

APPLICATION NO.	P17/S0241/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	8.2.2017
PARISH	WARBOROUGH
WARD MEMBER(S)	Richard Pullen Felix Bloomfield
APPLICANT	Rectory Homes Limited
SITE	Land at Six Acres, Thame Road, Warborough
PROPOSAL	Erection of 29 dwelling houses with public open space, car parking area and landscaping.(As amended by drawings and information received on 9 and 15 August 2017).
OFFICER	Amanda Rendell

1.0 INTRODUCTION

- 1.1 This application has been referred to Planning Committee at the discretion of the Planning Manager.
- 1.2 The application seeks full planning permission for development on land known as Six Acres which comprises a field on the eastern side of Thame Road in the centre of the village of Warborough, to the immediate north of St Laurence Primary School (shown on the OS extract **attached** as Appendix A and in aerial photograph as Appendix B). There are no heritage designations on the site itself, however the designated conservation area of Warborough lies to the immediate west and north of the application site and the site boundary is shared with and overlooked by a number of listed buildings in the village.
- 1.3 The site is currently accessed via a T junction with the Thame Road (A329) across a hard surfaced access over a culverted ditch across the public footpath 6. Thame Road runs through the village from the A4074 to the south and provides a connection to Thame via Newington, Stadhampton, Little Milton and Milton Common.
- 1.4 The village has a primary school, pre-school, Church, small shop and Post Office, public house, large village green and two village halls.

2.0 PROPOSAL

- 2.1 This application seeks the full planning permission for the development of 29 dwellings with associated landscaping, access from Thame Road, open space, affordable housing and the provision of a small car park close to the entrance of the site for visitors to the neighbouring school and pre-school. The application originally proposed 36 dwellings but was revised to reduce the amount and extent of development on the site and to create a large area of open space at its northern end. These revised plans also reduced the size of the car park from 42 spaces to 30 spaces.
- 2.2 The village of Warborough is situated approximately 2.7km north west of Benson, 4km to the north of Wallingford and 14km south of Oxford.
- 2.3 The site measures 2.29 hectares (5.65 acres) and includes land classified as Grade 2 agricultural land.

- 2.4 The application proposes 9 x 2 bed, 11 x 3 bed, 7 x 4 bed, and 2 x 5 bed houses. 40% of the 29 units will be affordable. Six of the dwellings will be built to Lifetime Homes standards.
- 2.5 The proposed housing layout is **attached** as **Appendix C**. The application is accompanied by a number of supporting documents (some of which have been updated/revised during the course of the application) including a design and access statement, heritage statement, archaeological desk-based assessment, arboricultural impact assessment and method statement, flood risk assessment, ecological appraisal and reptile survey 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 **Warborough Parish Council** – Support. Warborough Parish Council voted on 1 March 2017 unanimously to support this application. They would like to take over the management and maintenance of the car park. They also request that to ensure that the housing mix is retained and that the development does not become overcrowded, permitted development be restricted for all houses proposed to be built as part of this planning application. The Parish Council also add that the development is located in an unused area close to the heart of the village which presents good opportunity to integrate the development into the village without causing significant effect to the views from the Green and towards the Chilterns.

The Council felt that the amended plans address many of the concerns raised with the original application by statutory consultees and presents less than substantial harm in relation to the proximity to Listed buildings and conservation area. The council was impressed by the housing style and design and believe the development represents an opportunity to improve housing mix and provide affordable housing, both views reflected by the community response as part of the emerging Neighbourhood Development Plan. They would, however, like to bring the following to the attention of the Planning Committee:

1. Warborough is keen to maintain low light levels in line with Dark Skies Policies and it is requested that lighting be kept to an absolute minimum in both the P17/S0241/FUL car park and around the retirement houses. Lighting in the car park should be restricted to when the school needs access and the Parish would not want to see any other street lighting.
2. The developer does not plan to request that the roads be adopted; this is a large development to be served with unadopted roads and we are concerned that roads and drains may fall into disrepair to the detriment of the overall village environment. We would like the developer to construct roads and drainage in accordance with OCC standards and to seek adoption.
3. There should be no further decrease in the number of parking spaces.
4. Some concerns were raised regarding the access traffic crossing the footpath along Thame Road at times when children would be walking to school and would encourage some form of traffic calming at this point.
5. The communal grass areas and car park are planned to be maintained by a management company, but it is unclear in whose ownership these areas lie. The ownership of communal areas should pass to Warborough Parish Council so that responsibility for maintenance is clear and also to avoid possible future requests for development on areas currently shown as open.

6. The Parish would like to confirm that they would never support a widely spread suggestion to remove the hedge along the Thame Road and replace with terrace houses. They understand that a TPO was placed on this hedge some years ago.

The Parish Council is uncertain if adoption of the roads is possible without street lighting and would appreciate clarification from the Planning officer on this point. As stated above, the Parish Council would prefer adoption of the roads but without street lighting which is in line with a strongly supported view in the emerging Neighbourhood Development Plan.

- 3.2 **Forestry Officer** – No objections. The submitted arboricultural information represents an accurate account of the trees found growing within and adjacent to this site. The additional tree protection information is acceptable. If permission is to be granted a condition should be imposed for requiring the implementation of all tree protection measures before any other works starts on site.
- 3.3 **Countryside Officer** - No objections subject to conditions. With the amendments the proposals are now capable of avoiding a net loss of biodiversity in accordance with policy CSB1 of the Core Strategy. In order to ensure that the scheme can actually deliver a no net loss, a condition should be imposed to require a statement for biodiversity enhancements to be submitted.
- 3.4 **Conservation Officer** – Following the amendments to the scheme and revised heritage impact assessment, it is considered that there will be less-than-substantial harm to designated heritage assets as a result of the proposed scheme, in line with Historic England’s conclusion.
- 3.5 **Urban Design**- No objections following the amendment to the scheme. Further suggestions are made to improve the scheme which can be dealt with via planning condition.
- 3.6 **Drainage Engineer** –No objections. The revised Flood Risk Assessment (rev C of January 2018) now provides an acceptable basis for detailed design of surface water drainage for the site. Appendix B confirms that acceptable permeability exists on the site with no groundwater encountered in the ground investigations undertaken. The initial holding objection may therefore be withdrawn. It is recommended that conditions be imposed on any permission regarding on site foul drainage details and sustainable surface water drainage details.
- 3.7 **Health and Housing (Contaminated Land)**- No objections subject to conditions.
- 3.8 **Oxfordshire County Council Single Response:**
Local Highways Authority (LHA)- Object querying the provision of: a) cycle storage for certain dwellings, b) layout of certain footways and c) provision of adequate visitor car parking spaces. However, they confirm that a 29 dwelling residential development will generate fewer trips than the 36 dwelling residential development therefore the Local Highway Authority continue to have no concern in regard to traffic generation. The submission of revised plans address previous concerns regarding the width of the bellmouth access and corner radii. The swept path analysis is also acceptable. A section 278 agreement would be required for off site highway works to include double yellow lining works. Conditions could be imposed to cover details such as: the new vehicular access, vision splay dimensions, new estate roads, turning areas, cycle parking facilities, wheel washing facilities, construction management traffic, drainage, restriction on garage conversions, and travel plans. Informatives are also

recommended to cover public rights of way, surface water drainage and works within the highway.

Archaeology- No objections subject to planning conditions covering a staged programme of archaeological investigation and

Education-No objections subject to conditions

- 3.9 **Historic England (South East)**- No objection. Whilst they originally objected to the application, following the submission of revised plans, they are of the view that the harm to the conservation area is now clear and is of a low level. It is now for the Council to test whether this remaining harm is justified and weigh it against the public benefits.
- 3.10 **CPRE (Rights of Way)** -Initially objected to the application on the grounds that the development by enclosing FP6 on its eastern side, would turn the path from a semi-rural route into an entirely urban one, this greatly reducing its amenity value. In addition, the need for users of FP6 to cross the vehicular access to the development would not only create a hazard for path users, but in particular would mean that unaccompanied school children from the Warborough Green area would no longer have the traffic free route to school which FP6 currently provides. However, following the receipt of representations from the village explaining that they are seeking alternative pedestrian access to the school from the north through the proposed development branching off FP6 along the northern edge of the site incorporating a former section of FP7 .
- 3.11 **CPRE (South Oxfordshire)**- Object to the development. Warborough is a historic and 'classic' rural village and every effort should be made to protect its rural character. This protection is a fundamental part of our planning system and more recently reiterated in the NPPF. They feel that any decision should, at the very least, be deferred until the SODC Local Plan has been finalised and equally the village Neighbourhood Plan fully approved.
- 3.12 **Thames Water Development Control** - No objections. They comment that with regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water course or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developers proposes to discharge to a public sewer, prior approval from Thames Water will be required. Thames Water have been unable to determine the waste water infrastructure needs of this application. It is therefore recommended that a 'grampian' style condition be imposed which requires the submission of a drainage strategy detailing on/or off site drainage works to be submitted and approved by the LPA in consultation with the sewerage undertaker. No foul or surface water from the site shall be accepted into the public system until the drain works referred to in the strategy have been completed. It is also recommended that an informative be added regarding water pressure.
- 3.13 **Warborough and Shillingford Neighbourhood Planning Steering Group**-Support the application. The Neighbourhood Plan (NP) has looked at all the sites brought forward and asks for consideration of the sustainability appraisal report undertaken as part of the NP process. It is considered that 29 units still represents a viable and deliverable opportunity for the village whilst protecting the historic environment.

- 3.14 **Chairman of Goveners St Laurence Primary School**-supported the original proposal in principle as it offered the possibility of a real improvement from the current dropping-off facilities for families bringing their children to school. However they raised a number of safety concerns in the original design, and suggested a number of improvements, including the provision of direct access from the parking area into the school grounds. The revised planning application now offers a reduced size of car park but this does not match the number of vehicles already experienced by the School, and might thus discourage its use. The Governors' continuing support is therefore dependent on a very careful consideration of: (a) an adequate number of spaces, 40 being the original plan; (b) children's safe access to and from cars as others are arriving and leaving and passage towards the school; (c) low-level lighting in the car park for winter afternoons and evening events; and (d) the roadway from Thame Road into the new development and car park being fully adequate to accommodate the traffic to and from the housing development itself along with the morning and afternoon school traffic, recognising the care needing to be taken turning into the main road and from it, and the time required for this in the inevitably busy traffic periods on the road itself, morning and evening. They request that there is a most careful planning judgment to be made regarding these overall considerations of traffic movement and safety, including that of pedestrians using the Thame Road footpath with many more vehicles crossing it, in addition to their specific car park expectations which at present are not met. The Governors consider that the overall traffic movement modelling needs to be done by qualified people, as well as being assured of the effectiveness of the car park facilities themselves. They comment that they hope that their original expectations can be met, for the benefit of the whole community, by relieving the traffic congestion.
- 3.15 **Save Britain's Heritage**- Object to the development as they feel that in its current form it will harm the setting of the surrounding heritage assets. They consider that there are flaws with this application that would result in harm being caused to designated heritage assets. Notably, this centres on the number of new dwellings, and consequently, the layout of the proposed site.
- 3.16 **WASPS Pre-school** - Object to the development. Concern is raised on the impact of the development on the permanent decking area to the rear of the pre-school and children using this area, through overlooking and loss of light. Concern is also expressed regarding the impact of fumes from cars close to the pre-school but equally the reduction in parking spaces for the school is a concern. The pre-school roll at present is 40 children and this number is historically increasing.
- 3.17 **Nick Brown on behalf of Save Warborough as a Village (SWAV)**-Object to the development. They have also provided copies of their representations to the WSNP pre-submission consultation, in particular probity of selection of the site as part of the village consultation process.
- 3.18 **ET Landnet Ltd** – Object on behalf of the occupiers of 5 Quaker Lane, 8 The Green South, 14 The Green South, and 10 The Green South, regarding the proposal within this application and also Neighbourhood Plan for development of land upon the basis of the existence of a route, claimed to be a public footpath, providing access to the Six Acre Field. They claim that this route is not recorded on the Oxfordshire County Council's Definitive Map and Statement as a public right of way. Whilst a formal application may be made to the County Council to modify the Map to add the way as a public footpath, no such step has been taken, and the County Council currently has a substantial backlog of such applications, so that it is likely to be many years before any claim, if submitted, is investigated. At that stage, all of the historic and other relevant evidence will need to be considered in detail and their clients, as affected landowners,

will seek to challenge any designation of the route as a public right of way. In time, this will require an Inspector to review all of the evidence at a public inquiry. The District Council should not therefore take any decision upon an assumption that the route is either a public right of way or may become one at any time in the future.

3.19 Local Residents-

224 responses have been received to this application from local residents. These are accompanied by independent heritage and transport assessments and also independent planning reports. We have also received one petition with 255 signatures against the development, and another supporting the development with 229 signatures.

Of the responses received, 111 are objecting to the development in relation to the following matters:

- Development of this size is not necessary for Warborough or Shillingford
- Impact upon spaces at school
- Site should be reserved for school expansion
- Impact upon Conservation Area and character of the area including views of the Chilterns
- Loss of privacy and potential for overlooking
- Increased traffic, impact upon local road network and insufficient parking spaces
- Impact upon archaeology
- Noise & disturbance including light disturbance and light pollution
- Impact on heritage, green belt and the conservation area. The proposed development will still have a significant and irreversible impact on the heritage and character of the historic centre of the village of Warborough
- Impact of construction works
- Drainage issues
- Development not legally required by SODC - Infill better
- Light pollution
- Impact on Midsomer Murders tourism
- Unsympathetic design and use of materials
- Impact on ecology and wildlife
- Conflict with national and local policies
- Concern that scale of development will lead to overdevelopment
- Claim that site was formerly used as allotments
- Importance of the Six Acre field in history and lack of attention paid to Quaker history
- Lack of community engagement
- Unsustainability of village
- Wireframes not taken from correct location
- Future ownership and maintenance of public open space
- Concern that public open space will be developed on in the future
- The proposed scheme does not demonstrate that the location of the development will minimise demand for travel, offer genuinely sustainable travel choices, improve road safety and support the objectives within the Oxfordshire Transport Plan.
- Proximity of houses proposed along Thame Road to those opposite
- Limited infrastructure to support development.

- Issues with way in which the WASNP has been drawn up and interpreted ‘support’ for future development in the village
- Planning permission has previously been refused on the site
- Thame Road has a record of accidents
- No cycle safety measures
- Distance to nearest bus stops
- Houses should be built near centres of employment and near stations
- No need for the development
- School is full and has no capacity
- Multiple other potential infill development locations within Warborough which would have lesser impacts on the historic environment and which would allow the required increase in housing within South Oxfordshire should be explored and fully exhausted before granting a standalone development such as this which will mar the rural, open nature of the village and the historic assets within it.
- If this development is approved it does not preclude other developments that are currently in process; Plough Field, Cuckoo Penn, Pig farm and various infill sites. This could total an additional 80 to 120 houses, an over 35% increase in the size of the village.

In addition, 113 Letters of support have been received for the development raising the following comments:

- The developer has engaged with the Neighbourhood Plan Steering Committee to provide exactly what the village needs in terms of small houses suitable for young couples and those wishing to downsize, provided adequate parking, buffer zones and in addition a new car park for the village which will hugely alleviate the parking and traffic problems outside the school. Warborough has a lot of large houses and desperately needs more smaller ones. Over 90% voted in favour of this site at the most recent village meeting, with the few who objected or abstained, all living next to the site itself.
- This site development plan delivers a sustainable number of houses.
- The site delivers benefits to the village and therefore serves local needs.
- The location of the site is a critical local consideration
- It addresses traffic and parking providing a much needed school car park
- Site is not green belt, flood plain and cannot be used for grazing due to ragwort
- Scale of development proportional to size of village compared to development in Benson
- Pleased to see retention of hedge along Thame Road.
- Application site has been a wasteland for 40 years
- Development will provide a mix of housing, small affordable houses and a good proportion aimed at the elderly this should meet the local demand

One letter has been received which supports the new dwellings but objects to the car park.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P08/W0092/O](#) - Refused (26/03/2008)
8 Affordable 2,3 and 4 Bedroom dwellings.

[P03/W1032](#) - Approved (14/01/2004)

Change of use from agricultural land to car park with erection of post and rail fencing to the boundary.

[P90/W0332](#) - Refused (01/08/1990) - Appeal dismissed (11/07/1991)
Erection of 12 no. two storey dwellings with garages (8 affordable homes and 4 detached dwellings). Access from Thame Road.

[P89/W0479/O](#) - Refused (06/09/1989)
Erection of 44 two storey dwellings with garages; 28 low cost units and 16 detached dwellings. Access from Thame Road.

[P86/W0076/O](#) - Refused (02/06/1986) - Appeal dismissed (09/02/1987)
Residential development and associated roads, sewers and infrastructure.

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy (SOCS) Policies**

CS1 - Presumption in favour of sustainable development
CSB1 - Conservation and improvement of biodiversity
CSEN1 - Landscape protection
CSEN2 - Green Belt 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
CSQ2 - Sustainable design and construction
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

5.2 **South Oxfordshire Local Plan 2011 (SOLP 2011) policies;**

C3 - Special character of the River Thames
C4 - Landscape setting of settlements
C6 - Maintain & enhance biodiversity
C7 - Adverse affect on protected site
C8 - Adverse affect on protected species
C9 - Loss of landscape features
CF2 - Provision of additional community facilities
CON11 - Protection of archaeological remains
CON12 - Archaeological field evaluation
CON13 - Archaeological investigation recording & publication
CON16 - Protection of common land and open spaces
CON5 - Setting of listed building
CON7 - Proposals in a conservation area
D1 - Principles of good design
D10 - Waste Management
D12 - Public art
D2 - Safe and secure parking for vehicles and cycles
D3 - Outdoor amenity area
D4 - Reasonable level of privacy for occupiers

- D6 - Community safety
- D7 - Access for all
- EP3 - Adverse affect by external lighting
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP7 - Impact on ground water resources
- G2 - Protect district from adverse development
- G3 - Development well served by facilities and transport
- G4 - Protection of Countryside
- G5 - Best use of land/buildings in built up areas
- GB4 - Openness of Green Belt maintained
- H10 - Affordable housing within or adjoining villages
- H2 - Sites allocated for residential development
- 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

- 5.3 **Emerging South Oxfordshire Local Plan 2032.** The Local Plan and supporting documents is being prepared for submission to the Secretary of State after which, a Planning Inspector will then be appointed to carry out an Independent Examination of the Local Plan. The Local Plan does not allocate sites for development in villages and instead devolves delivery of new houses in these locations to the Neighbourhood Plan process (update set out below). The emerging Local Plan identifies Warborough as a smaller village where dwelling numbers should increase by a minimum of 5%.
- 5.4 **South Oxfordshire Design Guide 2016 (SODG 2016)**
- 5.5 Supplementary Planning Guidance/Documents
- 5.6 National Planning Policy Framework (NPPF)
- 5.7 National Planning Policy Framework Planning Practice Guidance (NPPG)
- 5.8 Planning (Listed Buildings and Conservation Areas) Act 1990: Section 66 & 72
- 5.9 **Warborough and Shillingford Neighbourhood Plan (WSNP).**

The Warborough and Shillingford Neighbourhood Plan was published by South Oxfordshire District Council on Wednesday 31 January and will be undergoing consultation under Regulation 16 until Wednesday 14 March 2018. The WSNP sets out a plan for a sustainable future for the Parish. It presents objectives and policies that will be used in shaping the future development of the parish.

The plan can only be given limited weight at this stage for a number of reasons. Firstly we don't yet know whether there are any outstanding/ unresolved substantive objections to the Plan. Secondly, the plan has not yet been independently examined; and thirdly, a decision has not been made in relation to the Plan's conformity with Basic Conditions.

However for information, the document contains the following relevant policies:

- Policy VC1 – Village and rural character and design
- Policy H2 – Allocation of Six Acres as a residential extension to Warborough Village
- Policy H3 – Infill development
- Policy H4 Pedestrian Links
- Policy H5 Parking Provision

Policy H6: Safeguarding Affordable Housing
Policy C1- Community Infrastructure
Policy C2- Improvements to Community Assets
Policy C3- Local Green Space
Policy C4 - Community Infrastructure Levy Contribution
Policy E1 – Enhancement of Employment facilities

6.0 **PLANNING CONSIDERATIONS**

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

- The principle of development, including:
 - the council's housing land supply position
 - 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:
 - impact on the historic environment
 - highway safety and traffic impact
 - impact on rights of way
 - affordable housing and housing mix
 - landscape impact
 - design and layout
 - neighbour amenity of existing and future residents
 - drainage
 - impact on ecology
 - impact upon archaeology
 - impact on trees
 - impact upon education
 - 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.
 - off-site highway works (i.e. double yellow lines)

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. 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.

6.3 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 Warborough and Shillingford Neighbourhood Plan (WSNP) is made by the Council it will become part of the development plan, however this is still in its early stages. The National Planning Policy Framework is a material consideration in determining this application.

- 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 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.
- 6.6 The council cannot therefore currently demonstrate a five-year supply of deliverable housing sites.
- 6.7 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 the development plan is absent, silent or relevant policies are out of date (unless material considerations indicate otherwise), 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).
- 6.8 This means that the policies for the supply of housing in the SOCS are 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.
- 6.9 At the time of writing this report, the Neighbourhood Plan is at consultation stage. 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 As previously explained, the WASNP has limited weight at this stage as it has not been through examination. However, the emerging WSNP does allocate this site for around 29 dwellings as well as open space and a small car park.

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

- 6.11 Policy CSS1 of the adopted Core Strategy sets out an overall strategy for the District, which seeks, among other things, to support and enhance the larger villages as local

service centres, while focusing major development at Didcot and the market towns including Wallingford.

6.12 Policy CSR1 of the Core Strategy confirms that the hierarchy of settlements within the district will form the basis for the distribution of new housing growth. There are four categories within the hierarchy:

- Towns
- Larger Villages
- Smaller Villages
- Other Villages

Warborough is designated a smaller village in Appendix 4 of the Core Strategy.

6.13 Policy CSR1 confirms that the council will support infill residential development in smaller villages only on sites of up to 0.2ha (equivalent to 5-6 houses). All development should respect national designations such as Green Belt and should conserve and enhance the natural beauty of the Areas of Outstanding Natural Beauty. Suitably designed and located development at an appropriate scale that facilitates the economic and social wellbeing of such areas, especially in the Larger Villages in the Areas of Outstanding Natural Beauty will be supported. This includes the provision of adequate housing to meet identified local needs. Local character and distinctiveness will be protected and the requirements of relevant development plan policies will be met. Redevelopment proposals in all categories of settlement may be acceptable but will be considered on a case by case basis through the development management process in line with other policies in the Development Plan.

6.14 Given the scale of the development proposed it would not constitute infill development.

6.15 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, the context of the District being unable to demonstrate a five year housing land supply. 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

6.16 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. Policy H8 refers to an increase of 5-10% in dwellings numbers for smaller villages.

The accessibility of the site to services and facilities.

- 6.17 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. Warborough and Shillingford (north of A4074) is identified as a smaller village but has the following services: pub, school, church, shop, and village hall. The village is approximately 800m from the A4074 Oxford to Reading Road where the X39 and X90 provide access to Oxford, Wallingford and Reading for retail, employment and leisure opportunities. The LHA have an aspiration to increase bus service frequency on these buses from a current 30 minute bus service frequency to a 20 minute bus service frequency and then over time, to a 15 minute bus service frequency to accommodate population and economic growth and to further increase the attractiveness of this inter-urban bus service to encourage and support modal shift from single car occupancy to bus use.
- 6.18 Recognising the sustainability of the village, and proximity to good transport links, the LHA have requested that the development contribute £1000 per dwelling towards improving the bus services serving Warborough.
- 6.19 St Laurence C of E School is situated immediately to the south of the application site. Whilst the Local Education Authority (LEA) 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
- 6.20 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.
- 6.21 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.
- 6.22 Whilst Warborough is classed as a smaller village, it has a vibrant community and is in a sustainable location with good services. The site is located centrally within easy walking distance of facilities.

Matters of detail/technical issues.

Impact upon the Historic Environment.

- 6.23 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.

- 6.24 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.25 The designated conservation area of Warborough is focused around the historic core of the settlement, beginning with the square around St Laurence's Church, the spacious village green with a pattern of ribbon development to the north and south as well as taking in the ribbon development along Thame Road of late medieval farmhouses, cottages and larger Georgian houses. This distinct pattern of development is almost entirely only a single dwelling deep, giving way to open countryside behind the buildings. As well as the distinct pattern of development here, the importance of pedestrian movement through the village is also clearly discernible with the ditches and gravel tracks along the roads and around the church moving people towards the village green to the communal centre of the settlement and past the historic village facilities such as the Public House, Vicarage, Forge and Bakery still recorded by the house names and with only the Six Bells PH remaining in its historic use in this group. It is clear that the routes through the village have always linked the farms and workers cottages on the edge of the conservation area to this communal centre.
- 6.26 There are a number of locations within the conservation area where views out to the surrounding countryside make an important contribution to the character of the settlement and in particular, enhance the relationship between the conservation area and its rural setting. The open setting of the application site does make a contribution to the significance of the conservation area as a rural settlement and how it is experienced. Views across the site from The Green South and from Thame Road emphasise the character of the built form consisting of a single ribbon of development along street frontages with limited views into the open space behind. There are very limited glimpsed views of any rooftops beyond the application site from either Thame Road looking north-east or The Green South looking south-west. Where rooftops can be seen, they are characteristic of the settlement pattern being sparsely separated from neighbours and with limited to no other built form visible beyond. The exception to this is the presence of the church tower in some views from within the application site looking north.
- 6.27 There is no specific consistent vernacular character of building type or material in the conservation area which adds to the clear legibility that the settlement has grown in a very piecemeal fashion, almost exclusively through infilling of the spaces along the street frontages of Thame Road, The Green North and The Green South. Despite infilling, there remains clear separation between many of the dwellings, in particular along The Green South, where the long and uninterrupted views of the open countryside which surrounds the settlement can be clearly appreciated. The lack of backland development around the historic core of the settlement has preserved the association with the rural landscape that reinforces the importance of agriculture to the development of Warborough as a settlement.
- 6.28 The importance of these open spaces is also discernible from the public footpaths and tracks which lead east from the Green towards neighbouring

Benson and Rokemarsh. Views to the west from the footpath back towards Warborough Conservation Area are characterised by the glimpses of dwellings, set within green spacious plots with little to no backland development visible behind Thame Road.

- 6.29 Thame Road has a stronger and more consistent line of development along the western frontage. Buildings here vary by being built either directly onto the roadside or being set back slightly within their plots behind small front gardens. The dwellings here also vary between having a principle frontage looking towards Thame Road or turning sideways to look towards a garden plot with a gable end facing the main road. This character varies between the larger farmhouses and higher status houses that look towards the main thoroughfare through the village and whose outbuildings and barns commonly frame the plots turning sideways to the road- such as at No.95 Thame Road, the Chilterns and Blackbird Cottage- and the smaller labourers cottages and later C19-C20 infill which have a more domestic relationship with their curtilage than a functional one- such as at Nos.103&105 Thame Road, No.109 Thame Road and the terrace of three 1950s cottages built by St John's College.
- 6.30 Contrasting significantly with this character is the open nature of the east side of Thame Road which south of C17 house Quaker Lanes is almost completely undeveloped other than the village Primary school and Gravel Lane which sits beyond the end of the designated conservation area. Although outside of the designated conservation area, the SODC Character Study for Warborough Conservation Area identifies this open space, specifically the application site, as providing important views out of the Conservation Area which look out across the open farmland towards the Chilterns. This space is consistent with the surroundings of the rest of the Conservation area to the west side of Thame Road and the east side of The Green, all of which contribute to the significance of the conservation area as a rural settlement with tangible links to the agricultural and farming landscape.
- 6.31 The mature trees which line the distinct green verge and ditch along the eastern side of Thame Road sit within the designated conservation area and make a considerable contribution to the green character of the village. Behind this tree line, within the application site is a hedgerow which has been allowed to grow quite tall but still has a number of gaps which permit views across the site.
- 6.32 Whilst it is acknowledged that the conservation area character study for Warborough has not been updated in the last 5 years, it is considered to be a relevant and useful assessment of the designated area and its significance. In addition, this application has been considered with regard to the significance of the conservation area, as outlined above, and in line with Historic England's Conservation Area Designation, Appraisal and Management: Historic England Advice Note 1 (2016) and The Setting of Heritage Assets: GPA3 (2015). In accordance with paragraph 129 of the NPPF, the significance of the designated conservation area and other assets have been assessed and the potential impact of the application scheme on the heritage assets has been duly considered.
- 6.33 Whilst Historic England previously raised objections to the application, following the submission of additional information including a views analysis and a revised heritage statement, they have withdrawn this objection. The views analysis indicates that the proposed development would not be visible during summer months and whilst winter views were not provided, having looked at the wireframes, and noting the position of

the ridgeline of the proposed buildings, Historic England are of the view that it is unlikely that there would be a significant impact in views in the winter.

- 6.34 Historic England confirmed that whilst there would be some change in the character of the conservation area as the development would be visible from Thame Road, a change need not necessarily mean harm. They note that this end of the village does not have a strongly defined rural edge (development continues some way to the south) nor are there important views out over the site from the conservation area or into the area from the site. Historic England have confirmed that they do not think that the connection of this land to the local Quaker community is of a particular significance which demands that it remains undeveloped. However, the Conservation Area Appraisal does identify views out over the landscape from within the site itself and that the connection of the village to agricultural land farmed from it as an important aspect of the character of the area; furthermore the linear nature of development in the village would be compromised. The loss of the linear character of development and rural views identified in the appraisal would therefore entail a degree of harm to the significance of the conservation area.
- 6.35 In terms of the impact of the development on The Green South, the proposed layout has been revised to relocate an area of public open space to the north of the application site, to the rear of the existing dwellings situated along The Green South. Your Officers are of the view that this has gone some way to preserving the characteristic gaps between the dwellings giving way to glimpses of open space that forms the setting of the buildings and the conservation area. The proposed development, where visible from the north of the application site, will consist of rooftops set some distance from the public rights of way. In this regard, your Officers consider that this results in a notable improvement to the proposed layout of the application site, preserving some of the contribution the existing space currently makes to the character and appearance of the conservation area and how it is experienced. The visual impact of development here has been greatly reduced from the previous layout and your Officers are satisfied that from The Green South and along Quaker Lane, the impact of development, both visual and through a change in settlement pattern, is reduced. Overall, the development will have a low impact on the special interest of the conservation area when experienced from the Green South. Your Officers consider that the impact to the special historic and architectural interest of the listed buildings here is limited to a low level and represents less-than-substantial harm, as per the tests of the NPPF.
- 6.36 The impact of the development from the Thame Road area of the conservation area is greater. This is a particularly sensitive area in Warborough when experiencing the contribution that the rural setting adds to the character of the conservation area. However, the revised scheme has introduced more opportunities for glimpsed views of the open space beyond the proposed built form and in framed views along the proposed main access road that travels east across the site.
- 6.37 The proposed layout of the Thame Road frontage, as amended, is characteristic of the ribbon development seen elsewhere in the village. However, the extension of the built form further into the site is a departure from the character of development within the adjoining conservation area. Typically the settlement pattern is linear with main dwellings fronting onto the roads and built form to the rear forming functional working groups such as farmyards and ancillary buildings that relate to the agricultural land use outside the built areas. This characteristic remains legible across the settlement and throughout the designated conservation area. As amended, the scheme provides references to some of these characteristics but the development of the Six Acre site beyond a linear frontage would result in a departure from that characteristic.

- 6.38 Your Officers consider that the immediate sense of the connection to rural open space that is experienced from the Thame Road will be lost as a result of development here. However, overall, the impact is low and limited to only a small part of the Thame Road and would not harm the significance of the conservation area in its entirety given the access point and car park. In addition, the length of hedgerow which fronts onto Thame Road will be retained. As such, the harm is considered less-than-substantial harm when considered against the tests of the NPPF.
- 6.39 In summary, Historic England have confirmed that they are now satisfied that from their perspective, a number of issues have been resolved and that they have now left determination to the local authority. They regard the level of harm to the conservation area as a whole to be low, given that these views are not directly appreciable from within the area itself. However, it would still need to be justified and outweighed by public benefits, as required by paragraphs 132 and 134 of the NPPF. In this case justification rests on the need for housing in the area and the delivery of public benefits.
- 6.40 Overall, following these amendments, your Officers also consider that there will be less-than-substantial harm to designated heritage assets as a result of the proposed scheme, in line with Historic England's conclusion.

Impact upon Highways.

- 6.41 The NPPF advises 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.
- 6.42 The Local Highway Authority (LHA) have objected to the application for the following reasons:
- Potential inability to provide adequate cycle storage for certain dwellings
 - Internal layout
 - Potential inability to provide adequate visitor parking spaces.

However, they state that should planning permission be granted, then they would require a S106 agreement, including an obligation to enter into a S278 agreement, to mitigate the impact of the development plus planning conditions and informatives.

- 6.43 Concern has been expressed by local residents regarding the impact of the development on the local highway. The LHA did not raise concerns about the trip generation associated with a 36 dwelling residential development and therefore has no objections to a reduced scheme comprising 29 residential units.
- 6.44 With regard to the vehicular site access, the LHA previously advised that the bellmouth should be narrowed and the corner radii should be tighter. The applicant has addressed this in revised plans and the LHA have now confirmed that these details are acceptable in principle. The yellow lining can be secured under a S278 agreement for off-site highway works. In addition, concerns regarding the swept path analysis have now been addressed in revised plans.
- 6.45 The LHA have expressed concern regarding some elements of the internal layout, namely the width of certain footways, dimensions of double garages and provision of

cycle storage in a couple of properties. These issues can be adequately dealt with via planning conditions. The layout of the site has been laid out in order to reflect the nature and character of this site which is why it has not been proposed for adoption.

- 6.46 All the dwellings have adequate car parking provision for residents but officers consider that additional visitor parking is required which can be secured via planning condition. Whilst the application proposes the provision of a 30 space car park, it is understood that this facility would be solely for use by the primary school. The developer has explained that some of the driveways and courtyards have an extra length or space that would allow for additional parking spaces for some plots.
- 6.47 The car park is supported by the school and parish council. It would provide off street parking for parents dropping off at the local school providing an alternative to the on-street parking arrangements currently in place which are causing concern to the school and local residents. Whilst some objections have been received regarding the principle of the car park, planning permission was granted on 14 January 2004 for a 30 space car park adjacent to the school however this was never implemented.
- 6.48 From a transport policy perspective, the provision of a public car park would encourage and promote car use which is contrary to the sustainable development principles set out in the National Planning Policy Framework (March 2011) and the sustainable transport policies set out in the Connecting Oxfordshire Local Transport Plan 4 (updated in 2016). However, it is acknowledged that Warborough is a small village where there is a limited choice of local facilities and employment therefore a family's work/life balance may mean the car is the only option to meet particular needs.
- 6.49 Currently it is not confirmed who will be responsible for day to day management and maintenance of this car park although the applicant has offered the facility to the Parish Council and the Parish have indicated its willingness to accept. The LHA would not take on responsibility for the day to day management, operation and maintenance of this car park. Concern has been expressed that an insecure car park could potentially result in travellers occupying the public car park or anti-social behaviour taking place but a secure car park will not be accessible to visitors visiting family or friends living in the residential development when the car park is secured outside normal opening hours. The LHA have suggested that indicative pedestrian walkways are provided on car parking aisle to enhance parent / guardian and child safety and further details will be required by planning condition to secure these 3 walkways and safe access into the school site.
- 6.50 Whilst there are concerns from a number of parties that the car park is not big enough, it is important to recognise that there are currently no parking facilities for parents at the school, much like many other primary schools in the Country. Staff currently park within the school site and there are no parking standards for parent parking. It is unusual for a separate school car park to be provided for parents, and any provision of off road parking would be a bonus in this location. However, given it would not be located with the curtilage of the school grounds, it is important to consider what the space will look like when it is not in use and how it will be maintained.
- 6.51 The LHA are of the view that it would be undesirable to have more than 30 car parking spaces in this proposed public car park. Wherever possible walking to the school by parents / guardians and school children should be encouraged and staff encouraged to car share or use the bus. There are two points of access / entry to this car park and it is recommended that the furthest point from the application site access should be for access only and the nearest point exit only. A suitably worded planning condition can

ensure the detailed design of the car park layout is agreed prior to commencement of development. The future operation management and maintenance of the car park will need to be secured via a planning obligation.

Impact on Rights of Way.

- 6.52 The development will not compromise or affect the ability of FP6 to be used as a public right of way. Whilst concern has been expressed by the CPRE, it is not considered that the amenity value of this route will be reduced.
- 6.53 There has also been some discussion locally about the proposed development connecting up to other rights of way via the northern boundary of the site. Whilst it would be good to have another pedestrian link at the north of the site, due to third party land interests this is not currently possible, and the only route in and out of the development would be via the vehicular access to Thame Road.
- 6.54 There has also been some debate about the existence of FP7 which it is claimed leads south from Warborough Village just west of the Six Bells then turning west along the rear of properties which back onto The Green through to FP6. However, at the time of writing, FP7 does not appear on the definitive map and it is not proposed to create an access from the north of the development site, as such this is not an impediment to the proposed development.

Affordable housing and housing mix.

- 6.55 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 a site of 29 units, this would equate to 11.6 affordable homes of which 75% (8 units) should be for rent and 25% (3) should be for shared ownership. The expectation would be for 11 units to be delivered on the site with a commuted sum payable for the 'part' (0.6) unit.
- 6.56 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.
- 6.58 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. 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.
- 6.59 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.

- 6.60 The applicant has provided the appropriate affordable housing mix of suggested dwellings.
- 6.61 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.
- 6.62 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
Whilst the proposed market housing mix proposes more larger units, the majority of units would be 3 bed. It is considered that this mix is appropriate in this location when taking into account the heritage constraints and matters of design, layout, density and affordable housing provision.

Landscape Impact.

- 6.63 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.
- 6.64 Whilst Grade 2 land is good quality agricultural land, the site is annexed from the wider countryside to the east as it is surrounded by development to the north, west and south and a large part of its eastern boundary adjoins a residential paddock. Consequently, its location in the centre of the village and the surrounding land uses limit the potential to economically farm the land and its loss to development must be considered against the benefits that the development will deliver to the village.

Design and Layout.

- 6.65 Following concerns raised by your Officers regarding density and impact upon the historic environment, the layout of the proposed development was amended and density reduced to 29 units. The houses are now better laid out within the site respecting the setting of adjacent listed buildings and conservation area. The northern part of the site will now remain free from development and provide the open space for residents to use.
- 6.66 More space has been created along the eastern boundary of the site to create a more informal edge to the site. Whilst concerns have been expressed about the proposed linear development along Thame Road this is characteristic of the ribbon development seen elsewhere in the village and results in a much stronger frontage onto Thame Road, despite being broken by the car park. This element of the scheme is supported both in urban design and heritage terms. It is also considered that back to back relationships are much stronger in this current proposal. Rear parking courts previously proposed have now been removed which is positive.
- 6.67 The proposed surface treatments and further landscaping details will be required under planning conditions. These should distinguish between public and private space.

- 6.68 The house types have been designed to reflect the character of the local area, and include the use of barns and courtyards.

Neighbour Amenity and amenity of existing and future residents.

- 6.69 Policy D4 of the SOLP requires new development to secure an appropriate level of privacy for existing residents. The nearest existing residential properties are situated to the north of the site on Quaker Lane, with numbers 8-14 The Green plus the Six Bells PH immediately backing onto the site. A number of properties on the other side of Thame Road look out across the road to the development site.
- 6.70 Whilst numbers 1 and 5 Quaker Lane are probably the closest to the site boundary (between 5-10 metres), the nearest existing dwellings to proposed dwellings are those on Thame Road, however these are clearly separated from the site by Thame Road. Given the amended layout and reduced number of units on the site I am of the opinion that the development can be achieved without any adverse impacts on neighbours in terms of light, outlook or privacy to existing or future residential properties.
- 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. Your Officers are satisfied that the development would provide an appropriate level of amenity space for all plots.
- 6.72 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 13 dwellings per hectare which is an appropriate density for this site in this location.

Drainage.

- 6.73 The site is situated within Flood zone 1 and is at low risk of flooding. However concerns have been raised from local residents regarding drainage. The Flood Risk Assessment (FRA) and Drainage Strategy has been updated to include the filtration testing results. This report confirms that the surface water run-off from the development will not increase flood risk to third parties; that sustainable urban drainage systems (SUDS's) have been explored and used, that an allowance for climate change has been incorporated and that the residual risk of flooding has been addressed should failure or exceedance of the drainage system occur.
- 6.74 The Council's drainage engineer has comments on the application and now have no objections subject to conditions regarding foul and surface water drainage.
- 6.75 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.

Impact upon Ecology.

- 6.76 Following the initial concerns raised by the Countryside Officer, the applicant has redesigned the scheme and reduced the number of units which has reduced the number of units proposed which has increased the opportunities for ecological mitigation. A biodiversity impact calculator has now been used and the results submitted with the amended details.

- 6.77 With the amendments the proposals are now capable of avoiding a net loss of biodiversity in accordance with policy CSB1 of the Core Strategy. In order to ensure that the scheme can actually deliver a no net loss, a condition is recommended that requires a statement for biodiversity enhancements to be submitted and implemented.

Impact upon archaeology.

- 6.78 Policy CON13 of the SOLP requires appropriate archaeological investigation for developments that affect sites of archaeological importance.
- 6.79 The County Archaeologist has confirmed that the site is located in an area of considerable archaeological potential within the historic core of the village. The Scheduled Ancient Monument of Warborough Ring Ditch, Cursus, Enclosures and Settlement site (OX 114) is located just 470m to the east of the proposal site. Another Scheduled Ancient Monument of a Romano-British Settlement site is located 800m to the south east of the site (OX 31432). These two sites are known from cropmarks, seen from aerial photography, Further cropmarks 300m east of the proposal site have been interpreted as a further, undated, settlement site consisted of enclosures and trackways (PRN 12306). A Roman villa has been identified from cropmarks 350m south west of the proposed site and a possible Neolithic cursus and ring ditch has been identified from a geophysical survey 120m south of the proposed site.
- 6.80 An archaeological evaluation was undertaken on the site which recorded a small number of archaeological features. These features will require further investigation and recording ahead of any development and a condition for a programme of archaeological mitigation will need to be attached to any planning permission. Conditions are recommended to ensure that the applicant implements a staged programme of archaeological investigation during the period of construction.

Impact upon Trees.

- 6.81 The proposed highway access may require the removal of an Elm tree. However this is not of sufficient arboricultural quality to be considered as a constraint to development and the remaining prominent tree features along the Thame Road will be unaffected.
- 6.82 The submitted arboricultural method statement (AMS) details sufficient tree protection measures to prevent the valuable hedges and trees from being damaged throughout construction. Additional tree protection measures were requested by and agreed with the Forestry Officer.
- 6.83 The proposed site layout allows sufficient space for a suitable landscaping scheme to be achieved.

Impact upon Education.

- 6.84 The County Council as Local Education Authority (LEA) have assessed the demands that this development would have on local infrastructure and services. Based on the mix in the revised scheme it is estimated that the revised development will generate the demand for:
- 2.24 places for children with early education entitlement
 - 10.68 primary school places (age 4-10)
 - 7.14 secondary school places (age 11-15)

- 1.05 sixth form places (age 16-19)
- 0.20 SEN pupil places.

- 6.85 With regard to schools, St Laurence CE Primary school has an admission number of 15 and a total capacity of 105. As such it has very few spare spaces, but not enough to meet the pupil generation expected from this proposed development and some year groups are full. However, as the school continues to attract from outside its catchment, the LEA have confirmed that they do not think that lack of education capacity would be a valid reason for refusal of planning permission. It is still the case that families moving into the proposed development after their child has started school may find that the relevant year group has no spaces, and be unable to secure a place at the school, but families moving in before their child starts school, and applying through the standard annual admissions process would be expected to be able to secure a place at the school. This would displace future families living outside the catchment area of St Laurence CE Primary School who had previously been able to secure a place at the school, adding to pressure on other, surrounding, schools. Based on pupils currently at the school, this would include schools in Benson and Wallingford which themselves already need to expand due to local housing growth. This proposed housing development would therefore be expected to add to the strategic need for additional primary school capacity in the area, and a funding contribution from CIL would therefore be expected towards expansion of primary school capacity
- 6.86 With regard to Early Years provision, for this development it is anticipated that existing provision will be sufficient to meet the additional demand for places. However should there be further housing developments in the village then the cumulative effect may mean that additional capacity will be required. If this is the case, then a CIL allocation may be required from this and other developments.

Environmental matters (air quality, contamination, noise)

- 6.87 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.
- 6.88 No specific contamination issues are raised in respect of the proposed development and standard conditions are recommended.

Minerals and waste.

- 6.89 The County Council as Minerals Planning Authority were consulted on this application but had no comments to offer. It is understood that this site does not fall within a certain Mineral and Waste safeguarding area as plotted on their County GIS system.

Developer Contributions/Infrastructure

- 6.90 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 this space would be accommodated on the northern part of the site and the S106 legal agreement could secure this in order to meet policy R2 of the SOLP.

- 6.91 As referred to earlier, 40% affordable housing would be secured on site in accordance with an agreed mix. The expectation would be for 11 units to be delivered on the site with a commuted sum payable for the 'part' (0.6) unit.
- 6.92 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
- 6.93 The LHA have requested a contribution of £29,000 towards public transport services in the area, namely to increase bus service frequency on the X39 and X40 which provide access to Oxford, Wallingford and Reading. Major residential developments proposals consisting of ten or more dwellings served by bus X39 and X40 in Oxfordshire are required to make a financial contribution of £1,000 per dwelling secured through a S106 agreement towards enhancing the existing bus services serving their residential development.
- 6.94 A S278 agreement will be required to secure mitigation/improvement works and costs of publishing TRO.
- 6.95 I consider that these contributions accord with policy CS11 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.

- 6.96 The Council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, the residential development in Zone 1 (District) would be CIL liable at £156 per square metre effective from 1st January 2017 in accordance with the CIL Indexation Guidance Note. A CIL form has been completed and submitted with the application. 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.
- 6.97 Under the CIL regulations, the Parish Council would receive a proportion of CIL money which can be spent on infrastructure projects that are priorities for the community.

7.0 PLANNING BALANCE AND CONCLUSION

- 7.1 The proposed development does not accord with the adopted Development Plan for the reasons explained above. As the council cannot demonstrate evidence of a five year supply of deliverable housing sites, the relevant development plan policies for housing are out of date. However the proposal remains consistent with the NPPF and in this case, there are material considerations which support the development.
- 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 In terms of other environmental matters, officers acknowledge that the proposal would result in less-than-substantial harm to designated heritage assets as a result of the proposed scheme. Although this weighs against the scheme, the environmental harm is mitigated to a certain extent through the creation of the open space to the north of the site and future strategic landscaping.
- 7.6 Officers are of the view that there would be less than substantial harm to heritage assets and in the absence of a 5 year housing land supply 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, officers consider that the tilted balance in paragraph 14 of the NPPF 14 applies, because in this case the policies on heritage assets in the NPPF do not indicate that permission should be refused.
- 7.7 Conditions and legal agreements can ensure that the development is acceptable from a highway safety point of view. This includes the pedestrian access from the site to the school, yellow lines etc. A financial contribution towards the bus services in the area would improve the accessibility of the site by sustainable modes of transport.
- 7.8 Whilst the WSNP allocates this site for development, it is still in its early stages and is the subject of further consultation and examination by an Inspector. The Parish Council have undertaken assessments of potential housing sites in the village through the Neighbourhood Plan process although concern has been expressed by local residents regarding the probity of this site selection exercise and the timing of determination of this application. Your Officers are aware that other sites might be coming forward and that an application has recently been submitted for 110 dwellings at New Road, Shillingford P17/S4437/O.
- 7.9 This application at Six Acres was submitted in February 2017 and is the most advanced of all sites in terms of extensive consultation and revisions to the scheme. Your Officers therefore are not in a position to weigh up the planning merits or otherwise of other sites as these have not been the subject of the same scrutiny from expert consultees.
- 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 **To delegate authority to the Head of Planning to grant planning permission subject to prior completion of a Section 106 agreement to cover the matters set out in the report and the following conditions that may be updated to reflect the latest position:**

1. Commencement three years - full planning permission.
2. Approved plans.
3. Biodiversity mitigation and enhancement strategy (outline).
4. Levels (details required).
5. Sample materials required (all).
6. Access position to be agreed.
7. Construction traffic management.
8. Landscaping scheme (trees and shrubs only).
9. Landscaping (including access road and hard standings).
10. Landscaping (including boundary treatment).
11. Landscaping (including hardsurfacing and boundary treatment).
12. Layout of car park.
13. Tree protection.
14. Protect hedges during development operations.
15. Childrens' play space.
16. Open Space.
17. New vehicular access.
18. New estate roads.
19. Turning area and car parking.
20. Cycle parking facilities.
21. Landscaping implementation.
22. Tree pits design.
23. Prevention of overlooking.
24. Withdrawal of permitted development rights (Part 1 Class A) - no extensions etc.
25. Withdrawal of permitted development rights (Part 2 Class A) - no walls, fences etc.
26. No surface water drainage to highway.
27. No garage conversion into accommodation.
28. Landscape management plan.
29. Lighting.
30. Archaeological watching brief.
31. A programme of archaeological mitigation in accordance with the written scheme of investigation.
32. Archaeology.
33. Surface water drainage.
34. Foul drainage.
35. Travel plan.
36. Contamination.

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