2008

Sections 3, 4 and 5

5.8 Environmental Impact Assessment (EIA)

The site is over 5 hectares and therefore exceeds the 'exclusion thresholds' in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. A screening opinion for the development was issued in July 2016 which concluded that the proposal was not EIA development and a full Environmental Statement was not required.

6.0 PLANNING CONSIDERATIONS

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

- The principle of the development, including:
 - the council's housing land supply position,
 - how the development of the site fits with the council's spatial strategy,
 - the emerging Neighbourhood Plan,
 - the accessibility of the site to services and facilities.
- Matters of detail / technical issues, including:
 - affordable housing and housing mix,
 - highway safety and traffic impact,
 - landscape impact,
 - agricultural land,
 - trees and ecology,
 - design and layout,
 - neighbour amenity and amenity of future residents,
 - flood risk and surface / foul drainage,
 - impact on Heritage Assets
 - environmental matters (air quality and noise).

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

6.2 **The principle of the development**

The council's housing land supply position

- 6.3 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. One such material consideration, of notable importance, is the National Planning Policy Framework (NPPF).
- 6.4 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.
- 6.5 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 South Oxfordshire Core Strategy (SOCS).
- 6.6 Based on the evidence in the SHMA and past delivery, the council has a housing land supply in the region of 4.1 years (including the 20% buffer for under delivery). The council cannot therefore currently demonstrate a five-year supply of deliverable housing sites.
- 6.7 Para.49 of the NPPF specifies 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 sites. Para.14 adds that where relevant policies are out of date, *planning permission should be granted unless*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;*
 - *or specific policies in the Framework indicate development should be restricted (Identified in footnote 9).*
- 6.8 Such restrictive policies include those seeking to protect heritage assets which is addressed in detail later in the report.

How the development of the site fits with the council's spatial strategy

- 6.9 Although the policies for the supply of housing in the SOCS have less weight in the decision making process, I consider that weight should still be attributed to the over-arching spatial strategy in the SOCS. The spatial strategy in the SOCS seeks to focus development in locations which are, or can be, made accessible and is consistent with the core planning principle of the NPPF. This is particularly important given that South Oxfordshire is a predominantly rural district.

- 6.10 Policy CSS1 of the SOCS sets out the overall distribution strategy for the district. This strategy:
- (i) focuses major new development in Didcot;
 - (ii) supports the roles of Henley, Thame and Wallingford by regenerating town centres and providing new housing, services, employment and infrastructure;
 - (iii) supports larger villages as local service centres;
 - (iv) supports other villages by allowing for limited amounts of housing;
 - (v) outside of the above areas, any change needs to relate to very specific needs.
- 6.11 Chalgrove is identified as one of the larger villages with the ability to act as a local centre with planned growth based on the existing size of the village. Chalgrove is preparing a Neighbourhood Plan to identify sites where the new homes should be built. Based on the latest SHMA evidence, Chalgrove is expected to accommodate approximately 200 dwellings. Land to the west of the village including most of this site is identified as a potential housing site in the emerging CNP.

Emerging Neighbourhood Plan (NP)

- 6.12 The Parish Council is currently working on the draft version of its neighbourhood plan which is presently undergoing its six week consultation. Once this process has been completed the draft plan will be submitted to the District Council. When adopted the plan will form part of the statutory development plan for the area. The plan is at an early stage of preparation (pre – submission stage) and is still undergoing consultation and has yet to undergo independent examination before it can proceed to local referendum and its ultimate making.
- 6.13 The PPG confirms that an emerging neighbourhood plan may be a material consideration and that paragraph 216 also applies to the weight that may be given to its policies. As the NP is still at pre-submission stage it can only be afforded limited weight because it has not yet been submitted to the Council and has not been finalised; it is not known, having regard to national and local policy, whether it would be appropriate to adopt the NP and it is not known whether objections to policies have been resolved by the Parish Council in a satisfactory manner. Most of this site is nevertheless, identified as the housing site for 200 dwellings (H1). The application site extends further to the west and excludes the allotment land.

The accessibility of the site to services and facilities

- 6.14 Chalgrove is a large village and provides access to a range of facilities and services including a primary school, convenience stores, public houses and health facilities many of which are within walking and cycling distance from the site. The site is accessible by sustainable modes of transport with a bus service (T1) linking Chalgrove to Watlington, Stadhampton and Cowley (Monday to Saturday) with extended journeys to and from Oxford City Centre. In addition a school bus provides access to Icknield Community College in Watlington.
- 6.15 It is acknowledged that the development would increase demands placed on local infrastructure and services. County Education has commented that there is insufficient capacity at early education, primary secondary and special schools in the area at this time to meet the demands arising from the development and as such funds from CIL would be required to mitigate this impact. Early years and childcare provision has

capacity to accommodate this development.

Matters of detail / technical issues

Affordable housing and housing mix

- 6.16 Policy CSH3 of the SOCS specifies that 40 per cent of new homes shall be affordable, with a tenure mix of 75 per cent social rented and 25 per cent shared ownership. Given that the application is on outline, the mix is currently indicative. The indicative mix would include 80 affordable units and this amounts to 40 per cent. In terms of the tenure split, 60 homes (75%) would be for affordable rent and 20 homes (25%) shared ownership. The Design and Access Statement refers to a mix of 1 and 2 bed flats and 2 and 3 bed houses.
- 6.17 The SHMA is the most up to date evidence base for considering housing mix but the Housing Development Officer (HDO) has commented that the demand for two-bedroom shared ownership properties is much higher than for one-bedroom properties, therefore the overall affordable housing mix may be more suitably delivered with a higher proportion of two bedroom properties than is indicated in the SHMA guidance. In general, it is anticipated that the mix of affordable housing should reflect the significant demand for two bedroom units for both rented and shared ownership tenures with a reduction in one-bedroom accommodation and an adjustment to the number of larger homes. The table below sets out a suggested mix for 80 affordable housing units across both Affordable Rent and Shared Ownership.

	1 bed	2 bed	3 bed (5 person)	3 bed (6 person)	4 bed
Affordable rented	8	40	5	5	2
Shared Ownership	0	12	6	0	0

- 6.18 The HDO considers that it is preferable for the majority, if not all of the two bedroom properties to be delivered as houses rather than flats as houses are considered more suitable for families needing rented accommodation and Registered Providers have advised that houses are more appropriate for shared ownership.
- 6.19 The affordable units would be distributed throughout the development and a legal agreement would require the units to be built “tenure blind” in respect of external design and features so they are materially indistinguishable from the general market housing. Subject to the completion of a legal agreement to secure the affordable housing provision, I consider that the scheme is acceptable in this respect and complies with the above policy.
- 6.20 In terms of the market housing, the NPPF seeks to deliver a wide choice of high quality homes, highlighting the need to plan for a mix of housing based on current and future needs. Policy CSH4 of the SOCS reflects this requirement. The application proposes to provide a range of housing types ranging from 1 to 4 bed flats/dwellings. The market housing mix would need to reflect the SHMA requirements shown below which could be secured by condition.

Market homes	1 bed	2 bed	3 bed	4+ bed
SHMA	6%	27%	43%	24%

Highway safety and traffic impact

- 6.21 The development site would be served by two main access points to the B480. (plans **attached** at Appendix 3). This would include a new roundabout connecting the High Street to the B480 which would replace the current priority junction arrangement. A further new priority junction is proposed with the B480 to the east of the High Street/ B480 junction, located at the mid-point of the development. The development also proposes a minor realignment to the High Street west of Marley Lane.
- 6.22 A Transport Assessment (TA) has been submitted with the application which concludes that the B480 is anticipated to experience just 4% increase in traffic throughout the day. The traffic impact assessment has shown that both the proposed roundabout junction of the B480 with High Street and the proposed new priority junction with the B480 would operate within their intended capacity. Further from the site, the traffic impact is also considered for the staggered T junction at Monument Road and the mini-roundabout at Stadhampton. The Monument Road priority junction has been assessed and would operate without any capacity issues. The results of capacity testing on Stadhampton mini-roundabout suggest that the traffic impacts of the development on this junction could be considered to be minor. The villages of Cuxham and Watlington, located along the B480 east of the development site, have noted features which act as a constraint to traffic flows, however, the levels of development traffic travelling eastbound are relatively low and unlikely to present capacity issues for these sections of the B480. The TA concludes that the proposed development represents a sustainable location in which to construct new housing and would have minimal detrimental impacts on the local highway network.
- 6.23 Following the submission of additional information including a road safety audit, TA Addendum Technical Note and amended plans to improve junction spacing and increasing the width of the access roads to accommodate bus movements, OCC raises no objection to the application subject to highway conditions and contributions towards improvements to public transport provision and bus stop infrastructure.
- 6.24 The NPPF makes it clear that developments should only be refused on transport grounds where the residual cumulative impacts are severe. Safe and suitable access can be provided to the site as well as a layout that is safe, secure and minimises conflict in accordance with section 4 of the NPPF. As such I consider that the proposed development would be acceptable in highway safety terms subject to appropriate highway conditions and contributions towards encouraging sustainable modes of transport.

Landscape impact

- 6.25 The South Oxfordshire Landscape Assessment (SOLA) includes the site in 'The Clay Vale' character area characterised by:
'a patchwork of arable fields and pastures, hedgerows, trees and woodland blocks typical of much of lowland England. It is distinguished from other parts of the District by its subdued and low-lying relief which sets it apart from the pronounced landform of the Chilterns, Mid-vale ridge, downs and vale fringe landscapes and the very flat floodplain farmland. Sub-divisions reflect differences between very open, denuded farmland to landscapes with an enclosed character and those with a strong structure of woodland.'
- 6.26 The Landscape Capacity Study of potential housing sites in some of the villages of the District looked at eight sites in Chalgrove, including the application site (CHAL 1). The site was assessed to be of 'Medium/Low' Landscape Character Sensitivity with a 'High' Landscape Capacity. It found that the site did not contribute to the setting of the Conservation Area and made little contribution to the setting of the listed building.

- 6.27 The adopted Local Plan and the Core Strategy contain policies that seek the protection of landscape character and features and set requirements about the quality of development, to ensure that it is appropriate to the site and its surroundings and enhances local distinctiveness. The Chilterns AONB is located some 6 kilometres to the south of the application site.
- 6.28 A landscape and Visual Impact Assessment (LVIA) has been submitted with the application which concludes that the local landscape was found to be of 'Moderate' sensitivity meaning that some change could be accommodated without notable detrimental effect on the overall character. In general, during the construction period there would be a temporary 'Adverse' effect on the landscape character. Once complete the development would positively contribute to the setting and have a 'Beneficial' residual effect. Whilst the development proposals would irreversibly change the character and appearance of the site, it was found that the site whilst not without merit was unremarkable and affected by the presence of the airfield, busy roads and unattractive man-made features. The development would provide opportunities for recreational use and improve and enhance the existing wildlife habitats. The riverside park and reinforcement of boundary vegetation would positively contribute to the setting of Chalgrove and would collectively create an attractive edge to the development and an enduring new settlement boundary to the village.
- 6.29 Notwithstanding the above, the development of open agricultural fields to provide up to 200 dwellings would inevitably have an urbanising effect and would cause some erosion of the rural landscape of the area. However I consider that these effects would be localised in nature. Nevertheless, the proposal would result in the loss of what is currently open agricultural land, and its replacement with housing, streets, lights and associated human activity would clearly have an adverse effect on the rural quality of the landscape. As such the proposal would result in landscape harm and this is a matter that must be put into the planning balance to weigh against the proposal.

Agricultural Land

- 6.30 Paragraph 112 of NPPF advises that local planning authorities should take into account the economic and other benefits of the best and most versatile land (BMV). Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in Grades 3b, 4 and 5 in preference to higher quality land. Paragraph 109 of the NPPF puts the protection and enhancement of soils as a priority in the conservation and enhancement of the natural environment.
- 6.31 The land is partially contained within grade 3a and partially within 3b. The grade 3a land constitutes BMV land and its loss also weighs against the proposal in the overall planning balance.

Trees and ecology

- 6.32 The Arboricultural Impact Assessment identifies that there are some trees of low to modest amenity value on-site, most of which are of low value with some trees of moderate value. The dominant individual tree species on this site is Hawthorn, with Sycamore, Ash and Willow as the other standard trees present. A large number of these trees are required to be felled to accommodate the development. Chalgrove Brook to the south of the site does however provide a prime opportunity to utilise the proposed 10 hectare river meadows to create an attractive area of open space with tree

planting, to replace those lost due to development. It also provides potential for a significant environmental and recreational asset for increasing biodiversity, as well as encouraging a healthy lifestyle for walkers, joggers, cyclists, and users of exercise stations. As an outline application, a detailed housing layout has not yet been prepared, nevertheless, the Landscape Framework Plan shows, in principle, how these opportunities for new and enhanced planting could be implemented.

- 6.33 The Forestry Officer (FO) considers that the submitted arboricultural information represents a fair reflection of the trees growing across this site and that all of the trees apart from one Oak are of insufficient arboricultural value to be considered as a constraint to development. As this is an outline application, with the detailed layout reserved for later consideration, the FO considers that the Oak tree should be retained if possible to add a valuable sense of maturity to the new development. If the tree is required to be felled then its loss would need to be mitigated for as part of a comprehensive landscaping scheme. The FO comments that the landscaping scheme should aim to prevent the harsh appearance of development from the B480 and that sufficient space should also be allocated to accommodate new trees in key locations along the frontages of some of the dwellings facing the new road. This would soften their built form and tie it in to the more open character of the POS on the southern side of the highway. As the application is in outline form, with landscaping reserved for latter consideration, an appropriate landscape scheme could be secured at the reserved matters stage.
- 6.34 The site has been subject to a Preliminary Ecological Appraisal and further species surveys have now been conducted. The Countryside Officer (CO) is not satisfied that the bat survey undertaken was reliable but given the low level of suitability of the site for bats, the CO is satisfied that the proposals are unlikely to lead to any significant impacts on the local bat population and that the further surveys could be subject to a condition. The CO considers that the proposals are unlikely to lead to any significant impacts on populations of protected species and there are opportunities within the scheme to provide species enhancements.
- 6.35 In light of the above, there is no evidence to suggest that there are any overriding ecological constraints to the development of the site for residential purposes. The proposals would deliver a net benefit for wildlife which could be secured through appropriate planning conditions.

Design and layout

- 6.36 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- 6.37 The NPPF goes on to advise that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 61).
- 6.38 The design policies of the SOCS (particularly CSQ3) and SOLP policies (particularly D1-D4) echo these requirements.

- 6.39 The layout of the proposed development is to be the subject of a reserved matters application. However, an illustrative site layout has been provided and this communicates the key design principles that a subsequent reserved matters application should reflect. This is supported by a detailed design and access statement which explains the design concepts behind the illustrative layout and how this relates to the surrounding area. These concepts include:
- Homes fronting onto Marley Lane creating an active street frontage,
 - Open space located to protect the setting of Listed Buildings,
 - A linear development reflecting the urban grain of Chalgrove village,
 - The creation of green 'gateways' into the village with village greens and ponds,
 - A green edge to the site with development located away from the Southern boundary.
- 6.40 The indicative plans show that sufficient public open space (POS) could be provided to meet policy R6 of the SOLP, which requires 10% of the gross site area to be provided as informal open space. The scheme would provide 9.6 ha of public open space. The Design and Access Statement refers to the provision of extensive public open space designed as Village Greens within the development together with an area of informal countryside located along the Southern boundary of the site. One of the open spaces would be to the east of the site to protect the setting of listed buildings. A local area of play and equipped area of play would be required to be provided to comply with policy R2 of the SOLP. The formal and informal POS and play areas could be secured with a S106 legal agreement. The application also includes the provision of a Scout Hut, the need for which has been highlighted in the emerging CNP.
- 6.41 A revised illustrative masterplan has been submitted following discussions with the Council's Urban Design Officer to improve the proposed layout and ensure that the development on the site could comply with the principles of the design guide and to ensure that a strong landscape buffer is provided to the west of the site. The masterplan now shows the omission of dwellings adjoining the western boundary and the provision of a significant landscape buffer. The Urban Design Officer is satisfied with the amendments to the masterplan and is content that through good design at the reserved matters stage, the site would be able to accommodate the quantum of development proposed.

Neighbour amenity and amenity of future residents

- 6.42 Policy D4 of the SOLP requires new development to secure an appropriate level of privacy for existing residents. The layout may change at reserved matters stage and the impact on neighbouring properties will be carefully assessed under a future application. Based on the indicative layout, proposed strategic landscaping and the separation that can be achieved between the proposed dwellings and neighbouring properties, I am of the opinion that the development could be achieved without any adverse impacts on neighbours in terms of light, outlook and privacy.

Flood risk and surface / foul drainage

- 6.43 The application has been supported with a Flood Risk Assessment and Drainage Strategy which has been updated following discussions with both the Environment Agency (EA) and the Council's Drainage Consultant. The Assessment states that the dwellings and associated essential infrastructure including surface water drainage would be located in Flood Zone 1 (Least probability of flooding). The south of the site which lies within Flood Zones 2 and 3 would be limited for use as public open space. It is concluded that the proposal would move runoff from the site away from the village,

which has experienced flooding problems and would reduce the rate of runoff which would reduce the risk of flooding in Chalgrove and also downstream in Stadhampton.

- 6.44 The EA had raised objections to the development but following the submission of further information their objection has been withdrawn as they are now satisfied that the flood risks posed to the development are sufficiently low. A condition to reduce flood risk is recommended.
- 6.45 The Drainage Strategy advises that surface water drainage would be via a sustainable drainage system (SUDS) including new attenuation ponds, connected via a swale, with swale discharge to the Chalgrove Brook. The overall outlet rate would be limited to greenfield runoff rates. The area in the southeast of the site, which is shown to suffer surface water flooding would be at reduced risk due to the proposed drainage system. The SUDS infrastructure would form part of the multifunctional green space, incorporating open space and drainage features to add amenity to the area and reduce flood risk. Initial concerns raised by the Council's Drainage Consultant have now been addressed following the submission of additional information and a condition is recommended requiring the submission and approval of sustainable drainage details.
- 6.46 In terms of foul drainage, the Drainage Strategy advises that Thames Water has confirmed that the existing pumping station has sufficient capacity to accommodate foul wastewater from the proposed development.

Impact on Heritage assets

- 6.47 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities to pay special regard to the desirability of preserving the setting of listed buildings. The NPPF sets out that great weight should be given to the conservation of heritage assets. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Core Strategy Policy CSEN3 sets out that designated historic heritage assets will be conserved and enhanced for their historic significance. Local Plan Policy CON5 provides that proposals which would adversely affect the setting of a listed building will be refused
- 6.48 There are two Grade II listed buildings within close proximity to the site, The Lamb Public House and No 1 Marley Lane and Chalgrove conservation area. A Heritage Statement has been submitted which has assessed the impact of the proposals on these heritage assets. It concludes that the proposed development would not cause any harm to the significance of The Lamb Public House because of the location and layout in the illustrative masterplan and the alignment of the heritage asset. No.1 Marley Lane is considered to have the potential to be affected by the development, however, the development is not considered to cause any significant harm to its setting which is potentially enhanced by the proposed green space and tree planting immediately around the property. Although its open setting would change, new tree planting would help to screen the proposed new houses closest to the listed building. It is considered that any 'harm' caused would be very limited and would be less than substantial.
- 6.49 The Conservation Officer has no in principle objection to this outline application in heritage terms but comments that the most considerable change would be the impact of the far more urbanised approach to the village which is currently distinctly rural and open from development at this once terminus of the high street, which is still particularly low-density at this end of the village. This would be a fundamental change to the

character of the settlement which does contribute to the listed buildings and how they are experienced at this rural end of the village. The layout is likely to require further consideration at reserved matters stage to manage how development interacts with a realigned road and to mitigate the impact this would have.

- 6.50 Paragraph 134 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The Planning Policy Guidance states that public benefits can be anything that deliver economic, social or environmental progress as described in NPPF. It is considered that the public benefits arising from this development including the provision of much needed housing outweigh the less than substantial harm to the heritage asset in this case. The impact on the listed building (No 1 Marley Lane) could also be mitigated with appropriate landscaping.
- 6.51 Policy CON13 of the SOLP requires appropriate archaeological investigation for developments that affect sites of archaeological importance. The site is located in an area of archaeological interest. Further information on the archaeological interest of the site in the form of an archaeological evaluation was required by the County Archaeological Officer (CAO).
- 6.52 The archaeological field evaluation has found archaeological deposits related to the Late Iron Age/Early Roman and medieval periods. The CAO has raised no objection to the application subject to a condition requiring a programme of archaeological investigation ahead of any development on the site.

Environmental matters (air quality and noise)

- 6.53 Policy EP1 of the SOLP seeks to secure mitigation measures to ensure that developments do not have an adverse effect on the health and amenity of future occupiers. Based on the size of the proposed development, basic good practice design should be applied to this site in order to help mitigate against the air quality impacts and to enable future proofing of the development.
- 6.54 The Environmental Health Officer has recommended conditions relating to noise and air quality to protect the amenity of neighbouring residents.

Infrastructure requirements

On-site infrastructure to be secured under a legal agreement

- 6.55 On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended). The S106 would secure the following:
- delivery of the affordable housing (set out at Para 6.17)
 - delivery of the on-site open space and play areas including a LAP and LEAP
 - a contribution of £170 per dwelling towards wheeled bins for each house
 - a contribution of £2,680 towards street naming and numbering
 - The sum of £5,568 towards the Council's S106 monitoring fee
 - Provision of a scout hut
 - Contribution of £400,000 (index linked RPIX January 2017) towards improved public transport provision
 - Contribution of £52,924(index-linked, BCIS January 2017) for bus stop infrastructure

- Travel Plan monitoring fees of £1,240 and the implementation of a residential travel information pack.

6.56 I consider that these contributions / obligations accord with policy CSI1 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. They 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.

Community Infrastructure Levy

6.57 The proposed development would be CIL liable at a charge of £150 per square metre (with an uplift for indexation). This would exclude the floor space of the affordable homes as relief from the charge can be claimed against these dwellings. The money collected from the development can be pooled with contributions from other development sites to fund a wide range of infrastructure to support growth, including schools, transport, community, leisure and health facilities.

7.0 PLANNING BALANCE AND CONCLUSION

7.1 In this case the development accords with the Council's spatial strategy, as Chalgrove is identified as a larger village which acts as a local service centre. The village is identified for approximately 200 dwellings. The site is identified, in the draft NP, as a potential housing site.

7.2 Nevertheless, the NP is at such an early stage of preparation it cannot only be afforded limited weight. The Council does not have a 5 year housing land supply and as such all the relevant development plan policies for the supply of housing are out of date. Where policies for the supply of housing are out of date, para.14 of the NPPF requires a presumption in favour of sustainable development and that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In order to judge whether a development is sustainable it must be assessed against the three dimensions of sustainable development set out in the NPPF: the economic, social and environmental planning roles.

7.3 With regards to the economic dimension of sustainability, the Government has made clear its views that house building plays an important role in promoting economic growth. In economic terms, the proposal would provide construction jobs and local investment during construction, as well as longer term expenditure in the local economy. I consider that moderate weight should be afforded to these benefits.

7.4 The development would deliver significant social benefits. The proposal would positively support the delivery of housing, including affordable housing. There is a considerable need for market and affordable homes within our district and the proposal would contribute towards this at a time of serious housing need. I attach very substantial weight to this social benefit. Other social benefits include the provision of a new community facility (scout hut). The additional pressure on infrastructure could be addressed through S106, CIL and conditions.

7.5 In terms of the environmental dimension, whilst the proposed development would intrude into open agricultural land, the scale and particular location of the proposal are such that its impact is likely to be limited to the immediate surroundings. Furthermore, the impact of the development could be further mitigated by appropriate landscaping. Nevertheless, there would be a landscape impact which would constitute harm in terms of the environmental sustainability of the proposal. The proposals would also result in

the loss of Grade 3a (BMV) land. The development's impact on heritage assets is likely to be less than substantial harm (No 1 Marley Lane) and this harm could also be mitigated with appropriate landscaping. The proposed development would not be at an unacceptable risk of flooding and would not exacerbate flooding problems for third party property. In terms of ecology and nature conservation, it has been demonstrated that the development would not have a detrimental impact upon biodiversity.

7.6 With regard to accessibility, Chalgrove is a large village and provides access to a range of facilities and services including a primary school, convenience stores, public houses and health facilities many of which are within walking and cycling distance from the site. The site is accessible by sustainable modes of transport with a bus service linking the village to Watlington, Cowley and Oxford with stops close by the site. In addition a school bus provides access to Icknield Community College in Watlington. Safe and suitable access can be provided to the site as well as a layout that is safe, secure and minimises conflict in accordance with the NPPF.

7.7 Overall, I am satisfied that there are no adverse impacts which, either individually or together, are of sufficient weight to indicate that the development should be restricted. Placing all of the relevant material considerations in the balance, I consider that the adverse impacts would not significantly and demonstrably outweigh the very substantial benefits which would result from the provision of new housing and affordable housing to boost supply as required by the NPPF. When considered against the development plan as a whole, the proposal would represent a sustainable form of development.

8.0 **RECOMMENDATION**

8.1 **To delegate authority to grant planning permission to the Head of Planning subject to:**

i) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above, and

ii) The following conditions:

1. **Approved plans.**
2. **Commencement - outline with reserved matters.**
3. **Residential travel statement.**
4. **Maximum number of dwellings.**
5. **Levels (details required).**
6. **Market housing mix (outline).**
7. **Sample materials required (all).**
8. **Sustainable design.**
9. **Refuse and recycling storage (details required).**
10. **Fire hydrants.**
11. **Cycle parking facilities.**
12. **Construction traffic management.**
13. **Highways.**
14. **Landscaping (including hardsurfacing and boundary treatment).**
15. **Construction environmental management plan.**
16. **Landscape management plan.**
17. **Biodiversity enhancement plan.**
18. **Arboricultural method statement.**
19. **Landscape and ecology management plan.**
20. **Bat survey.**
21. **Construction method statement.**
22. **Archaeology (submission and implementation of a written scheme of**

- investigation).
23. Estate accesses, driveways and turning areas.
 24. Hours of construction.
 25. External lighting.
 26. Foul drainage.
 27. Air quality.

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