
APPLICATION NO.	P16/S1124/O
APPLICATION TYPE	OUTLINE
REGISTERED	22.4.2016
PARISH	LONG WITTENHAM
WARD MEMBER(S)	Sue Lawson
APPLICANT	Kler Group
SITE	Land off Fieldside Track, Long Wittenham, OX14 4PZ
PROPOSAL	Outline residential development with all matters reserved except access for up to 36 dwellings
AMENDMENTS	As amended by plans and additional information submitted 7 September 2016
GRID REFERENCE	454679/193667
OFFICER	Amanda Rendell

1.0 INTRODUCTION

- 1.1 This application has been referred to Planning Committee as the views of Long Wittenham Parish Council differ from the Officer's recommendation.
- 1.2 This application sought outline permission for development on land to the south-east of Fieldside with access from the east side of Didcot Road (shown on the OS extract attached as **Appendix A** and in aerial photo as **Appendix D**). The site is outside of the designated conservation area but does fall within its rural setting and the setting of listed buildings, notably Challis Farm and the Barn south of The Grange. National Cycle Route 5 passes through Long Wittenham on the primary road alignment through the village, linking it with Didcot. Fieldside Track is a public right of way to the north of the site. It is understood that a private right of way exists across the site.
- 1.3 The application is currently the subject of an appeal against non-determination. This will be heard at a public inquiry which is scheduled to commence on 14 November 2017 and to run for 4 days.

2.0 PROPOSAL

- 2.1 The application seeks the outline consent for the development of 36 dwellings with all matters reserved except access. The density of development would be 24 dwellings per hectare.
- 2.2 The village of Long Wittenham is situated approximately 3 miles north of Didcot and 5 miles south east of Abingdon.
- 2.3 The site is a field in pasture, bound by post and rail fencing to the north, post and wire fencing to the south, east and west, with a hedgerow along the western boundary. A timber field shelter is located to the north-east of the site. The site is surrounded to the east and south by further fields in pasture. An unbound track, Fieldside, lies to the north of the site, beyond which lies the edge of Long Wittenham Conservation Area. The lack of any significant boundary vegetation results in the fields being read as one when viewed from Fieldside, local footpaths and from the viewpoint at Wittenham Clumps.

- 2.4 The site lies adjacent to Long Wittenham Conservation Area and is visible from Wittenham Clumps, a popular local vantage point within the North Wessex Downs AONB. The potential effects of the proposed development on the setting of the AONB and local landscape character of the area are considerations for this application.
- 2.5 The Long Wittenham Special Area of Conservation at Wittenham Clumps are situated approximately 1.89km to the south east of the application site.
- 2.6 The masterplan and documents accompanying the application have been amended during the application process. The amendments have not materially altered the overall scale or character of the development. Access to the site is still proposed from Didcot Road to the west but the amended layout incorporated a right of way crossing the site and reorganised the proposed public open space. Pedestrian access is also now proposed from Didcot Road.
- 2.7 The application proposes 8 x 2 bed houses, 11 x 3 bed houses and 17 x 4 bed houses. It was intended that the housing mix would take account of the housing requirements in the area based on the Council's aspirations having regard to the SHMA.
- 2.8 40% affordable housing is proposed as part of the application.
- 2.9 The indicative masterplan is attached as **Appendix B**. The application is accompanied by a number of supporting documents, including a Design and Access Statement, Planning Statement and various transport documents. These are available to view on the council's website at www.southoxon.gov.uk.
- 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 3.1 **Long Wittenham Parish Council-** Object to the proposal on the following grounds:
1. Contrary to emerging Neighbourhood Plan (NP). NP partly designates this site as a managed open green space along the south side of Fieldside to provide a break between the Long Wittenham Conservation Area and several listed buildings close to the north side of this section of Fieldside. The adjacent site has been allocated as a new Community "Hub" which would include a new Primary School with an adjacent Pre-School and a new Village Hall. There would be car parking and outside green space and play space. The Hub Development would need to be funded by a measured amount of market housing. The proposal will seriously impact on the character of this part of the Conservation Area. Policy CSR1 specifically protects small villages from major developments such as proposed. The proposed development does not contribute to the Hub project and the development of these houses would jeopardise the delivery of the Hub. The Hub is the highest priority for the Village and the reason the NP includes some cross funding housing.
 2. Unsustainable location - development is not sustainable. Bus services ceased in July 2016. No village shop.
 3. Traffic and Road Safety- The PC is very concerned by the location of the vehicular and pedestrian accesses to this development and increase in traffic.
 4. Historic Hedge Row- we believe the hedgerow on the Didcot Road boundary

of the site is a historic hedgerow and should be protected.

5. Ecology Survey report - concern regarding the impact upon nesting birds and roman snails.
6. Impact upon AONB and SAC at Wittenham Clumps.

- 3.2 **Conservation Officer** - Comments that development on this site will harm the setting of the Conservation Area. However, as the special interest of the whole area will not be lost, this is considered to be less than substantial harm with regard to paragraph 134 of the NPPF and conflicts with Local Plan policy CON7. There will be some harm to the setting of the identified listed buildings, also constituting less than substantial harm and conflicting with policy CON5. This harm should be given due weight when considering the balancing act of delivering houses here. The amended plans have given greater consideration to the views within the site and from the proposed open space. However, I still consider that an opportunity has been lost to integrate the views through from outside of the site boundary, to the north, within the designated settlement. The indicative plan does not take opportunities to better reveal the contribution that this rural setting makes to the significance of the conservation area, as per paragraphs 137 and 138 of the NPPF. In summary, there will be less than substantial harm with regard to paragraph 134 of the NPPF and conflicts with Local Plan policy CON7. This should be given due weight when considering the balancing act of delivering houses here.
- 3.3 **Countryside Officer** - No Objections subject to conditions regarding 1) The submission of a Biodiversity Enhancement Strategy and 2) Implementation of a roman snail precautionary mitigation strategy.
- 3.4 **Forestry Officer** - No objections. There are no trees of arboricultural significance on this site. The existing hedge is shown to be mostly retained, so this will provide some screening of any development from the Highway. development from the highway. Future applications need to include landscape planting schemes that include larger long lived trees and be made up of a wide variety of species to insure a diverse and robust tree scape. For any new tree planting within hard surface areas tree pit designs must be able to provide the trees with access to suitable volumes of soil that is in an oxygenated, hydrated and un-compacted form. (25m³ for each tree). All landscaping plans need to be designed in unison with housing and POS layouts as well as all other drainage, service routes and lighting layouts to avoid conflicts that would prevent the planting from being implemented or becoming established in the future. Future application should include this information to demonstrate the aforementioned matters have been addressed.
- 3.5 **Landscape Officer** - No objections subject to the submission of a Green Infrastructure parameters plan to support the application along with conditions covering 1) a detailed hard and soft landscape scheme including detailed planting plans and 2) An arboricultural method statement and 3) Lighting.
- 3.6 **Waste Management Officer** - No objections. General guidance and comments are provided on waste collection. This includes services provided by the council, access, indemnity and section 106 contributions. A tracked plan would be required to show waste collection vehicle access and turning and information should be provided on plan for waste collection points for each property. Bin stores should accommodate sufficient number of bins, and information on bin store location and size would be required.

- 3.7 **Thames Water-** No objections. With regard to waste water, Thames Water recommend the imposition of a Grampian style condition requiring a drainage strategy to be submitted to and approved in writing by the LPA. With regard to water, Thames Water recommend the imposition of an informative regarding water pressure.
- 3.8 **Historic England (South East) -** No comments. Initially noted that the proposed development area contains remains that are considered to be of regional importance and that further archaeological work should be carried out in consultation with the County Planning Archaeologist. However as a result of the revised information submitted they have now confirmed that specialist staff have considered the new information received and do not wish to offer any comments on this occasion.
- 3.9 **CPRE (Rights of Way) -** Object. Currently this lane offers users attractive rural views to the south, but the proposed development would enclose it obscuring the views and making it into just a boundary between the old village and new development.
- 3.10 **Long Wittenham Primary School-** Long Wittenham is producing a Neighbourhood Plan which would allow for additional housing in the village up to a maximum of 40 houses. This housing would also assist the development of a community hub which would include a new primary school, pre-school, village hall and community space. The development of these community facilities would need to be funded by sale of the existing school site for housing and from contributions arising from the other housing in the vicinity of the hub. If this proposal is given the go ahead it would make it very unlikely that the villages need for a community space, including a new school, would come to fruition. This is because with 36 additional houses already built or consented there would be insufficient housing allocation remaining within the Neighbourhood Plan to fund the development of community facilities. Comments are also made on the existing school and the problems associated with its current position, such as parking outside at peak times, age and condition of the existing buildings and capacity issues for future developments.
- 3.11 **County Highways Authority-** No objection subject to conditions (access details, drainage details for foul water, drainage details for surface water, sustainable drainage scheme, construction method statement, Construction Traffic Management Plan and Travel Plan Statement and Travel Information Pack).

Original objection regarding sustainability grounds withdrawn. Accepted that the development site is far from optimal given the absence of public transport in Long Wittenham, however it is felt that this could be offset by a developer contribution of £795 per dwelling towards strategic bus services in the Science Vale. Furthermore, as a result of additional information relating to the development site as detailed in the TSA, taking into account the quantum of the development, on balance it can be considered there is a minimal impact on the highway network from traffic generated by the development. Together with the accessibility of employment, education and other facilities within reasonable distance via other modes, the sustainability objection is withdrawn. Revised information showing swept path analysis, zebra crossing details, frontage footway provision and updates safety audit are considered acceptable. The County Council comment that the point regarding land ownership remains and any potential conflict with achieving required minimum visibility splays at

the site development access on Didcot Road. They are of the view that it is ultimately for the District Council acting as the LPA to determine this specific issue.

- 3.12 **County Archaeological Services** – No objections subject to conditions. An archaeological evaluation has been undertaken for this site and the results have now been submitted which show that significant archaeological deposits relating to the Saxon cemetery survive on the western side of the site. A programme of archaeological investigation will be required ahead of any development. This can be undertaken as a condition on any resultant planning permission.

- 3.13 **Bug Life-** Object. Concern that the proposals might have significant impacts on an established population of Roman snail. Construction of this development, without appropriate mitigation, is likely to result in killing and injuring of individuals should they be present.

Buglife's objection is based on the potential threat to a population of the Roman snail. The lack of ecological assessment and survey specifically targeting the species prevents the local authority from making an informed decision on the application. A number of recommendations can be made to firstly confirm the presence of the species and then to ensure appropriate consideration of the

- 3.14 **The Conchological Society-** Object. The planning application in its current form has the potential to cause damage, or possibly significant loss to a population of protected Roman snails. A thorough and satisfactory ecological impact study is required to objectively assess the distribution and population levels of the snail at and immediately adjacent to the site. Additionally, the results of a 'phase one' study could also be used to develop mitigation or enhancement plans to avoid killing Roman snails on those parts of the site where they are shown to be present. It should also be pointed out that such an investigative study can only be undertaken by personnel who have appropriate Natural England issued licences allowing snails to be picked up, handled and possibly moved. In the event that movement of the snails might be considered, then any plan would also need licenced approval from Natural England. Before any possible Roman snail translocation might be allowed, it is likely that Natural England might expect that all reasonable options had been considered to allow Roman snails to remain on the site without the risk of death or injury.

- 3.15 **Acorn Rural Property Consultants-** Act for the adjoining landowner to the application site, Mr R C Weavers, who owns land immediately adjoining the application site to the south. Mr Weavers owns the roadside hedge and ditch up to the extent of the public highway. It would currently appear from the application plans that the sightlines for the proposed access would be over our client's property. We would like to put it on record on our client's behalf that he would not wish his hedge or ditch to be made subject to any maintenance obligations or to enter into any agreement with any third parties in respect of such maintenance obligations.

- 3.16 **Local Residents-**

111 responses to the application. Of these, 108 are objecting in relation to the following matters:

- Conflict with the Neighbourhood Plan. Application undermines proposals for community hub.
- Application does not provide any infrastructure improvements
- Suburban sprawl not appropriate in Long Wittenham
- Development would affect the setting of the Conservation Area and Listed Buildings
- Development on this site would set a precedent for further development on eastern side of Didcot Road.
- Landscape Impact
- Village is unsustainable and currently has limited facilities
- Impact of additional traffic on village and concerns regarding highways safety
- Impact upon school
- Development in green belt
- Lack of bus service
- Modern housing would not fit in with historic village
- Impact on ecology (house martins, bats and roman snails)
- Noise and light pollution
- Increased flooding
- Impact upon archaeology

Three letters of support have been received for the development raising the following comments:

- Increase in housing would benefit existing businesses in the village by bringing new people in.
- Development would provide more affordable housing opportunities.
- Development would help to support the role of smaller villages

4.0 **RELEVANT PLANNING HISTORY**

4.1 None of relevance

5.0 **POLICY & GUIDANCE**

5.1 National Planning Policy Framework (NPPF)

5.2 NPPF Planning Practice Guidance (PPG)

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

CS1-Presumption in favour of sustainable development

CSS1-The Overall Strategy

CSM1-Transport

CSM2-Transport Assessments and Travel Plans

CSH1-Amount and Distribution of housing

CSH2-Housing Density

CSH3-Affordable housing

CSH4-Meeting housing needs

CSR1-Housing in villages

CSR3-Community facilities and rural transport

CSEN1-Landscape

CSEN3-Historic Environment

CSQ2-Sustainable Design and Construction

CSQ3- Design

CSQ4-Design Briefs for greenfield neighbourhoods and major development sites
 CSG1-Green Infrastructure
 CSB1-Conservation and improvement of biodiversity
 CSI1-Infrastructure provision
 CSC1-Delivery and Contingency

5.4 South Oxfordshire Local Plan (SOLP) 2011 saved policies;

G2 - Protect district from adverse development
 G4 - Protection of Countryside
 G5 -The General Approach
 C4 - Landscape setting of settlements
 C6 - Biodiversity improvements
 C7 - Protection of Special Areas of Conservation and SSSI's.
 C8 - Protection of specially protected species
 C9 - Loss of landscape features
 CON5 - Setting of Listed Buildings
 CON11- Archaeology
 CON12 - Archaeological investigations
 CON13 - Archaeological preservation
 EP3 - Lighting
 EP4 - Water protection
 EP6 - Surface Water systems
 EP7 - Groundwater
 D1 - Principles of good design
 D2 - Safe and secure parking for vehicles and cycles
 D3 - Private amenity Space
 D4 - Privacy
 D6 - Crime prevention
 D7 - Design and layout for people with impaired mobility hearing or sight.
 D10 - Waste Management
 D12 - Public Art from sites in excess of 1 hectare
 R2 - Outdoor Play Space
 R6 - Public Open Space
 R8 - Retention and protection of the existing public rights of way network
 CF2 - Provision of additional community facilities
 T1 - Safe, convenient and adequate highway network for all users
 T2 - Unloading, turning and parking for all highway users

5.5 Emerging South Oxfordshire Local Plan 2032The consultation on the 'Preferred Options' for the Local Plan closed 19 August 2016. The preferred options does not allocate sites for development and instead devolves delivery of houses in villages to the Neighbourhood Plan process (update set out below).

5.6 South Oxfordshire Design Guide 2008

5.7 Long Wittenham Neighbourhood Plan 2017

The Long Wittenham Neighbourhood Plan was submitted to an independent examination in June 2017. An Inspector has given the go ahead for the plan to proceed to a public referendum, and on 7 September residents in Long Wittenham voted for the adoption of the Long Wittenham Neighbourhood Plan. The official referendum results were as follows:

- Votes in favour of adopting the neighbourhood plan: 418 (92%)
- Votes against adopting the neighbourhood plan: 30 (7%)

The next step is for the neighbourhood plan to be “made” by the Council. On being made, it will become part of the development plan.

The overall aim of the plan is to enable Long Wittenham to continue to thrive and to provide an outstanding quality of life for current and future generations of residents whilst retaining its unique and distinctive character. It sets out the following objectives:

- To provide improved and additional community facilities including a school
- To reduce traffic congestion, improve road safety and reduce traffic noise
- To encourage a more active community
- To enhance the character and quality of the village.

The Plan sets out the following policies:

- LW1-sets out criteria for a Community Hub.
- LW2-Community Infrastructure Levy
- LW3-Dwelling Mix
- LW4-Design
- LW5-Car Parking
- LW6-Ecologically Sensitive Areas.

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
 - the conflict with the Neighbourhood Plan
 - how the development of the site fits with the Council’s spatial strategy
 - 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
 - trees and ecology
 - design and layout
 - neighbour amenity of future residents
 - flood risk and foul/surface water drainage
 - archaeology
 - environmental matters (air quality, contamination and noise)

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

The Principle of Development.

The council's housing land supply position.

- 6.2 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. The development plan currently comprises the South Oxfordshire Core Strategy (SOCS) and the saved policies of the South Oxfordshire Local Plan 2011 (SOLP). When the Long Wittenham Neighbourhood Plan is made by the Council it will become part of the development plan. This is likely to happen by November 2017. The National Planning Policy Framework is a material consideration in determining this application.
- 6.3 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.
- 6.4 In May 2017 the Council issued its latest assessment of the district's five year housing land supply. Based on an annual requirement of 775 dwellings a year (the midpoint of the range recommended by the 2014 Strategic Housing Market Assessment (SHMA)), and applying a 20% buffer to that requirement, the assessment shows 4.1 years' supply.
- 6.5 The council cannot therefore currently demonstrate a five-year supply of deliverable housing sites.
- 6.6 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 sites. Paragraph 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 (which include policies protecting designated heritage assets).
- 6.7 This means that the policies for the supply of housing in the SOCS can be given significantly less weight. Applications for housing should now be considered in the context of the presumption in favour of sustainable development and should be permitted unless there is planning harm that significantly outweighs the benefit of providing new housing, or specific policies in the Framework indicate development should be restricted.

Conflict with the Neighbourhood Plan.

- 6.8 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include highway safety, traffic, effect on Listed Buildings or Conservation Area, Design appearance and materials, proposals in the Development Plan, previous planning decisions (including appeal decisions) and nature conservation. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF goes on to say that where the development plan is absent, silent or relevant policies are out of date, (unless material considerations indicate otherwise) permission should be granted 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 the NPPF indicate development should be restricted.
- 6.9 At the time of writing this report, the Neighbourhood Plan has been the subject of a referendum but is not yet 'made'. Paragraph 216 of the NPPF sets out the weight that may be given to relevant policies in emerging plans in decision taking. The NPPF Planning Practice Guidance (PPG) states that *"Where the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites, decision makers may still give weight to relevant policies in the emerging neighbourhood plan, even though these policies should not be considered up-to-date"*. Paragraph 198 states that *"...Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted"*.
- 6.10 The Long Wittenham Neighbourhood Plan 2017 to 2033 sets out a plan for a sustainable future for the village taking into account the views and needs of the residents. It recognises the limited facilities in the village and subsequently the concern that the village in its current form provides a less sustainable basis for future growth.
- 6.11 The Neighbourhood Plan sets out the desire for a community hub in the village to incorporate a new school, pre-school, village hall and community facilities, parking and sports facilities on a new site. Policy LW1 states that *"In the circumstances where residential development is included as part of a community hub proposal, the wider package should be accompanied with a viability assessment that addresses the relationship between the different uses and, where necessary, provides a justification for the scale of development proposed. Any residential development should meet the development plan need for affordable housing and deliver a mix of housing types and sizes to meet the community's needs"*.
- 6.12 The LWNP acknowledges that a limited amount of development is necessary to deliver and sustain the neighbourhood area's long term infrastructure requirements, and positively encourages development which will deliver improved facilities that address the constraints which currently make the village unsustainable and where it enhances the village character. Developing a new community hub to include a new school and hall, for example would free up the existing school and hall sites for additional houses and amenities. It realises that the availability of suitable sites is limited and allocating any site could compound the village's problems by delivering

additional housing beyond that which is sustainable without the assurance of delivering the full range of community facilities that are needed for the current level of housing.

- 6.13 The pre-submission Neighbourhood Plan second draft 12 December 2016 addressed the fact that without some development the existing deficit in community facilities cannot be addressed as it is likely to require funding from developer contributions.
- 6.14 Following on from the first pre-submission draft, this version of the LWNP identified preferred site for development of a community hub (known as site 2a) on Didcot Road to the south of the application site. It suggested that this site would be convenient for pedestrian access by the largest population of young families at Saxons Heath and Westfield Road and that improved pedestrian and cycle access along Fieldside adjacent to the green buffer will provide safe routes for people from the rest of the village. The exact number of homes that would be needed would be based on viability and delivery of a community hub would depend on housing mix, number of affordable houses and cost of land purchase. Draft policy LW1 allocated the site for housing of a suitable number to meet locally identified needs and enable a community hub to be funded on the site.
- 6.15 The SODC SHLAA 2013 did not identify any sites in Long Wittenham for development as it is a smaller village and was not considered a sustainable location for additional housing. The draft LWNP accepted that site 2a to the south of the application site would create an incongruous development that would require careful design if it were not to create a precedent for the rest of the village and that extending development into the countryside would change the character of the area. The draft went on to acknowledge that development of site 2a would leave the application site vulnerable to development. However subsequently the second draft concluded that given that any reasonable alternatives that would deliver a community hub would fundamentally change the character of Long Wittenham, the plan does not seek to promote any specific site and site 2a is no longer promoted.
- 6.16 The final LWNP does not now allocate any sites for housing or have any policies regarding housing supply. However, the above policy LW1 recognises that to enable the provision of the desired community hub, some housing may need to be provided to make this viable. On the issue of housing it refers back to the SOCS and policy CSR1 Housing in Villages which is discussed below.

How the development of the site fits with the Council's spatial strategy.

- 6.17 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;
- 6.18 Long Wittenham is identified as a smaller village in Appendix 4 of the Core Strategy. Policy CSR1 of the SOCS indicates that for smaller villages, infill development would

be acceptable on sites of up to 0.2ha, which is equivalent to 5-6 houses. Given the scale of development proposed, and the location of the site on the edge of Long Wittenham, this would not constitute infill development by virtue of size, density or location.

- 6.19 The conflict with the spatial strategy is a matter to be weighed up in the planning balance against the benefits of providing much needed new homes. In making this assessment, it is necessary to consider the sustainability of the site. This is a matter that was raised and considered by the Inspector who allowed an appeal for 65 dwellings in Stadhampton (P14/S4105/O). At para 32 of this decision the Inspector states:

However, in light of the need to significantly boost the supply of housing it is clear that the weight to be given to the spatial strategy should be reduced. However, the weight should not be reduced to such an extent that there should be an inevitability that a wide number of smaller settlements would have a notable role to play in delivering the housing need. Each settlement would need to be considered within the context of ensuring that housing would be sustainably delivered in a network of settlements that are broadly consistent with the NPPF compliant spatial strategy for the District. Therefore, some settlements that were 'close to the cut' in terms of the appraisal undertaken in 2011 to inform the Core Strategy should now come into focus for their suitability for some additional housing based on an up-to date assessment of their sustainability

- 6.20 The emerging SOLP indicates under Policy H10 (Housing in Smaller Villages) that a minimum of 500 new homes will be delivered in the smaller villages through Neighbourhood Development Plans, infill development, and/or small suitable sites of up to 10 dwellings. The provision of 500 homes should be viewed as a minimum level of growth and will be met through small sites of 10 homes or less, and infill development, and will not be allocated by the local planning authority.

The accessibility of the site to services and facilities.

- 6.21 The Settlement Assessment that informed the categorisation of villages in the SOCS scored settlements against a number of indicators including types of services and facilities they may contain. Unfortunately, some of the data for Long Wittenham was out of date, particularly for public transport as bus services ceased in July 2016 after the submission of the planning application (April 2016) The current services that can be confirmed in Long Wittenham comprise a school, church, village hall, two pubs, a museum, sports field and bar/restaurant. There isn't a shop or post office (both closed in 2005/6) and the village does not have any public transport (service withdrawn July 2016). The village is connected to Didcot via a cycle path and is approximately 2 km away from the post office and shop in Clifton Hampden to the north east of the application site.

The District Council are in the process of reviewing the Settlement Assessment and a new settlement hierarchy and settlement assessment background paper is due to be published in Autumn 2017.

- 6.22 There is one primary school in Long Wittenham which is located 380 metres from the

site. There is another primary school in Clifton Hampden. The closest secondary schools and other alternative primary schools are situated in Didcot. Whilst the County Council have commented that there is insufficient capacity for Primary, Secondary and Special education in the area at this time to meet the demands arising from the development, they have not objected to the application. They advise that funding from the Community Infrastructure Levy (CIL) will be required to mitigate the impacts from this development. In particular monies have been identified for funding towards Primary and Special Education Needs education.

- 6.23 There are a limited number of facilities/services within Long Wittenham and the withdrawal of the bus service in July 2016 is a concern. However, Long Wittenham is situated approximately 4.5km from Didcot by road, which provides a very wide range of services and employment opportunities. In terms of cycling, the National Cycle Route 5 passes through Long Wittenham on the primary road alignment through the village, linking it with Didcot. This route is approximately 4km long.
- 6.24 Whilst the LWNP identifies the limited services and infrastructure within the village, the County Council are no longer objecting on the grounds of sustainability, following the submission of the submission of a Transport Statement Addendum (TSA) from the applicant. On the basis of this document, the County Council concluded that whilst the development site is far from optimal given the absence of public transport in Long Wittenham, the offer of a contribution of £795 per dwelling (totalling £28,620) towards strategic bus services in the Science Vale is seen as a positive. Furthermore, as a result of additional information relating to the development site as detailed in the TSA, taking into account the quantum of the development, on balance the County considers that there is a minimal impact on the highway network from traffic generated by the development. Together with the accessibility of employment, education and other facilities within reasonable distance of the site via other modes, their objection on sustainability grounds was withdrawn.
- 6.25 Paragraph 55 of the NPPF indicates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 17 indicates that one of the core planning principles is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- 6.26 Paragraph 35 of the NPPF advises that developments should be located and designed, where practical to give priority to pedestrian and cycle movements and to have access to high quality public transport facilities. However, paragraph 29 recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. It is not uncommon for villages in the countryside to be poorly served by public transport, and the loss of the bus service to Long Wittenham will also have affected other villages along the route (Wallingford, Dorchester, Berinsfield, Clifton Hampden, Long Wittenham and Didcot). The nearest bus stop is now in Clifton Hampden. Whilst access to public transport is clearly highly desirable as an alternative to the private car, a number of recent appeal decisions (outside of this District) have concluded that the lack of public transport itself is not a sufficient reason in itself to prevent further residential development in such communities, rather that it is one of the many considerations that need to be taken into account when assessing development proposals.

- 6.27 In the case of Long Wittenham, clearly this is an issue that would need to be weighed in the overall balance. The site is situated approximately 3 miles to the north of Didcot, 5 miles to the south of Abingdon and Oxford is situated 9.5 miles north of the village. It is on the National cycle route which connects Wallingford, Brightwell cum Sotwell, Little Wittenham, Didcot, Harwell, Abingdon and beyond and provides a good cycle route to Didcot. It is accepted that transport solutions vary greatly from urban to rural areas. Whilst it is important to try to reduce reliance upon the private car, it has to be acknowledged the absence of opportunities to use more sustainable modes of transport, and the associated implications in terms of increased pollution, constitute an adverse impact that will need to be weighed in the overall planning balance. Given the proximity of the nearby towns and Oxford, the distance residents would travel by private car becomes an important consideration.
- 6.28 In addition to the cycle route opportunities to Didcot, Long Wittenham is only 3 miles drive to the nearest railway station in Appleford which provides trains to London Paddington. Appleford Station is also accessible by public footpath and cycle track from Long Wittenham. This train service also stops at Didcot Parkway Station which is a short drive from Long Wittenham.
- 6.29 This element of sustainability is not therefore fully met, but given the above circumstances results in an adverse effect of only limited negative weight.

Matters of detail/technical issues.

Affordable Housing and housing mix.

- 6.30 Policy CSH3 requires schemes with a net gain of 11 or more homes to provide 40% of the total number of dwellings on the site as affordable housing. For this application site, this would equate to 14.4 affordable homes of which 75% (10 units) should be for rent and 25% (4) should be for shared ownership. The expectation would be for 14 units to be delivered on the site with a commuted sum payable for the 'part' (0.4) unit.
- 6.31 The 2014 Oxfordshire Strategic Housing Market Assessment (SHMA) provides guidance for a district-wide mix of property sizes for both market and affordable housing for South Oxfordshire, however individual developments may need to make some adjustments to take into account local market issues. The application has provided detail on a possible housing mix at this stage, but although has recognised the need for affordable housing has offered 3 options for its delivery. SODC would expect to receive the 14 units required. As an illustration, the table below uses the SHMA guidance to show how 36 units could be delivered.

	1 bed	2 bed	3 bed	4 (+) bed
Market	1	7	8	6
Affordable	4	6	4	0

- 6.32 The Government Welfare reform, introduced since the production of the SHMA, has seen a significant increase in the demand for two bedroom accommodation for rent with a reduction in demand for larger rented family homes due to the changes in

eligibility for Housing Benefit. Although the demand for 3 and 4 bedroom properties has reduced there is a need for some families to have access to larger 3 bedroom houses with capacity for 6 bed spaces if they are not currently eligible for 4 bedroom accommodation.

- 6.33 The SHMA recognises that, whilst the demand for one bedroom accommodation is also high for rented units, this size of accommodation provides less flexibility in meeting changing household need and that there is potential for greater turnover as a result of household moves. Changes in Housing Benefit payments also impact on the eligibility of single people in particular for a self-contained unit. The requirement for councils to meet the needs of homeless families may also indicate a need for a bias away from one-bedroom to two bedroom provision. 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.
- 6.34 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.
- 6.35 Whilst the proposed mix for the affordable units across the site has not been agreed at this stage, a suggested mix has been put forward and it is considered that a condition could be imposed to secure an appropriate mix in any Reserved Matters application.
- 6.36 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 in compliance with policy, I consider that the scheme is acceptable and in this respect complies with policy CSH3 of the SOCS and policy LW3 of the emerging LWNP.
- 6.37 In terms of market housing, the NPPF seeks to deliver a wide range of high quality homes, highlighting the need to plan for a mix of housing based on the current and future needs. Policy CSH4 of the SOCS reflects this requirement.

Highway Safety and Traffic Impact.

- 6.38 With respect to highway safety matters, the advice in the NPPF is that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. Policies D1, D2, T1 and T2 of the South Oxfordshire Local Plan (SOLP) also require an appropriate parking layout and that there would be no adverse impact on highway safety.
- 6.39 The application seeks outline planning permission with all matters reserved except access. A new vehicular access into the site from Didcot Road is proposed along with a pedestrian link onto Didcot Road.

- 6.40 Whilst the County Highway Authority originally objected, raising a number of concerns in their representations, these have been addressed and subsequently, subject to a number of conditions, the Highway Authority have removed their objection.
- 6.41 The Parish Council have raised a number of objections in respect of highways safety, the main one being the proposed provision of visibility splays (Site Access design shown on **Appendix F**). It is suggested that the 2.4m x 90m visibility splays required for the access serving the development site cannot be provided within land in the control of either the applicant or the Highway Authority. This is something that was mentioned by the County Highway Authority who commented that “Whilst the submitted HM Land Registry Highway boundary plan appears to indicate the public highway bounds up to land in the control of the applicant, the scale is of such, 1:2500, it is difficult to verify this graphically. Highways boundary and land registry is shown on **Appendix C** and **E**. Furthermore, investigations utilising the County Council’s own Highway records, indicate a similar outcome. Therefore whilst the County Council cannot fully confirm the status of the land ownership details, they believe that it is ultimately it will be for the District Council, acting as Local Planning Authority, to confirm this issue”.
- 6.42 Your officers were concerned that whilst this matter was not resolved, the development does not accord with the National Planning Policy Framework, policy CSM1 of the South Oxfordshire Core Strategy and policy T1 of the South Oxfordshire Local Plan 2011. However, legal advice has subsequently indicated that this matter could be dealt with by Grampian condition and as such there are not grounds for refusal on highway matters.

Landscape Impact.

- 6.43 The text accompanying policy CSEN1 of the SOCS explains that there will be some further development on the edge of our settlements and that we will take account of and seek to reduce the impact of our development on the environment. Policy C4 of the SOLP advises that development that would damage the attractive setting of settlements would not be permitted.
- 6.44 Policy LW4 of the emerging LWNP indicates that development proposals for the village will need to conserve and enhance the character of the immediate area and wider street scene as well as the character of the village. Proposals should conserve and enhance the historic and natural assets of the village along with protecting and enhancing views into and out of the village. New development should reinforce local distinctiveness and sense of place, having sensitivity to preserving views to and from the AONB. New development should also protect and enhance the linear form of the village and existing patterns of development and make provision for access to adjacent areas and good access routes through the site itself.
- 6.45 The site is intrinsically linked to the wider rural landscape and, as such displays many of the key characteristics of the Flat Open Farmland character type listed within the South Oxfordshire Landscape Assessment. The site consists of flat, low lying farmland and is part of an open landscape, with a weak landscape structure. It is separated from the settlement to the west by Didcot Road and the western boundary vegetation and the built form to the north contains converted agricultural

buildings and retained barns / field shelters which have strong associations with the rural landscape.

- 6.46 The site is open to view from Fieldside, the footpath to the south-east of the site, and the viewpoint at Wittenham Clumps. Wittenham Clumps is a popular visitor attraction within the AONB and the site is prominent within views from the recognised viewpoint location at the top of the hill (**Appendix G**). There are also views of the site from properties to the immediate north of the site, from the first floor windows of properties to the south-west of the site beyond Didcot Road, from short sections of Didcot Road adjacent to the site and from sections of the road at Sires Hill. Views from Fieldside include the site in the foreground, with long views beyond the site to Wittenham Clumps in the distance
- 6.47 The track, Fieldside, currently provides a well-defined southern edge to the village. The long established settlement pattern, lack of containment and the contribution that the site has to the rural landscape, in combination with the sensitivity of the nearby AONB and Conservation Area (particularly with respect to setting) result in the site having a high landscape sensitivity.
- 6.48 The village envelope extends south of the historic village core at Saxons Heath and along Westfield Road the south-west of the site. With regard to policy LW4 of the LWNP, this southward extension of the village envelope, means that development within the site could constitute a reasonable location to extend the village. Development would need to be sensitive to potential impacts upon the AONB and the choice of materials for the built development and the treatment of the sensitive southern and eastern site boundaries would be critical factors in any development coming forward in terms of the location of open space, housing density and boundary treatment.
- 6.49 An amended Landscape Strategy plan was submitted as part of the application in response to comments from the Landscape Officer showing additional vegetation on the southern boundary.
- 6.50 As the application is seeking outline consent with all matters reserved except access, the application does not contain any parameters plans to show the distribution of open space or building heights. The issues would have to be dealt with at Reserved Matters and through suitably worded planning conditions.
- 6.51 A revised Arboricultural Impact Assessment now contains sufficient information to demonstrate that most of the western vegetation can be retained and would only be impacted by the proposed access where the road crosses through the hedgerow. The impacts upon the hedgerow as a result of the visibility splays are low. Overall it is considered that the impact of the development can be satisfactorily mitigated to as to ensure no adverse landscape impact.

Impact on the setting of Listed Buildings and Conservation Area.

- 6.52 Policy CSEN3 of the SOCS protects the district's historic heritage assets. Policy CON5 of the SOLP states that proposals for development which would adversely affect the setting of a listed building will be refused. Policy CON7 of the SOLP states that planning permission will not be granted for development which would harm the

character or appearance of the conservation area, including proposals for development outside a conservation area which would have a harmful effect on the conservation area.

- 6.53 The site currently contributes significantly to the rural setting of the settlement Long Wittenham and the character of the conservation area which consists of a linear development along the High Street constrained to the north by the River Thames and the south by open farmland.
- 6.54 Fieldside, a narrow track which runs behind the High Street from the eastern part of the settlement to the west forms the south-eastern boundary of the conservation area. Aside from the cluster of late C20 development to the west of Didcot Road consisting of Westfield Road and Saxons Heath, there has been no extension into the rural landscape on this side of Fieldside. It is worth noting that almost all of the development in this area pre-dates the designation of the conservation area and is excluded from its boundary.
- 6.55 Three listed buildings would be most directly impacted by this proposal. These are Challis Farm, The Old Farmhouse and the Barn south of The Grange, all grade II listed. Of these, only the ancillary structures to Challis Farm and the Barn have a specific relationship with the land to the south of Fieldside, the open and rural character of which contributes to their historic interest as agricultural buildings in the local vernacular. The local authority has a statutory duty to have regard to the desirability of preserving the setting of listed buildings (Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990) in determining this application.
- 6.56 The greatest impact is measured as the alteration to the linear character of the settlement. Development of this site will undoubtedly alter this linear character which is a feature of the conservation area. In addition, there will be harm to the agricultural character of the settlement which is evidenced by the presence of farmhouses and outbuildings which survive along the High Street. Although the working agricultural use has now mostly ceased, the evidential value of the associated adjoining farmland makes a considerable contribution to the special interest of the conservation area and listed buildings.
- 6.57 Development of this site would erode some of the rural and agricultural setting of the identified listed buildings which contributes to their special interest, contrary to local plan policy CON5. The statutory duty referred to above means that considerable importance and weight should be given to the preservation of a listed building's setting. Under the tests of paragraphs 132 and 134 of the NPPF, harm to the designated heritage assets through erosion of rural setting is considered to be less-than-substantial and at the lower end of the spectrum. However, less-than-substantial harm is not a less-than-substantial objection and where development would constitute harm to heritage assets, it must be demonstrably outweighed by public benefits.
- 6.58 In response to initial comments from the Conservation Officer, an amended indicative masterplan was submitted. In officer's opinion the amended plans now give greater consideration to the views within the site and from the proposed open space, however there are still opportunities to integrate views from outside of the site boundary to the north within the designated settlement. It is considered that at

reserved matters stage further assessment of the site context should inform proposed layout and proposed mitigation measures which address the impact on the setting of the listed buildings.

- 6.59 Paragraphs 137 and 138 of the NPPF indicate that local planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 6.60 The significance of the rural setting of the conservation area is important in this case. It is considered therefore that, whilst there would be less than substantial harm with regard to paragraph 134 of the NPPF, the development would conflict with Local Plan policy CON7. Paragraph 134 of the NPPF indicates 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 delivering houses in the absence of a 5 year housing land supply.

Trees

- 6.61 There are no trees of arboricultural significance on this site. The existing hedge is shown to be mostly retained, so this will provide some screening of the development from the highway. From an arboricultural perspective no objections are raised by the Council's Forestry Officer. Further Reserved matters applications would need to provide landscape planting schemes that include larger long lived trees and be made up of a wide variety of species to ensure a diverse and robust tree scape. For any new tree planting within hard surface areas tree pit designs must be able to provide the trees with access to suitable volumes of soil that is in an oxygenated, hydrated and un-compacted form. (25m³ for each tree). All landscaping plans need to be designed in unison with housing and public open space layouts as well as all other drainage, service routes and lighting layouts to avoid conflicts that would prevent the planting from being implemented or becoming established in the future. Future applications should include this information to demonstrate the aforementioned matters have been addressed. Your officers are therefore satisfied that the impact on trees and hedges can be dealt with by condition or at reserved matters stages.

Ecology

- 6.62 Policy C7 of the SOLP specifies that development likely to affect Special areas of Conservation will not be permitted. Policy C8 provides for the protection of specially protected species.
- 6.63 Policy LW6 of the LWNP indicates that development of land having an impact on the Wittenham Special Area of Conservation or to the south of Fieldside will be required to assess the ecological and heritage impact fully and to propose mitigation of adverse impacts including the creation and linking of habitats.
- 6.64 Whilst concerns have been expressed by local residents regarding the presence of protected species on this site, there are no existing records for protected species or important habitats on the site. The proposals are unlikely to have any significant

indirect impacts on important habitats or protected species located in the surrounding area. Surveys of the site conducted in support of the application have not revealed the presence of any specially protected species and the habitats are in general common and widespread.

- 6.65 The proposed development has been assessed to determine if it is capable of achieving a no net loss for biodiversity as is required under policy CSB1 of the Core Strategy. The assessment took account of the indicative layout and the baseline ecological conditions outlined in the Ecological Appraisal. The assessment has confirmed that the proposals do have the potential to ensure that the development can deliver a no net loss for biodiversity. In undertaking this assessment it became clear that significantly more information will be required at the reserved matters stage to determine how the proposals can deliver a no net loss.
- 6.66 Several objectors have submitted comments related to the potential presence of Roman snails on the site. The presence of the species on the site has not been confirmed by surveys of the site and the reliability of the objectors' claims is unclear. These comments have however been passed onto the applicant's ecological advisers who have prepared a Precautionary Mitigation Strategy. The Mitigation measures outlined in this report should ensure that any Roman snails encountered on the site are protected from harm as a result of the development and in my view are proportionate to the potential for any impact on the species. As the site layout has been amended since this report was written it will be necessary for the Mitigation Strategy to be updated at the reserved matters stage so that the proposals reflect the eventual site layout. A number of conditions are recommended to cover biodiversity enhancement strategy and roman snail precautionary mitigation strategy.

Design and Layout.

- 6.67 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.*
- 6.68 Policy D3 of the SOLP requires all new homes to benefit from either a private garden, outdoor amenity space or a shared amenity area. I am satisfied that a suitable layout could be achieved that would provide an appropriate level of amenity space for all of the plots. It would also be possible to secure an appropriate layout within the site to ensure that there would be no adverse overlooking, or loss of light and outlook, between plots.
- 6.69 Policy CSH2 of the SOLP states that on sites where housing development is acceptable in principle, a minimum density of 25 dwellings per hectare (net) will be required unless this would have an adverse effect on the character of the area. Notwithstanding the comments on the proposed layout of the scheme and inconsistencies with the indicative masterplan, the development proposes a density of 24 dwellings per hectare which is considered to be an appropriate density for the site.

Policy LW4 of the LWNP sets out the design criteria for new development on the village. The requirements of Policy LW6 may restrict development on this part of the site, but it is considered that a revised indicative layout could adequately protect this area.

Neighbour Amenity and amenity of future residents.

- 6.70 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. The nearest residential properties are situated to the north on Fieldside track and to the west on the opposite side of Didcot Road. These residents currently enjoy a rural outlook across the field. However, based on the indicative master plan, I consider that with strategic landscaping and appropriate separation and orientation of dwellings, a good development could be achieved without any adverse impacts on neighbours in terms of light, outlook and privacy.
- 6.71 Policy D3 of the SOLP requires all new homes to benefit from either a private garden, outdoor amenity space or shared amenity area. Given the proposed density of the site, I am satisfied that a suitable layout could be achieved that would provide an appropriate level of amenity space for all the plots.

Flood Risk and foul/surface drainage.

- 6.72 The site is not within an area liable to flooding. Thames Water have recommended the imposition of a Grampian style condition requiring a drainage strategy detailing any on and/or off site drainage works to be submitted and approved by the Local Planning Authority in consultation with the sewerage undertaker, along with the standard informatives regarding foul or surface water, and water pressure.

Archaeology.

- 6.73 Policy CON13 of the SOLP requires appropriate archaeological investigation for developments that affect sites of archaeological importance.
- 6.74 The site is located in an area of considerable archaeological potential immediately east of the site of an Anglo Saxon burial ground, excavated by J Y Akerman in the late 1850s. The excavations recorded 188 inhumation burials and 46 cremations along with a large quantity of grave goods. A large crop marked site has been identified from aerial photographs immediately south and east of the proposal site. The site consists of a series of probable Iron Age or Roman trackways and enclosures, a possible Iron Age pit alignment and a number of possible Saxon timber framed buildings. An archaeological evaluation has been undertaken for this site and the results have now been submitted. The evaluation recorded a number of Roman ditches, postholes and a pit along with three Anglo Saxon cremations, dated to the C5th or C6th and a burial. The central and eastern parts of the site have been heavily disturbed by post medieval quarrying. The cremations and inhumation are a continuation of the cemetery recorded in the C19th to the west and a Roman ditch and bank appears to form its eastern boundary. The proposed development will impact on these archaeological deposits and a programme of archaeological investigation will be required ahead of any development of the site in order to record

these features as set out in paragraph 141 of the NPPF. It is recommended that the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction.

Environmental matters (air quality, contamination, noise)

- 6.75 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 the potential cumulative effects of piecemeal developments, and to enable future proofing of the development.

Minerals and Waste.

- 6.76 The County Council as Minerals Planning Authority have advised that the application site is underlain by deposits of sand and gravel. These deposits form part of a more extensive area of sand and gravel deposits to the south and west of Long Wittenham. From the geological information available, the sand and gravel deposits within the application site and adjoining land are likely to be of a potentially commercially workable depth and quality.
- 6.77 The proposed development needs to be considered against saved Oxfordshire Minerals and Waste Local Plan policy SD10 on protection of mineral resources. This policy dates from 1996 but it is consistent with the NPPF (paragraph 143, bullet 3). Under saved policy SD10, development which would prejudice the working of mineral deposits should not be permitted unless it can be shown that the need for the development outweighs the economic and sustainability considerations relating to the mineral resource. Under saved policy SD11, development which is contrary to policy SD10 may be permitted if the mineral deposits are worked prior to the development taking place. Policy M8 on safeguarding mineral resources in the Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy, Proposed Submission Document August 2015 should also be taken into consideration.
- 6.78 The application site, and the adjoining land to the south and west lies within the Thames and Lower Thame Valleys area from Oxford to Cholsey strategic mineral resource area, which is a principal location for sharp sand and gravel extraction in policy M3 in the Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy, Proposed Submission Document August 2015, which was submitted for examination in December 2015. The NPPF requires mineral safeguarding areas to be defined in local plans and the NPPG states that they should be shown on the local plan policies map. Policy M8 of the submitted Core Strategy states that the sharp sand and gravel strategic resource areas identified in policy M3 will be included within the mineral safeguarding areas that will be defined in the Minerals and Waste Local Plan: Part 2 – Site Allocations Document. However, the locations and boundaries of mineral safeguarding areas in Oxfordshire have not yet been defined through the Minerals and Waste Local Plan and therefore there is uncertainty as to whether the application site will be included within a defined mineral safeguarding area. At this stage, only limited weight can be given to mineral safeguarding as a material consideration in the determination of this application.

- 6.79 The application site is adjacent to existing housing to the north and west, on High Street and Didcot Road. This would be a strong constraint on mineral working within the application site due to the need there would be for unworked margins (buffer zones) between any mineral extraction and the housing. This constraint would be likely to preclude mineral working within most, if not all, of the application site. The development proposed in this application would add to this indirect sterilisation of mineral deposits, due to the need there would be for buffer zones between the new housing and any future mineral working within the land to the south and west. However, in view of the proximity of other existing housing at Long Wittenham, the additional sterilised area would be likely to be of limited extent.
- 6.80 Since the mineral sterilising effect of the proposed development is likely to be relatively small and only limited weight can be given to mineral safeguarding as a material consideration in the determination of this application, mineral sterilisation does not constitute a sufficiently strong reason to justify the refusal of permission in this case. Consequently the County Council do not raise any objections to this application on minerals planning policy grounds.

Infrastructure Requirements.

On site infrastructure to be secured under a legal agreement.

- 6.81 On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended). The indicative plans show that sufficient public open space 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 plans show that three play spaces would be accommodated on the site and the S106 legal agreement could secure an appropriate amount of equipped play to meet policy R2 of the SOLP.
- 6.82 As discussed above, 40% affordable housing would be secured on site in accordance with an agreed mix. The expectation would be for 14 units to be delivered on the site with a commuted sum payable for the 'part' (0.4) unit.
- 6.83 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would be required:
- Street naming and numbering - £134 per 10 houses
 - Provision of cycle bins - £170 per property
 - Monitoring fee – To be agreed
 - Public Art- £300 per unit of housing

- 6.84 The County Highways Authority have requested a contribution of £795 per additional dwelling towards improving strategic bus services in the Science Vale area (indicatively £28,620 - index-linked: RPIX Q3 2015). Travel Plan monitoring fees of £1240 are also sought along with the implementation of a residential travel information pack. This would need to be secured under the S106.
- 6.85 I consider that these contributions 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.

Contributions pooled under the Community Infrastructure Levy.

- 6.86 The Council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, the development would be CIL liable at a rate of £150 per sq.m. 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. As the application is in outline only, the floorspace is not yet known so an exact figure could not be provided at this stage.
- 6.87 Under the CIL regulations, the Parish Council would receive a proportion of CIL money (likely to be 25% in this case). This can be spent on infrastructure projects that are priorities for the community as set out in appendix 3 of the LWNP. This covers projects such as highways improvements (such as constructing a new roadside footway from High Street to Clifton Hampden), upgrading play areas, bus shelters for school bus stop, tree planting, repairs to existing village hall (if not able to build a new hall) and upgrading the school with an extension and new facilities with additional sports provision (again if the Parish Council are unable to implement the community hub as set out under policy LW1)
- 6.88 The precise CIL liable floor area will not be calculated until the details are submitted under a reserved matters application.

7.0 PLANNING BALANCE AND CONCLUSION

- 7.1 The proposed development does not currently accord with the Development Plan for the reasons explained above. However, in this case there are material considerations which indicate that the application should be decided otherwise. As we cannot demonstrate evidence of a five year supply of deliverable housing sites, the relevant development plan policies for housing are out of date, however there are elements of the proposal that remain consistent with the NPPF.
- 7.2 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 (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or (b) specific policies in the NPPF indicate development should be restricted. 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 significant need for market and affordable homes within the district and the proposal would contribute towards this. I attach very substantial weight to this social benefit.
- 7.5 However, the very substantial weight attributed to the provision of housing, is diminished to a degree by the lack of public transport, and limited services within the village. This could have some negative environmental impact in terms of the reliance on the private car.
- 7.6 In terms of other environmental matters, officers acknowledge that the proposal would result in some harm to the rural character of the site and surrounding area including less than substantial harm to the setting of listed buildings and the Conservation Area. Officers consider that the site's proximity to the conservation area and its position when viewed from a distance would mean that it would read as an obvious extension to the village. Although this weighs against the scheme, the environmental harm can be mitigated to a certain extent through the strategic landscaping and softened with the creation of public open space.
- 7.7 Officers are of the view that there would be less than substantial harm to heritage assets with regard to paragraph 134 of the NPPF, and in the absence of a 5 year housing land supply it is considered that the benefits of providing much needed housing, including 40% affordable, outweigh the harm, notwithstanding the special regard that must be given to the preservation of the setting of listed buildings. Paragraph 134 of the NPPF is therefore satisfied. In summary, it is considered that on balance the tilted balance in paragraph 14 of the NPPF 14 applies, because in this case the policies on heritage assets in the NPPF will not be indicating that permission should be refused.
- 7.8 Conditions and legal agreements can ensure that the development is acceptable from a highway safety point of view. This includes the provision of a pedestrian crossing point and relocation of traffic calming measures. Footpaths would also be provided within the site and a financial contribution towards the bus services in the Science Vale area would improve the accessibility of the site by sustainable modes of transport.
- 7.9 The planning balance in this case is not a flat balance of the benefits against the harm. Due to the presumption in favour of sustainable development that applies, it is not enough for harm to outweigh the benefits. That harm must *significantly and demonstrably* outweigh the benefits. Given the conflicts with policy identified above, this is a finely balanced decision.
- 7.10 Overall, however, I am satisfied 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 test in para 14 of the NPPF, the proposal would represent a sustainable form of development. For this reason I consider that there are material considerations that justify the grant of planning permission, notwithstanding conflict with the development plan.

8.0 RECOMMENDATION

8.1 Having regard to the current appeal against non-determination, officers recommend that had the council been able to determine the application, it would have resolved to grant planning permission subject to the prior completion of appropriate S106 agreements to require the provision of affordable housing and infrastructure contributions and the following conditions:

- 1. Approval of reserved matters prior to commencement.**
- 2. Reserved matters to be submitted within two years and commencement within one year from approval of last reserved matters.**
- 3. Revised plans (Indicative Masterplan).**
- 4. Proposed housing mix and layout of affordable units.**
- 5. Sample materials to be agreed.**
- 6. Access details in accordance with specified plan.**
- 7. Vision splays to be provided-grampian condition.**
- 8. Access, driveways and turning areas to be provided.**
- 9. Parking to be retained.**
- 10. Cycle parking to be provided.**
- 11. Construction Traffic Management Plan to be agreed.**
- 12. Travel plan to be approved.**
- 13. Off site highway works to be agreed and a timetable for their implementation.**
- 14. Footpath to adjacent to Didcot Road.**
- 15. No surface water onto highway.**
- 16. Hard landscaping to be agreed.**
- 17. Details of lighting within site to be agreed.**
- 18. Specification and implementation plan for soft landscaping to be agreed.**
- 19. Landscape management plan to be agreed.**
- 20. Green Infrastructure Parameters Plan.**
- 21. Arboricultural Method Statement (tree protection) to be agreed.**
- 22. Phasing of development.**
- 23. Construction Environment Management Plan.**
- 24. Roman Snail mitigation.**
- 25. Method statement for biodiversity enhancements to be agreed.**
- 26. Surface water drainage to be agreed.**
- 27. Foul drainage to be disposed to Thames Water Foul Sewer.**
- 28. Strategy for any on and off site foul drainage works to be agreed.**
- 29. Sustainable drainage scheme.**
- 30. Contaminated land investigation / remediation to be agreed.**
- 31. Construction hours restriction.**
- 32. Construction Method Statement.**

- 33. Preparation of an Archaeological Written Scheme of Investigation**
- 34. Staged programme of archaeological evaluation and mitigation.**
- 35. Play space / equipment to be approved.**
- 36. Boundary treatments to be agreed.**

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