

<b>APPLICATION NO.</b>	<a href="#">P17/S1964/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	6.6.2017
<b>PARISH</b>	BENSON
<b>WARD MEMBERS</b>	Richard Pullen Felix Bloomfield David Turner
<b>APPLICANT</b>	David Wilson Homes (Southern) Ltd
<b>SITE</b>	Land to the north east of Benson to the north of Watlington Road/The Sands (B4009) and east of Hale Road, Benson
<b>PROPOSAL</b>	Residential development comprising up to 240 dwellings including associated internal accesses, parking, internal road and footpath network, open space, children's play areas, community garden with associated parking, drainage attenuation works, landscaping, vehicular access from the B4009, emergency access from Hale Road and land to be safeguarded for future infrastructure to form part of the Edge Road around Benson (as per letter dated 9 November 2017).
<b>OFFICER</b>	Lloyd Jones

**1.0 INTRODUCTION**

- 1.1 The site comprises agricultural land located towards the north eastern edge of Benson. The site comprises 12.86 hectares. The site is flanked by residential development on Sands Way and The Meer to the south west and west edge of the site. To the south east is the Watlington Road/The Sands (B4009). Hale Road is to the west and fields to the north with properties along Braze Lane to the east. A public right of way (Benson Footpath 11) runs diagonally through the site. The site is not covered by any landscape designations.
- 1.2 The site is known as BEN3 /4 and is a site allocated for housing development in the Post-Examination Draft Benson Neighbourhood Plan (BNP). The land to the west of the application site to the west of Hale Road is known as BEN2. BEN1 phase 2 lies to the west of BEN2. BEN1 phase 2 and BEN2 are allocated in the BNP.
- 1.3 The sites that are proposed to be allocated in the BNP are fundamentally associated with the construction of the proposed relief road around the north of Benson. The proposed relief road (also referred to as the 'edge road') would link into the A4074 in the vicinity of the Elm Bridge Roundabout. The edge road would run through the three allocated sites and would include a roundabout crossing on Hale Road before linking with a new roundabout into the B4009.
- 1.4 The development of BEN1 phase 1 (land off Littleworth Road) is currently underway. This development of 187 homes was the first large scale housing development to be permitted in the village as a result of the council's housing land supply position.
- 1.5 The site does not lie within a nationally or locally designated landscape but forms part of the setting of the Chilterns Area of Outstanding Natural Beauty (AONB) and North

Wessex Downs AONB. The Chilterns AONB boundary is 1.5km to the east and North Wessex Downs AONB 835m to the west.

1.6 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

## 2.0 PROPOSAL

2.1 This is an outline planning application for residential development comprising up to 240 dwellings including associated internal accesses, parking, internal road and footpath network, open space, children's play areas, community garden with associated parking, drainage attenuation works, landscaping, vehicular access from the B4009, emergency access from Hale Road and land to be safeguarded for future infrastructure to form part of the Edge Road around Benson. Apart from access all matters are reserved for subsequent approval.

2.2 40% of the proposed homes would be affordable. The application documents indicate that housing mix will be set as part of a future reserved matters application.

2.3 As it was originally submitted, the application proposed a simple junction with the B4009 to provide access into the site and safeguarded land for future infrastructure works associated with the later delivery of the edge road within the site. The scheme has been amended since the original submission, which relates to the revised access strategy that includes:

- The creation of a three arm roundabout on the B4009, some 330 metres to the east of the B4009/Blacklands Road junction; and
- The delivery of the part of the Edge Road that passes through the site from the B4009 to Hale Road.

2.4 The submitted parameter plans indicate the extent of the development, the nature of land uses across the site, the proposed landscaping and the primary movement corridors. In addition, the plans show the proposed access from the B4009 in full detail. Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk)

2.5 A separate planning application (P17/S3955/FUL) has been granted planning permission for a roundabout on Hale Road which would provide access into this site and the land to the west of Hale Road (known as BEN2), which is subject to a separate planning application (P17/S3952/FUL).

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

### 3.1 Benson Parish Council

At the meeting of Benson Parish Council on 14th December 2017, members present resolved to offer no objections provided the terms of approval for the application secure the Relief Road and other appropriate infrastructure within a reasonable timeframe and provided the resulting development conforms with the design, landscape and environmental principles of the Benson Neighbourhood plan. This was unanimous.

### Berrick Salome Parish Council

We consider that this Application (as amended) should be refused. The Application is substantially the same as the previous one, which we considered totally inappropriate for the reasons stated at that time. The explanation for our objection is provided in the

attached document; for clarity, this document also contains an Appendix describing our previous objections, which we would be grateful if you would consider as continuing in the context of this amendment. The Applicant seems to be dismissive of the concerns we expressed and has certainly not made any effort to address them.

**Oxfordshire County Council Highways**

No objection subject to conditions

The submission is an amendment to previously submitted and commented upon proposals. The previous recommendation of the County Council as Local Highway Authority raised no objection subject to appropriate mitigation being secured via planning conditions and obligations.

This proposal provides greater consideration to the provision of a proposed edge road, which is welcomed and includes:-

- illustrative spine road to appropriate specification suitable for an edge road
- new roundabout and realignment of B4009
- access to site BEN2 via a roundabout (subject to separate application)

The proposed edge road within this site is sought prior to 50% of occupations at the site.

**Oxfordshire County Council Education**

No objection

**Oxfordshire County Council Archaeologist**

No objection subject to condition that will require further investigation in advance of the development.

**Oxfordshire County Council Minerals and Waste**

No objection

**Countryside Officer**

No objection subject to conditions.

**Forestry Officer**

The creation of the proposed main highway access off the B4009 will require the removal of a considerable amount of the existing agricultural hedge. The countryside officer's opinion should be sought on this aspect of the application. The submitted site layout drawing suggests a lot of tree planting will be incorporated along the main highway routes through the development. However due to the limited amount of space for the trees to grow, only small trees could be planted. This would not soften the built form or achieve any lasting landscape features that would positively influence the character of the development. Many of the secondary roads do not even have space for small trees. Apart from the areas adjacent to POS, the proposed layout would have a harsh built form with very little green infrastructure incorporated throughout the residential areas.

**Equalities Officer**

No objection

**Housing Officer**

No objection. Provides advice about the mix of the proposed 40% affordable housing, which should be 75% affordable rent and 25% shared ownership.

**CPRE**

We wish to object to this planning application on public rights of way grounds for the following reasons:- a) The proposed development would swamp Benson FPs 11 & 12 and detract from public enjoyment of their use by depriving the public of the open views they currently provide across the surrounding countryside and towards the Chilterns; and b) As Benson FP11 currently provides a traffic-free route for children from Roke and Rokemarsh to the school in Benson, we are concerned that the proposed development not only compromises this with an additional road crossing, but also routes part of the spine road along FP11 thus making this section no longer traffic free.

**North Wessex Downs AONB**

No comments received.

**Chilterns Conservation Board**

No comments received.

**Drainage Consultant**

No objection subject to conditions

**Thames Water**

No objection subject to conditions.

**Natural England**

No objection.

**Environment Agency**

No objection.

**Oxfordshire Clinical Commissioning Group**

At this stage the CCG can see that extra homes in Benson will put extra strain on the local GP services. This development could bring an extra 600 patients to the practice. In line with the CCG's agreed Board policy we would look to the LPA and developer to contribute to any building works the local practice may need to action to support the existing patients together with the new. At present the CCG object until we can be sure the local health community is supported in terms of infrastructure.

### **Environmental Protection Team**

Objection as 50dBA in garden areas to provide a good standard of amenity cannot be achieved. The monitoring that has been undertaken cannot account for high noise recordings. Noise from RAF Benson should be analysed by octave band frequency and bespoke scheme of mitigation.

### **Environmental Health - Air quality**

No objection subject to condition for more detailed modelling to be undertaken and any mitigation to be agreed prior to commencement.

### **Contaminated Land**

No objection subject to conditions.

### **Ministry of Defence**

No safeguarding objection to the application.

Neighbour responses – 30 neighbour responses have been received objecting to the application and summarised below:

- Housing has been approved for 500 new houses in Benson already.
- Already 120 homes under construction.
- Proposal does not satisfy paragraph 14 of the NPPF.
- Proposal fails to secure affordable housing.
- Proposed development is speculative.
- Loss of green gap between Benson and Rokemarsh.
- Change rural character of local villages Berrick Salome, Berrick Prior and Roke
- Development excessive.
- Adverse impact on AONB.
- Poor drainage.
- Inadequate sewerage system.
- Impact on rural setting of Rokemarsh.
- Loss of good quality agricultural land.
- No need for a bypass.
- Infrastructure not in place.
- Impact on public right of way.
- Increase in traffic.
- Excessive speed an issue.
- Noise from RAF Benson.
- Relief road not connected.
- Increase in light pollution.
- Increase in surface water run-off.
- Loss of good quality agricultural land.
- Impact on infrastructure – schools and doctors.

4.0 **RELEVANT PLANNING HISTORY  
APPLICATION SITE**

- 4.1 [P17/S0380/PEJ](#) – Pre-application response (09/03/2017)  
Outline application with all matters reserved (other than vehicular access into the site) for the development of up to 260 dwellings, associated access, landscaping, drainage attenuation and public open space.
- 4.2 [P73/M1116](#) - Refused (28/06/1974)  
Erection of houses with main estate distributor road. Access
- 4.3 [P73/M1089](#) - Refused (28/06/1974)  
Erection of houses with a section of main estate distribution road.
- 4.4 [P55/M0729](#) - Approved (11/10/1955)  
Housing site and accesses.

**NEIGHBOURING SITES**

- 4.5 BEN2 – To the immediate west of the application site continuing the edge road west  
[P17/S3952/O](#) – Application currently under consideration  
Outline planning application for the erection of up to 84 homes, associated open space, edge road and other infrastructure, with all matters reserved except for access.
- 4.6 BEN1 phase 2 – To the west of BEN2 and continuing the edge road west  
[P16/S1139/O](#) – Approved 18/01/18  
Outline planning application (with all matters reserved except access) for the erection of 241 dwellings (40% of which will be affordable) with associated access; public open space, landscaping, sports provision, nature park and woodland; Up to 230 sqm retail; Provision of community facilities including relocated school playing fields, youth hut, skate park and play space.
- 4.7 Roundabout between application site and BEN 3 / 4  
[P17/S3955/FUL](#) – Approved (19/02/18)  
Proposed creation of roundabout with associated footways, to facilitate the section of 'edge road' between BEN2 and BEN3/4 (linking with Hale Road).

5.0 **POLICY & GUIDANCE**

5.1 **National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)**

5.2 **Environmental Impact Assessment Regulations**

The application is of a scale and magnitude where an Environmental Impact Assessment is required. The Environmental Statement submitted with the application covers in extensive detail the likely environmental impacts and proposed mitigation. The main impacts are discussed below under Planning Considerations. The application complies with the requirements of the Environmental Impact Regulations.

5.3 **South Oxfordshire Core Strategy (SOCS) Policies;**

CS1 - Presumption in favour of sustainable development  
CSB1 - Conservation and improvement of biodiversity  
CSC1 - Delivery and contingency

- CSEN1 - Landscape protection
- 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
- CSQ1 - Renewable energy
- CSQ2 - Sustainable design and construction
- CSQ3 - Design
- CSQ4 - Design briefs for greenfield neighbourhoods and major development sites
- CSR1 - Housing in villages
- CSS1 - The Overall Strategy

**5.4 South Oxfordshire Local Plan 2011 (SOLP) saved Policies;**

- C4 - Landscape setting of settlements
- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- CON12 - Archaeological field evaluation
- CON13 - Archaeological investigation recording & publication
- 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
- D5 - Compatible mix of uses
- D6 - Community safety
- D7 - Access for all
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP7 - Impact on ground water resources
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G3 - Development well served by facilities and transport
- H4 - Housing sites in towns and larger villages outside Green Belt
- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- R8 - Protection of existing public right of way
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking
- T7 - Protection and improvement to footpath and highway network

**5.5 Emerging South Oxfordshire Local Plan 2033**

The council is preparing a new Local Plan, which will set out how development will be planned and delivered across South Oxfordshire to 2033. The overall strategy in draft policy STRAT1 is to focus major new development in the Science Vale, including Didcot Garden Town and Culham; provide for major development at Chalgrove and Berinsfield; support and enhance the economic and social dependencies between

towns and villages; support the roles of Henley-on Thames, Thame and Wallingford; support and enhance the roles of the larger villages (including Benson); allow limited housing and employment development at smaller and other villages; protect and enhance the countryside by ensuring that any change relates to very specific needs; and support and enhance the historic environment. In relation to housing growth in villages, the emerging Plan proposes to deliver homes through the Neighbourhood Plan Process and allocations (draft policies H1, H4 and H8).

Draft policy ENV1 states that the district's landscape, countryside and rural areas will be protected against inappropriate development and where possible enhanced.

Draft policy TRANS3 seeks to safeguard land for a bypass around Benson. Appendix 5 of the emerging Plan shows the safeguarded land for the bypass between Watlington Road / The Sands (B4009) at its eastern end, crossing Hale Road and connecting to Oxford Road at its western end. The safeguarded land includes land in the BEN3/4 site and that route broadly corresponds with that proposed by this application.

The Council is currently considering whether to pursue the allocation of Chalgrove airfield, together with the possibility of alternative or reserve sites, which may delay submission of the draft Local Plan for examination.

#### 5.6 **Post-Examination Draft Benson Neighbourhood Plan**

NP1 – Housing Allocation Policy

NP4 – Land to the and north east of The Sands – Residential development

NP6 – Conservation and heritage

NP7 – Design

NP8 – Traffic flow

NP9 – Parking

NP10 – Access to public transport

NP11 – Pedestrians and cyclists

NP12 – Sustainable travel

NP19 – Phone and Broadband provision

NP22 – Outdoor recreation

NP25 – Creating new green spaces

NP26 – Biodiversity

NP27 – Wildlife corridors

NP28 – Green infrastructure management plans

NP31 – Important views

NP32 – Scope for development

NP33 – Sustainable drainage systems

NP34 – Flood risk

The Examiner's report on the Draft Benson Parish Neighbourhood Plan was issued on 4 April 2018. The Examiner recommended that, subject to modifications, the draft Neighbourhood Plan should proceed to a referendum. The draft Plan (as proposed to be modified) allocates site BEN3 / 4 through policy NP4 for approximately 240 dwellings on the basis that it provides for part of the edge road within the site. The draft Plan also proposes to allocate the BEN1 phase 2 and BEN2 sites for residential development as the route of the edge road passes through these sites. The draft Plan is expected to be subject to a referendum on 28 June 2018.

#### 5.7 **South Oxfordshire Design Guide 2016 (SODG 2016)**

This guide sets out the standard that we expect developments to meet through a series of checklists which relate to key design principles.



6.0 **PLANNING CONSIDERATIONS**

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

- The principle of the development, including:
  - how the development of the site fits with the council's spatial strategy,
  - the council's housing land supply position,
  - the level of compliance with the emerging Local Plan, and
  - the level of compliance with the Post-Examination Draft Benson Neighbourhood Plan,
  -
- Matters of detail / technical issues, including:
  - affordable housing and housing mix,
  - highway safety, traffic impact and parking
  - landscape impact,
  - trees and ecology,
  - flood risk and surface / foul drainage,
  - design and layout,
  - neighbour amenity and amenity of future residents,
  - agricultural land,
  - environmental matters (air quality, noise and contamination), and
  - heritage impact
- Infrastructure requirements, including:
  - on-site infrastructure to be secured under a legal agreement,
  - contributions pooled under the Community Infrastructure Levy.

**The principle of the development**

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

6.2 Benson is identified as a larger village within the South Oxfordshire Core Strategy (SOCS). Policy CSS1 of the SOCS sets out the overall distribution strategy for the district and this includes supporting and enhancing the larger villages as local service centres. This distribution strategy is followed through in Policy CSR1 which addresses housing in the villages and indicates that sites will be allocated for housing in the larger villages and that there would be no limit on infill development in these settlements. Rural exception housing is also permissible where need is shown. Outside towns and villages, policy CSS1(v) indicates that any change will need to relate to very specific needs such as those of the agricultural industry or enhancement of the environment.

6.3 The application site falls beyond the built up limits of the village. It is not closely surrounded by buildings or a small gap in an otherwise built-up frontage. It does not represent an infill development. It is also not a site currently allocated for housing. The development is therefore outside policy CSR1.

6.4 However, the provision of an edge road to take existing and future traffic away from the centre of Benson has been identified as a key element of the draft Benson Neighbourhood Plan. The Examiner's report on the draft Neighbourhood Plan states (at pages 9-10):

"... The neighbourhood plan is looking to deliver a new road layout, which harnesses the access arrangements of the allocated housing areas, to collectively deliver a relief road that will direct both the traffic associated with the new housing areas, and through traffic, away from the historic centre of Benson Village. It is a very clear vision and can

legitimately be described as the golden thread that runs through the neighbourhood plan.

The provision of this new road lies at the heart of the plan and its delivery has been the primary factor in directing the preferred location of the new housing to the north side of the village, so as to provide a link between the B4009 Watlington Road and the A4074, Oxford to Reading road. As one of the primary criteria in the Site Assessment Report, it is a legitimate basis for differentiating between alternative sites, so long as the outcome is consistent with other planning principles e.g. avoiding putting new homes in areas at risk from flooding. All of the sites on the north and east of the village will have adverse effects on the wider landscape setting on the North Wessex Area of Outstanding Natural Beauty, which lies to the east of the plan area, as identified in the report 'Landscape Capacity Assessment for Sites on the Edge of Large Villages Study 2014.' Equally all the farmland is good quality, being Grade 2."

- 6.5 The Examiner was satisfied that the housing allocations in the draft Neighbourhood Plan were needed to deliver the edge road. At page 11 of his report he said:

"I consider that the approach taken by the Parish Council, to secure this locally identified piece of infrastructure, to be entirely in line with the Government's approach as set out in Paragraph 045 of the PPG, which states: 'A qualifying body may wish to consider what infrastructure needs to be provided in the neighbourhood area, alongside developments such as homes, shops or offices. Infrastructure is needed to support development and to ensure that a neighbourhood (i.e. Benson) can grow in a sustainable way'.

Having established the village's desire to see a new relief road around the village, it is entirely consistent for the Plan to allow that objective to influence the choice of housing sites, which individually and collectively can deliver the road, and conversely choose not to allocate sites which do not contribute to securing that objective, so long as the village is meeting its housing requirements. This rationale is fully set out in the Site Assessment report..."

- 6.6 Subject to minor modifications, the Examiner was satisfied that the draft Plan, including policy NP4 which allocates BEN 3/4 for housing development and provision of a section of the edge road, satisfied the basic conditions for a neighbourhood plan.
- 6.7 SOCS policy CSS1(v) indicates that development outside the towns and villages may be permissible if it relates to very specific needs such as those of the agricultural industry or enhancement of the environment. Among other things, the edge road is intended to provide relief to the existing road network within the village, thereby reducing congestion and traffic flow through the congested village centre. To this extent, it can be said to enhance the environment of the centre of Benson. Development of the application site (together with other sites) is needed to fund and facilitate the provision of the edge road. Accordingly, the view is taken that the current proposal is in principle in accordance with the overall development strategy in policy CSS1(v), although as the Examiner acknowledged, there would be environmental harm to the wider landscape (and to other interests considered further below), which will need to be weighed in the balance.
- 6.8 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. Other material policy considerations include the NPPF and the Post-Examination Draft Neighbourhood Plan.

- 6.9 If following the referendum the draft Neighbourhood Plan comes to be made, it will then form part of the development plan, and the allocation of the application site would constitute a development plan allocation.

The Council's housing land supply position

- 6.10 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.
- 6.11 The weight to be given to the Council's housing policies will partly depend on whether the Council can show a five year supply of housing sites. The Council's most recent housing land supply assessment shows that it is able to demonstrate a five year supply of deliverable housing sites. At the same time, however, the housing targets in the SOCS are out of date, having been superseded by the more recent assessment of need in the 2014 Strategic Housing Market Assessment, and for larger villages such as Benson Core Strategy policy CSR1 was meant to be supplemented by a Site Allocations DPD, which has not been forthcoming. In the circumstances of this application it is the view of officers that substantial weight, but not full weight, can be given to the housing policies in the SOCS.

The level of compliance with the emerging Local Plan (2033)

- 6.12 Although the application should be assessed against the current development plan policies, I consider that it is also relevant to assess how the development would fit with emerging policies both at district and local level.
- 6.13 At a district level, the Emerging South Oxfordshire Local Plan (ELP), identifies a number of sources of housing supply which will ensure housing delivery across the plan period. The sources of supply include the allocation of non-strategic sites through Neighbourhood Development Plans. The application site is allocated for development in the draft Benson Neighbourhood Plan (BNP) and at present the proposal therefore accords with the overall strategy to deliver housing in the ELP.
- 6.14 Furthermore, policy TRANS3 of the ELP safeguards land to deliver a bypass for Benson. The parameter plans submitted with this application shows the provision of the edge road on the safeguarded land and the proposal therefore also accords with this element of the ELP.

The level of compliance with the Post-Examination Draft Neighbourhood Plan

- 6.15 In terms of the current status of the BNP, the consultation on the submission version concluded on 28 January 2018. An Independent Examiner has provided a Report to South Oxfordshire District Council on the Examination of the Benson Parish Neighbourhood Plan (4 April 2018). The Examiner has recommended that the Benson Neighbourhood Plan (BNP) should proceed to referendum, which the Council proposes to hold on 28 June 2018.
- 6.16 Given the above, it is clearly the case that the draft BNP is at a very advanced stage. Paragraph 216 of the Framework states that decision makers may give weight to

policies in emerging plans. Factors to be taken into account include the stage of preparation of the plan and the extent to which there are unresolved objections. In this case, the BNP has passed the Examination and it will proceed to referendum subject to modifications. The National Planning Practice Guidance (Paragraph: 007 Reference ID: 41-007-20170728) states that:

*“Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regards to a post-examination draft neighbourhood development plan, so far as material to the application.”*

As a result I am of the view that substantial weight can be given to the BNP.

- 6.17 The draft BNP allocates three sites for housing and the development of these sites are fundamentally associated with the construction of the proposed edge road. Of relevance to this application is allocation NP4 (Sites BEN3/4). The allocation notes that the site will yield approximately 240 dwellings. The site-specific policy in the BNP – policy NP4 – sets out a number of criteria for the development of the application site. These criteria are assessed in the relevant parts of the matters of details / technical issues outlined below.

- 6.18 Overall, although the proposed housing development is not supported by Policy CSR1 of the Core Strategy, Policy CSS1(v) permits development outside villages where it meets a specific need. The need to develop the application site (and other sites) to bring forward the edge/relief road is an important element of the draft Neighbourhood Plan, which has been accepted (subject to modifications) by the Independent Examiner. I am of the view, therefore, that the application proposals currently constitute a permissible exception to the general spatial strategy, which seeks to direct new housing to settlements and allocated sites.

Matters of detail / technical issues

Affordable housing and housing mix

- 6.19 The application documents state that 40 percent of the homes would be affordable and this complies with policy CSH3 of the SOCS and draft policy NP4 of the BNP. The provisions of the legal agreement would secure a tenure mix of 25 percent shared ownership and 75 percent affordable rent.
- 6.20 The affordable units would be distributed throughout the development and a Section 106 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 S106 to secure the affordable housing provision, I consider that the scheme is acceptable in this respect and complies with the relevant policies.
- 6.21 In terms of the market mix, the market housing mix from the SHMA is summarised in the table below.

<b>Market homes</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4+ bed</b>
SHMA	6%	27%	43%	24%
Indicative mix	0%	10.27%	56.85%	32.88%

The NPPF seeks to deliver a wide choice of high quality homes to address the need to plan for a mix of housing based on current and future needs. A range of house types

are proposed and the mix proposed at reserved matters stage would need to broadly reflect the indicative mix identified above but should also take account of the character of the area. This could be conditioned accordingly.

- 6.22 Overall, the mix of homes would deliver a wide choice, in accordance with SOCS policy CSH4.

Highway safety, traffic impact and parking

- 6.23 The advice set out 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 should be no adverse impact on highway safety.
- 6.24 The emerging Local Plan proposes to safeguarded land through Policy TRANS 3 for a bypass around Benson. This safeguarded land includes land within BEN3/4, BEN2 (which is subject to application P17/S3952/O) and BEN1 (Phase 2) (P16/S1139/O). Within the BEN1 site, outline planning permission has been granted for 241 dwellings.
- 6.25 The plans submitted with the BEN1 (Phase 2) application identify a Safeguarded Route area within the site for the delivery of part of the Edge Road. The response from County Highways seeks a financial contribution towards the construction of the road in this Safeguarded Route area unless the County has already exercised the option of the junction improvements at the junction of Church Road and A4074 instead.
- 6.26 The route of the Edge Road proposed within the BEN3/4 site does differ from that shown at Appendix 5 of the emerging Local Plan which shows a new junction approximately halfway between the existing eastern edge of Benson and the junction of the B4009 and Braze Lane. The highways works proposed as part of this application will result in the partial realignment of Watlington Road / The Sands (B4009) and the creation of a new roundabout at the junction of that realigned road and the Edge Road. As set out above, County Highways has no objection to the form of the proposed Edge Road. I do not consider that the difference between Appendix 5 of the emerging Local Plan, which is intended to illustrate the area of safeguarded land rather than fix the details of the bypass, and the works proposed in this application will prejudice the delivery of the Edge Road.
- 6.27 A Transport Assessment and Transport Assessment Addendum have been submitted in support of the application, which evaluated the potential impact of this development both with and without the proposed edge road in place. In recognition that the Edge Road is a fundamental element of the Post-Examination Draft Benson Neighbourhood Plan, and that the emerging Local Plan also safeguards land for the Edge Road, the amended plans illustrate the following:
- an illustrative spine road to appropriate specification suitable for an Edge Road;
  - new roundabout and realignment of B4009; and
  - access to site Ben 2 via a roundabout (subject to a separate planning permission – planning reference: P17/S3955/FUL)
- 6.28 County Highways highlight in their response that the developer of this site has worked collaboratively with the neighbourhood planning group, Oxfordshire County Council, South Oxfordshire District Council and other developers along the proposed route. This has been very much welcomed.

- 6.29 County Highways has no objection to the proposal and sets out that the proposed realignment of the B4009 and roundabout provision are in general accordance with their requirements and will be subject to detailed design, relevant stage road safety audits and agreement with the County Council under S278 of the Highways Act.
- 6.30 The BNP at Policy NP4 requires that the section of the Edge Road that crosses the BEN3/4 site to be fully constructed prior to more than 50% of the development within that site being occupied. The County Council supports this request and has recommended a Grampian condition.
- 6.31 Policy NP4 of the BNP also requires the provision of a Relief Road connecting land north of Sunnyside (NP 3) and the B4009. Through the combination of the development proposed at BEN3/4 and the permitted roundabout on Hale Road, that objective would be achieved.
- 6.32 Whilst the 'Edge Road' is the preferred method of mitigation, the County Council has indicated that there are some risks associated with its delivery. Although these concerns are considered minimal, it has identified an alternative method of mitigation in case the Edge Road is not progressed. This will take the form of a junction improvement (to be agreed with the Local Highway Authority) at A4074/Church Road.
- 6.33 There has been extensive negotiation with the applicant and OCC with respect to the delivery mechanism of the off-site highway works. In order to ensure that the site can be delivered without any reliance upon third parties the following agreement, which has been adopted elsewhere in the County (namely at Shrivenham) has been reached:
- Option A - The developer will pay at the 85<sup>th</sup> occupation a proportional Edge Road Contribution, which will be ring-fenced for the delivery of the section of Edge Road that is safeguarded within a recently consented scheme to the north of Littleworth Road (BEN1 Phase 2). Option A applies unless OCC operates Option B.
  - Option B - OCC may at any time on or before the 60<sup>th</sup> occupation require instead Church Road junction works (signalised junction in Motion drawing 161037-11 Rev B) to be delivered. A S278 agreement would be required by the 80<sup>th</sup> Occupation with works completed prior to the 120<sup>th</sup> occupation.
- 6.34 OCC have requested a condition that requires the developer to have provided the section of the Edge Road that crosses its site (from the B4009 to Hale Road) to be fully constructed prior to more than 50% of the development being occupied. This is consistent with the requirements of Policy NP4 of the Post-Examination Draft Neighbourhood Plan and has been accepted by the applicant
- 6.35 I note that the provision of the edge road is the preferable method to mitigate the cumulative impact of this and other local development. The concept of an edge road has developed locally and is a key component of the BNP and safeguarded in the emerging Local Plan. It is of utmost importance that the edge road is delivered. The alternative works to the A4074 / Church Road junction would be required as a last resort, if the edge road was not deliverable.
- 6.36 I am satisfied that the wording of the following condition would ensure that the section of the edge road that runs through the application site is provided.

*"No more than 50% of the proposed dwellings shall be occupied until the Edge Road within the site including the roundabout permitted under application P17/S3955/FUL is constructed to the satisfaction of the Local Planning Authority and open to traffic."*

In the event the Edge Road is not delivered, it would be open to the developer at the time to apply for permission to carry out the development without complying with this and any other condition relating to the Edge Road. At present, it appears that the works to the A4074 / Church Road junction would be the only permissible alternative.

- 6.37 Overall, the NPPF identifies that development should only be refused on highway grounds where the residual cumulative impacts are severe. As set out above the County Council Highway Officer has no objection to the proposal. Subject to the completion of a legal agreement and imposition of conditions, I consider that the proposal is acceptable in terms of highway matters and provides the benefit of delivering a significant stretch of the Edge Road. Furthermore, the scheme would contribute towards the delivery of the Edge Road on the BEN1 (Phase 2) site which has planning permission and which identifies a Safeguarded Route area for the Edge Road.

Landscape impact

- 6.38 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 development on the environment. Policy C4 of the SOLP advises that development that would damage the attractive landscape setting of settlements will not be permitted.
- 6.39 The site does not lie within a nationally or locally designated landscape but forms a part of the setting of the Chilterns AONB and North Wessex Downs AONB. The Chilterns AONB boundary is 1.5km to the east and North Wessex Downs AONB 835m to the west. The site lies within the valley plain and vale between these two AONBs which have elevated views over the vale.
- 6.40 The site falls within the South Oxfordshire Landscape Character Assessment Area 3 'The Clay Vale' in an area of undulating open vale. The area is a predominantly rural landscape with some local intrusion of main roads, power lines and built development. The site (BEN 3/4) was considered in Phases 1 and 2 of the Landscape Capacity for Larger Villages (LCLV) which concluded that BEN3 had a medium-high capacity for development and that:

*It is recommended that only part of this site is considered further on landscape and visual grounds. The capacity of the site is constrained by the strong relationship of the eastern section of site with the wider countryside and the intervisibility of the site with the NWD AONB. Despite the medium / high capacity, the reduced area is recommended to be contained in the western part of the site, extending no further than the houses on Sands Lane to the south of the site. The capacity of the reduced area will be determined by the factors listed in the above recommendations including a detailed landscape and visual impact assessment to assess the visual impact on the NWD AONB whilst respecting the distinctive character of Benson and its rural setting.*

*The preferred access is through the hedge off of Hale Road, minimising impact on its rural character. At a nominal density of 25 dph, 80 dwellings might be accommodated on site BEN3. A full detailed landscape and visual impact assessment will be required to inform the final capacity of the site. A lower density may be necessary to avoid visual intrusion from the built form.*

- 6.41 A Landscape and Visual Impact Assessment (LVIA) (Chapter 6 of the ES) has been submitted in support of the application. The landscape assessment found that the development would have a localised significant effect on the gently sloping, open

landform of the site. Effects on the network of hedgerows and trees would be less than significant as most existing hedgerows would be retained and where they are removed would be reinstated. New planting would strengthen existing hedgerows and introduce new hedgerows creating additional green connections through the Site. The development would also have a significant, localised, negative effect on the aesthetic and perceptual aspect of the gently sloping landform and the perception of openness, although it is apparent these are already influenced by residential development to the south, south-west and west. The effects on the overall landscape character of the Undulating Open Vale LCT character area would be less than significant, since this area is already partly characterised by the visual influence of the settlement edge of Benson and any effect would be localised.

- 6.42 Overall, the development of this open agricultural field for residential development would in my opinion have a significant urbanising effect and would result in the erosion of the rural landscape. Notwithstanding this, I am of the view that the effects would be localised in nature and in time would be mitigated by a comprehensive landscaping scheme. The proposed new landscaping around the perimeter of the site would mitigate the harm to the setting of the AONBs. However, the proposed residential development of this greenfield site together with the associated infrastructure would inevitably have an adverse effect on the rural quality of this landscape. Accordingly, the proposal would result in localised landscape harm. I am of the opinion that this is a matter that must be put into the planning balance to weigh against the proposal. Further commentary will be provided on this at Section 7.0 of this report.

#### Trees and ecology

- 6.43 Policy C9 of the SOLP seeks to retain landscape features that make an important contribution to local area.
- 6.44 The Forestry Officer advises that there are very few trees of arboricultural significance found within or adjacent of the site. The Forestry Officer raises no objection to the application, but identifies that a well-designed landscaping scheme and strategy will be essential to enable many new trees to be incorporated. The site layout should allow space for tree lined highways along all main routes through the development to soften its appearance, using trees as focal points. The scheme will need to include large long lived trees and be made up of a variety of species (suited to soil type) to ensure a robust and diverse tree scape. As the application is in outline and landscaping reserved for subsequent approval, the above principals can be secured at the reserved matters stage. I therefore consider that the proposal would not have any impact on trees.
- 6.45 The parameter plans submitted with the application indicate that a stretch of the hedgerow along the northern side of Watlington Road/The Sands (B4009) will need to be removed in order to facilitate the creation of the new junction at the western edge of the site and to provide the necessary visibility splays. However I note that the parameter plans also indicate that the stretch of removed hedgerow will be reinstated or new hedgerow planting provided. The remaining length of the hedgerow is proposed to be retained.
- 6.46 Policy NP4 of the Post-Examination Draft Benson Neighbourhood Plan requires the retention of the existing hedge forming the south east boundary of the site and its consolidation with a 3 metre landscape buffer to its immediate north. I consider that the proposals are capable of complying with Policy NP4 and that the removal of part of the hedge should be balanced against the need to provide the Edge Road and the associated visibility splays.



- 6.47 With regards to ecology, policy C6 of the SOLP and policy CSB1 of the Core Strategy seek to avoid a net loss of biodiversity and opportunities to achieve a net gain across the district will be actively sought. Policy C8 of the SOLP expects that development should not have an adverse effect on protected species, while policy C9 seeks to prevent the loss of important wildlife habitat features. This is echoed in paragraph 109 of the NPPF.
- 6.48 The site has been subject to extensive ecological surveys covering the main habitats and a variety of specialist species surveys. The Council's Countryside Officer advises that the majority of the more valuable habitats are to be retained within the indicative layout, which also protects the area where a population of roman snails have been found in the south western corner of the application site.
- 6.49 Overall, the Countryside Officer has no objection to the proposal subject to conditions. I therefore consider that the proposal would not have any significant effect on protected species or important habitats. The proposal would deliver a small net gain for biodiversity.

#### Design and Layout

- 6.50 The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- 6.51 The NPPF goes on to advise that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 61).
- 6.52 The design policies of the SOCS (particularly CSQ3) and SOLP policies (particularly D1-D4) echo these requirements.
- 6.53 The layout of the proposed development is to be the subject of a reserved matters application. However, an illustrative site layout has been provided and this communicates the key design principles that a subsequent reserved matters application should reflect. This is supported by a detailed design and access statement which explains the design concepts behind the illustrative layout and how this relates to the surrounding area.
- 6.54 The developable area is up to 7.5 Ha for residential, which equates to approximately 32 dwellings per hectare for a maximum of 240 dwellings. This is in accordance with Core Strategy Policy CSH2, which requires a minimum density of 25 dwellings per hectare. The indicative plans show that sufficient public open space (POS) could be provided to meet policy R6 of the SOLP, which requires 10% of the gross site area to be provided as informal open space. The scheme would satisfy this provision. The illustrative layout indicates open space to the north and east. A local equipped area of play would be provided that would comply with policy R2 of the SOLP.
- 6.55 The Council's Urban Design Officer has identified opportunities to improve the indicative layout including:
- Boundary treatments fronting highways;
  - Landscaping between existing and new development;

- Size of gardens;
- Distances between properties;
- Height of dwellings.

The layout of the proposed development would be the subject of a reserved matters application. The above comments can be taken on board by the agent at that time to improve the quality of the design and provide a high quality development.

- 6.56 I consider that the scheme represents an appropriate response to the constraints and opportunities of the site and its surroundings. I am satisfied that the scale of the development would be appropriate to the context of the site and that the development would generally meet the design objectives of the NPPF and the development plan policies that seek to secure high quality developments.
- 6.57 Policy NP4 of the Post-Examination Draft Benson Neighbourhood Plan requires the delivery of a layout that safeguards the residential amenities of the properties to the immediate south of the site in Sands Way. I consider that this is a matter which can be demonstrated through reserved matters applications. Nevertheless the submitted illustrative layout does not raise any concerns that the development could not be accommodated in accordance with this requirement of Policy NP4.

#### Agricultural land

- 6.58 Paragraph 112 of the NPPF advises that local planning authorities should take into account the economic and other benefits of the best and most versatile land (BMV). Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in Grades 3b, 4 and 5 in preference to higher quality land. Paragraph 109 of the NPPF puts the protection and enhancement of soils as a priority in the conservation and enhancement of the natural environment.
- 6.59 An Agricultural Land Classification and Soil Resources Assessment has been carried out that found that a significant proportion of the site is grade 3a (approximately 9.3 hectares) with a small central area of grade 2 (approximately 3.5 hectares). Thus all the site constitutes best and most versatile land.
- 6.60 The NPPF states at paragraph 112 that “where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.” The site extends to 12.86ha and the potential loss of agricultural land must be balanced against the fact that this site is proposed for allocation in the Post-Examination Draft Neighbourhood Plan. The applicant points out that there are no opportunities to use poorer quality agricultural land if an Edge Road around the north of Benson is to be delivered.

#### Neighbour amenity and amenity of future residents

- 6.61 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.

- 6.62 The development would create more traffic movements and this would inevitably have some impact on existing residents in terms of noise and disturbance. I do not consider that this would be unacceptable given that the proposal would involve a residential scheme alongside an existing residential development. I have recommended a condition to restrict construction hours to ensure that the disturbance to neighbours during construction work is limited.
- 6.63 In terms of the amenity of future occupiers of the site, the future residents would have the benefit of private amenity space. The public open space, would be accessible to all residents and occupiers of surrounding properties. In my opinion the development would create an appropriate living environment for future residents. The noise from aircraft using RAF Benson Airfield will be discussed below.

Flood risk and surface / foul drainage

- 6.64 The application site is within Flood Zone 1 (least probability of flooding) and as such, there are no objections to the development in relation to flood risk.
- 6.65 An updated Flood Risk Assessment has been submitted, which includes details of more up to date permeability tests. Within the centre of the site an infiltration pond was proposed, which has been replaced with an attenuation pond. A detailed scheme incorporating a Sustainable Urban Drainage Scheme (SuDS) would be required to ensure that the all surface water run-off is contained within the site and that there is no impact on any third party. The Council's Drainage Officer considers that this this can be secured via condition. Similarly, details relating to foul drainage can be secured via condition.

Environmental matters (air quality, noise and contamination)

- 6.66 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.
- 6.67 An Air Quality Assessment (Chapter 10 of the ES) has been submitted in support of the planning application. The assessment considers both construction and operational phase impacts, and the overall impacts upon sensitive receptor locations within the vicinity of the site were predicted to be negligible and therefore not significant. The ES notes potential mitigation measures based on the South Oxfordshire Developers Guidance, as requested by the Environmental Health Officer, have been included to further reduce the pollutant emissions associated with the Proposed Development. Mitigation measures can include measures such as electric vehicle charging points, and I have recommended an appropriately worded condition.
- 6.68 With regards to noise, all residential properties in Benson suffer from noise disturbance from aircraft from the Benson RAF airfield. Applications for new residential development in Benson must now include a noise assessment to ensure that there is specific consideration for indoor and outdoor amenity in accordance with BS8233:2014. A Noise Assessment (Chapter 9 of the ES) has been provided in support of the application, and the Council's Environmental Health Section has raised concerns. These concerns are noted and it is likely that future occupants will suffer some loss of amenity in their gardens and varying levels of sleep disturbance from noise produced by passing helicopters from the nearby RAF base. As the number of flight movements varies greatly how much sleep disturbance that will occur is difficult to quantify. However, this position is consistent for most of the residents of Benson. The site is allocated in the Post-Examination Draft Neighbourhood Plan that accepts new housing

must be provided. Given the location of the site, and the separation distance with the airbase, I am of the opinion that the site will perform no worse than the existing residential properties. The scheme of mitigation is important to seek to address the noise issues, while being mindful that disturbance will be inevitable. This will be conditioned accordingly.

- 6.69 With regards to contamination, the Council's Contaminated Land Officer has considered the details that were submitted with the application and has no objection to the development subject to contaminated land conditions. These require a phased risk assessment to include an investigation and any necessary remediation of the land.

Heritage impact

- 6.70 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This means that considerable importance and weight should be given to the heritage asset's preservation, including its setting.
- 6.71 Paragraph 129 of the NPPF requires that local planning authorities identify and assess the particular significance of any heritage asset that may be affected by a proposal. Paragraph 134 requires that where proposals 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.
- 6.72 A Built Heritage Statement has been submitted in support of the application and identifies that there are no designated heritage assets within the site. However, it identifies the presence of the following seven built heritage assets that the development has the capacity to impact on and the mitigation proposed.
- A negligible to minor degree of harm to the Fifield House (Grade II\*) and Fifield Farmhouse and Barns (Grade II) (collectively referred to the Fifield House Grouping). The mitigation proposed is that development should not exceed two storeys and enhanced planting along Watlington Road/The Sands (B4009).
  - A negligible to minor degree of harm to the former public house, the Horse and Harrow, in Rokemarsh (Grade II). The mitigation is in the form of enhanced tree planting in the central area of open space and the sensitive design of street lighting.
  - A negligible degree of harm to Thatched Cottage in Rokemarsh (Grade II). The mitigation proposed is the sensitive use of open space to the eastern part of the site, sensitive use of lighting and ensuring that the development is not more than two-storeys;
  - A minor degree of harm to Quakers Corner (Grade II), in Rokemarsh, will experience a minor degree of harm. The mitigation proposed includes the provision of open space to the northern periphery of the site, the sensitive use of lighting and within this part of the site the development being restricted to two storeys.
  - A negligible impact on the Church of St Helen (Grade II\*) in Benson. No mitigation is offered; and

- A negligible impact on Hale Farmhouse (a building considered to be worthy of being a building of local interest). The mitigation proposed is the setting back of the building line on to Hale Road.
- 6.73 The Built Heritage Statement finds that any harm to designated built heritage assets is considered to be less than substantial harm and therefore paragraph 134 of the NPPF is to be applied.
- 6.74 Paragraph 134 of the NPPF requires that where proposals 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. In this case the harm is quantified by the Built Heritage Statement as being negligible to minor even following mitigation measures. Section 7 of this report will balance these effects against the overall benefits of the scheme.
- 6.75 Policy CON13 of the SOLP requires appropriate archaeological investigation for developments that affect sites of archaeological importance. The site is located in an area of some archaeological interest as identified by a desk based assessment and two phases of archaeological evaluation, a geophysical survey and a trenched evaluation. The evaluation recorded a small number of archaeological features in three trenches on the western side of the site. These consisted of three pits, a holloway, a fire pit and a rectangular beam slot structure. One of the pits contained the remains of three early Neolithic pottery vessels and the holloway contained middle to Late Bronze Age pottery.
- 6.76 The County Archaeologist has therefore recommended that a staged programme of archaeological investigation will need to be undertaken. I recommend that this is conditioned accordingly.

On-site infrastructure to be secured under a legal agreement

- 6.77 On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended).
- 6.78 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would be required towards on-site infrastructure:
- Affordable housing
  - Provision of recycle bins - £170 per property
  - Street naming and numbering - £107.80 per 10 dwellings
  - Delivery of on site open space and LEAP
  - Management and maintenance of attenuation ponds
  - Public art
  - Monitoring fee
- 6.79 As advised by the County Highways the following would need to be secured under a S106:
1. S278 to be secured via S106: Access & Footway, including Traffic Calming, determined by the principles established in Drawing 161037-10 Rev B.
  2. S38 to be secured via S106: Spine road, including footways and associated infrastructure, through the site in general accordance with submitted Landscape Masterplan Drawing 7.14 and the edge road specifications set-out below.

3. **Plan A** – prior to the 85th occupation, a contribution towards the final section of the Edge Rd on land safeguarded by P16/S1139/O is required. This applies unless OCC operates Plan B;

**Plan B** – OCC may at any time on or before 60 occupations, require instead the Church Rd/A4074 junction works to be delivered, in general accordance with the principles of Drawing 161037-11 Rev B. A s278 agreement must be in place by 80 occupations with works completed by 120 occupations. Special provision for OCC to contribute BEN 2 payment on terms.

The Edge Rd contribution will be ring fenced for its specified purpose, with Oxfordshire County Council standard refund provision, the developer will be safeguarded.

The Edge Rd contribution made to OCC by Thomas Homes (P17/S3952/O - BEN 2) may be used for Church Rd/A4074 junction works at the option of OCC. If this is the case and Thomas Homes consider that they will be making a disproportionate payment if Church Rd junction is undertaken, then it is suggested they cover this in the arrangements being made between Thomas Homes and DWS.

4. S278 to be secured via S106 and including a Stopping Up Order – fully funding, through the Stopping Up Order process, is required of the developer for the road known as ‘Preston Crowmarsh’ on Drawing 161037-01/E (stopping up at the point of the proposed bus layby) and a turning head be provided for the terminus of the road such that a 11.6m refuse wagon can perform a 3 point manoeuvre to effect a return down the road in forward gear from the terminus of the road. This may need a retaining wall, due to the topography of the site.

5. S106 contribution towards frequency improvements on the Wallingford – Oxford bus corridor at a rate of £1,000.00 per dwelling (indicatively £240,000.00 index-linked RPIX February 2017)

- 6.80 I consider that these contributions / obligations accord with policy CSI1 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. They accord with the relevant tests in the NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development and are fair and reasonably related in scale and kind to the development.

Off-site contributions pooled under the Community Infrastructure Levy

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

**7.0 PLANNING BALANCE AND CONCLUSION**

- 7.1 Whilst the Core Strategy seeks to direct new housing to allocated sites and the settlements in the district according to their place in the settlement hierarchy, development outside the towns and villages may be permitted where it meets a specific need such as enhancement of the environment. The draft Benson Parish Neighbourhood Development Plan has identified the need for a relief road to take traffic

away from the centre of Benson. This relief or edge road is to be secured through the development of a number of sites to the north of Benson, including the application site. Accordingly, the draft Neighbourhood Plan allocates the application site for residential development. The emerging Local Plan also seeks to safeguard land across the application site to facilitate this relief road.

- 7.2 Although the proposed development does not come within the Core Strategy policy for housing in villages, it does meet a specific, identified need that is intended to bring about an improvement in the environment in the centre of Benson. The Independent Examiner into the draft Neighbourhood Plan is satisfied that (subject to certain amendments) the policies in it, including the proposed allocation of the application site for residential development and provision of part of the edge road, meet the basic conditions, including that they will contribute to the achievement of sustainable development and are in general conformity with the strategic policies of the existing development plan.
- 7.3 In my view the proposed development accords with the spatial strategy in the development plan when read as a whole. It also accords with the policies in the draft Neighbourhood Plan, particularly NP4, which given its state of progress can be given substantial weight.
- 7.4 The fact that the Council can currently demonstrate a 5 year supply of deliverable housing sites does not preclude the grant of permission for the proposed scheme, which for the reasons given above I consider to be in general conformity with the development plan. Even if, however, the view is taken that the proposal is in conflict with the spatial strategy in the development plan, the support given to it in the draft Benson Neighbourhood Plan, which is shortly to go to a referendum, would justify a departure from the development plan.
- 7.5 The NPPF notes that the purpose of the planning system is to contribute to the achievement of sustainable development. In order to assess whether a proposal constitutes sustainable development it must satisfy the three dimensions, which include the economic, social and environmental planning roles.
- 7.6 In respect of the economic dimension, the Government has made clear its view that house building play an important roles 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 am therefore of the view that moderate weight should be afforded to these benefits.
- 7.7 With regards to the social dimension, the proposal would support the delivery of housing, including the provision of 40 percent affordable housing. Within the District there is a significant need for new homes and the proposal would help meet this need. I therefore give substantial weight to this social benefit.
- 7.8 In relation to the environmental dimension, the proposal would result in landscape harm, although this can be mitigated to an extent through landscaping. Set against this, the edge road is intended to draw traffic away from the centre of Benson, producing environmental benefits for residents and visitors. The proposal would result in the loss of some BMV agricultural land that again weighs against it. However, some loss will be inevitable to secure the delivery of the edge road.
- 7.9 The proposed development would not be at an unacceptable risk of flooding. The likely impact on designated heritage assets would be negligible, and capable of being mitigated. Any residual impacts would be outweighed by the public benefits. With

regards to biodiversity, the proposal would not have a detrimental impact on any ecological interests at the site or wider area.

- 7.10 In respect of accessibility, Benson is a large village and provides access to a range of facilities and services, including a primary school, convenience stores, public houses and health facilities which are within walking and cycling distance from the site. Furthermore, the development would deliver part of the edge road, which is a key element of the BNP.
- 7.11 Overall, I am satisfied that the application proposal accords with the spatial strategy in the development plan. It is also supported by the draft BNP, which is at an advanced stage and can be given substantial weight. Although there will be landscape harm, the loss of best and most versatile agricultural land, and less than substantial harm to the setting of heritage assets, I do not consider that the adverse impacts are such that the proposal should be refused.

8.0 **RECOMMENDATION**

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

- i. **The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above; and**
- ii. **The following conditions:**

- 1. **Commencement - outline with reserved matters.**
- 2. **Approved plans.**
- 3. **Maximum number of dwellings approved plans.**
- 4. **Levels (details required).**
- 5. **Materials.**
- 6. **Market housing mix (outline).**
- 7. **Refuse and recycling storage (details required).**
- 8. **Contaminated land (preliminary risk assessment).**
- 9. **Contaminated land - remediation strategy.**
- 10. **Foul drainage works (details required).**
- 11. **Surface water drainage works (details required).**
- 12. **Construction environmental management plan.**
- 13. **Biodiversity enhancement plan.**
- 14. **Roman snail.**
- 15. **Landscape and ecology management plan.**
- 16. **Hard landscaping.**
- 17. **Soft landscaping.**
- 18. **Open space.**
- 19. **Community garden.**
- 20. **Tree protection (general).**
- 21. **Implementation of programme or archaeological work.**
- 22. **Edge Road and occupation.**
- 23. **New vehicular access.**
- 24. **Estate accesses, driveways and turning areas.**
- 25. **Access – Hale Road.**
- 26. **Travel plan and travel information pack.**
- 27. **Public right of way maintained.**
- 28. **Construction method statement.**
- 29. **Hours of operation - construction/demolition sites.**
- 30. **Construction noise.**
- 31. **Noise assessment and control (internal and external noise).**



**32. Air quality management.**

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