

<b>APPLICATION NO.</b>	<a href="#">P18/S0181/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	19.1.2018
<b>PARISH</b>	BENSON
<b>WARD MEMBER(S)</b>	Felix Bloomfield David Turner Sue Cooper
<b>APPLICANT</b>	Victoria Land
<b>SITE</b>	Braze Lane, Benson, OX10 6JB
<b>PROPOSAL</b>	Outline application for up to 19 dwellings with all matters reserved with the exception of access on Land adjacent to The Orchard, Benson.(as amended by drawing and information accompanying email from Agent dated 13 June 2018).
<b>OFFICER</b>	Lloyd Jones

1.0 **INTRODUCTION**

1.1 The site comprises a rectangular parcel of greenfield land that has a frontage onto Braze Lane and is 1.19 hectares in size. The site is currently used as a paddock for horses. The site is not covered by any landscape designations.

1.2 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 19 dwellings. Apart from access all matters are reserved for subsequent approval.

2.2 The scheme has been amended since the original scheme, which illustrates potential pedestrian links to the adjacent site.

2.3 The submitted illustrative concept plan illustrates the extent of the development. A copy 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)

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Benson Parish Council**

Object for the following reasons:

- Excess to current need;
- Not essential to provision of relief road;
- Prejudice to development of sites needed to achieve the Relief Road;
- Settlement Coalescence;
- Landscape harm;
- Lack of connectivity/inegration;
- Impact in the absence of any development on the rest of BEN4;

**Berrick Salome Parish Council**

Recommend that the application is refused on the following basis:

- Entirely speculative application;
- Absent consent for BEN 3/4;
- Sits in open countryside and is high quality agricultural land;
- The site is outside the settlement of Rokemarsh and is overwhelming in scale;
- If approved it would set a precedent for further development on fields and open spaces in Rokemarsh;
- If approved, fear development will continue into Roke and the individual nature of the three settlements within the Parish will be lost.
- The Parish's emerging neighbourhood plan will not support such large scale development;
- Proposed access arrangements are unacceptable for all road users.
- Will overload sewage system.

**Countryside Officer(South Oxfordshire District Council)**

No objection subject to conditions.

**Drainage - (South&Vale)**

No objection subject to conditions.

**Forestry Officer (South Oxfordshire District Council)**

Future RM applications need to include a comprehensive Arboricultural Method Statement that accords to the current BS5837 guidance, demonstrating how the retained trees will be protected throughout construction.

**Oxfordshire Clinical Commissioning Group**

Object on basis of no health impact assessment has been provided.

**Oxfordshire County Council Highways**

Further to the consultation below I have the following amendment with regard to the requested planning obligations. The applicant has raised concerns of viability and practicality of developing this site, given the recommended obligation is largely beyond their powers and would render them highly dependent upon a third party. I am satisfied a more pragmatic approach is appropriate in this case of a modest scale of development and I recommend the following obligation is required in place of the obligation requiring the edge road or other improvement to Church Lane junction:-

A S106 agreement is required to secure a financial contribution of £6,000 (linked to Baxter Index at September 2018 price-base) per dwelling, payable prior to 1<sup>st</sup> occupation, toward the final section of the proposed edge road or similar measure to relieve congestion at the junction of Church Road and A4074.

**North Wessex Downs Area of Outstanding Natural Beauty**

No comments received.

### **Chilterns Conservation Board**

The applicant's Landscape and Visual Impact Assessment (LVIA) makes reference to the Position Statement as produced by CCB on the setting of the AONB. This can be found at [www.chilternsaonb.org](http://www.chilternsaonb.org) Conservation Board Planning & Development. This links to the AONB Management Plan 2014-2019 policy D9 that Full account should be taken of the likely impacts of developments on the setting of the AONB.

### **Waste Management Officer**

No objection subject to conditions.

### **Landscape Architect - SODC**

Recommendations: If the application is given permission, the height, location and density of proposed buildings should be strategic and the proposed landscape framework designed to minimize impacts to landscape character and protect views to the Wittenham Clumps from the intersection of Watlington Road and Braze Lane.

Consideration should be given to the following general recommendations:

1. Introduce substantial woodland or hedge plantings at the south edge of the site and retain and enhance the hedge along Braze Lane.
2. Consider setting buildings farther away from the adjacent property adjacent to the site along its northern boundary and adding taller vegetation along this edge to soften the views of roof lines from the north.
3. The drainage design should be designed to work with the natural topography of the site and blend with the character of the area or justification should be provided for the introduction of basins along Braze Lane.
4. Provide meaningful recreation opportunities that are available for year round use with a linked green infrastructure plan.

If the adjacent application P17/S1964/O is given permission:

1. Revise the layout to integrate with the built form to the west including architecture, layout, pedestrian links, open space links and landscape treatments and palette.

If the adjacent application P17/S1964/O is not given permission

1. Revise the LVIA to respond to this scenario.
2. Locate homes along Braze Lane so that they continue the settlement pattern of the Orchards to the north.
3. Shift homes away from the south west property corner to ensure protection of views from the roadway intersection of Watlington Road and Braze Lane toward the Wittenham clumps.
4. Establish a strong visual screen along the western property line with woodland or hedge plantings to soften the view of homes from the Sands leaving the view to the Wittenham Clumps open.
5. Use a drainage system that blends well into the landscape and is located at the lowest part of the site.

### **Environmental Health Protection Team**

A noise assessment shall be carried out by a qualified, competent acoustician.

Neighbour Objection (13 responses) that are summarised below:

- The number of houses proposed exceeds the numbers required;
- The neighbourhood plan is imminent and this decision should be viewed in terms of how it fits in with that;
- The infrastructure is not sufficient to sustain further development;
- Add further traffic onto a busy road;
- The narrow weight existing road cannot cope with existing traffic;
- Further access point will increase dangers;
- Extend boundary of village;
- Loss of grade 1 agricultural land;
- The rural hamlet of Rokemarsh will become part of the settlement of Benson;
- Benson will be swamped with housing;
- Overdevelopment of area;
- Prospect of relief road is many years away;
- Communities with a Neighbourhood Plan only need to show 3 year housing land supply;
- Overload sewer.
- Development of paddock is not within the BNP and should be refused.
- Increase in noise in a quiet tranquil village setting;

#### 4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P17/S1996/PEJ](#) - Pre-application advice sought (13/07/2017)  
Proposed construction of 22 dwellings

**\*\*MEETING WITHIN OFFICE & LETTER\*\***

#### 5.0 **POLICY & GUIDANCE**

##### 5.1 **National Planning Policy Framework (NPPF)**

##### **National Planning Policy Framework Planning Practice Guidance (NPPG)**

##### 5.2 **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

**5.3 South Oxfordshire Local Plan 2011 (SOLP 2011) 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
- T7 - Protection and improvement to footpath and highway network

**5.4 Emerging South Oxfordshire Local Plan 2033**

The objective of the Local Plan is to support the settlement hierarchy, the growth and development of Didcot Garden Town, the delivery of new development in the heart of the district, the growth of market towns and the vitality of villages.

**5.5 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

5.6 South Oxfordshire Design Guide 2016 (SODG 2016)

## 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 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 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 Neighbourhood Plan.
- 6.3 Policy CSS1 focusses major new development to the Growth Point of Didcot followed by the market towns of Henley, Thame and Wallingford and then 12 larger villages in the District. Benson is defined as a larger village.
- 6.4 Policy CSH1 sets out the housing requirements of the district for the period 2006-2026. This policy is derived from the now revoked South East Plan, rather than based on objectively assessed need set out in the 2014 Strategic Housing Market Assessment (SHMA). As Policy CSH1 is based on the South East Plan target rather than the more up-to-date SHMA, this policy could be viewed as out of date in so far as it relates to housing figures. However, from April 2018 the Council could demonstrate a five-year housing land supply against the mid-point target set out in the SHMA and using the

revised Framework guidance, the Council can now demonstrate a 7.6 year housing land supply, an increase from the previous 5.4 year position set out in April 2018. This supply is based on a new housing requirement of 627 homes per year, a housing need derived from the Standard Method for working out housing need. Therefore whilst weight cannot be given to the figures in Policy CSH1, significant weight is given to the Council's five year housing land supply position. A recent Ministerial Statement confirmed a temporary change to housing land supply policies as they apply in Oxfordshire. For the purposes of decision taking under paragraph 11(d), footnote 7 of the National Planning Policy Framework will apply where the authorities in Oxfordshire cannot demonstrate a three year supply of deliverable housing sites.

- 6.5 Policy CSR1 identifies an appropriate level of growth for the villages to support and enhance sustainable communities. This is to be achieved through allocations, allowing infill sites and rural exceptions where a need has been shown. Policy CSR1 allows for unlimited infill as well as allocations. Paragraph 13.10 defined infill as *“the filling of a small gap in an otherwise built-up frontage or on other sites within settlements where the site is closely surrounded by buildings.”* The site is not an infill site, under the terms of Policy CSR1.
- 6.6 Paragraph 11d of the revised NPPF (formerly covered in para 14) states that for decision making “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”. Paragraph 12 of the revised NPPF states the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.
- 6.7 Within the context of Benson and the relevance of Policy CSR1, allocations have been made through a Neighbourhood Plan and further commentary will be provided on this below.

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

- 6.8 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 as well as the Neighbourhood Plan.
- 6.9 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 Benson Neighbourhood Plan (BNP) and the proposal accords with the overall strategy to deliver housing in the ELP.

The level of compliance with the Neighbourhood Plan

- 6.10 In terms of the current status of the BNP, the consultation on the submission version concluded on 28 January 2018. The plan was approved at a Council meeting on 23 August 2018 and is now made.

- 6.11 Given the above, I am of the view that full weight can be given to the BNP.
- 6.12 The 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. A resolution was made at Planning Committee for the approval (subject to a S106 Agreement) for outline planning permission (P17/S1964/O) for up to 240 dwellings on the adjacent site that falls within the NP4 allocation, which will also deliver a section of the edge road. It should be noted that no part of the edge road will pass through the application site.
- 6.13 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.
- 6.14 Overall, due to the site forming part of an allocation in the BNP, the principle of the development is acceptable subject to other material considerations that will be discussed below.

Matters of detail / technical issues

Affordable housing and housing mix

- 6.15 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.
- 6.16 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.
- 6.17 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%

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.

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

Highway safety, traffic impact and parking

- 6.19 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.

- 6.20 The emerging Local Plan proposes to safeguard land through Policy TRANS 3 for a bypass around Benson. This safeguarded land includes land within BEN3/4 (P17/S1964/O), BEN2 (P17/S3952/O) and BEN1 (Phase 2) (P16/S1139/O). Within the BEN1 site, outline planning permission has been granted for 241 dwellings.
- 6.21 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.
- 6.22 The route of the Edge Road proposed within the BEN3/4 does not fall within the application site. This lies entirely within the adjacent site of a planning application (P17/S1964/O) for the provision of up to 240 dwellings by David Wilson Homes. Access to the site is proposed off Braze Lane.
- 6.23 A Transport Note has been submitted with the application that identifies that the access is proposed to be in the form of a bellmouth junction leading into an approximately 6m wide internal access road. It is set out that the appropriate level of visibility can be provided in both directions. With regards to trip generation, an assessment of trip rates using TRICS demonstrates a worst case scenario of 90 trips across the 12 hour period.
- 6.24 County Highways in their original consultation response that the proposed access arrangements are acceptable. However, it was noted that the proposal lacked pedestrian links. An updated indicative layout plan was received that illustrated the provision of pedestrian links into the adjacent site, which is welcomed.
- 6.25 Policy NP4 of the BNP requires that the section of the Edge Road that crosses the site to be constructed prior to more than 50% of the development within that site being occupied. In this case, as referenced above no part of the Edge Road will pass through the application site. The route of the Edge Road is through the adjacent David Wilson Homes Site (reference: P17/S1964/O). Given this position, it is considered that the imposition of a condition requiring this would be unreasonable, as the applicant has no control over the implementation of the Edge Road within this site and would impinge on the deliverability of their site.
- 6.26 Additionally, Policy NP4 of the BNP also requires the provision of a Relief Road connecting land north of Sunnyside (NP 3) and the B4009. There has been extensive negotiation with the applicant regarding this matter and the wording of the S106 to secure this. OCC originally sought a S106 to:
1. Either; prior to the 5th occupation, a proportional contribution towards the final section of the Edge Rd on land safeguarded by P16/S1139/O is required;
  2. or – OCC may at any time on or before 5 occupations, require instead the Church Rd/A4074 junction works to be delivered, in general accordance with the principles of Drawing 161037-11 Rev B with works completed by 10 occupations. NB. OCC shall retain the right to re-assign funds to the Church Rd/A4074 junction improvement should the Edge Rd not be implemented.
- 6.27 The applicant has confirmed that the above wording presented difficulties in respect of viability and practicality as they would be reliant on highway works, which is outside their control. OCC is satisfied that on this occasion due to the modest scale of the development a more pragmatic approach is justified, and that the following obligation is required.

- A financial contribution of £6,000 (linked to Baxter Index at September 2018 price-base) per dwelling, payable prior to 1<sup>st</sup> occupation, toward the final section of the proposed edge road or similar measure to relieve congestion at the junction of Church Road and A4074.

6.28 As set out above the County Council Highway Officer has no objection to the proposal. Subject to the completion of an appropriate legal agreement and imposition of conditions, I consider that the proposal is acceptable in terms of highway matters. Furthermore, the scheme would contribute towards the delivery of the Edge Road on the BEN1 (Phase 2) site which has planning permission.

Landscape impact

- 6.29 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. Policy NP29 of the BNP requires the provision of a green landscape buffer.
- 6.30 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.
- 6.31 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.*

- 6.32 A Landscape and Visual Impact Assessment has been submitted in support of the application. The landscape assessment found the following: "...while the site itself would experience a notable change in character from equine paddocks to built form, the effects would not extend greatly beyond its boundaries when taken in the context of the DWH development coming forward." The Council's Landscape Consultant considers that

change in landscape character overall can be minimized with mitigation due to the size, shape and location of this parcel of land. The change could be minor with low profile roof heights and the planting of substantial woodland plantings and hedges at key boundaries.

With regards the visual impact the Council's Landscape Officers agreed with the findings of the LVIA on visual impact with the following exceptions:

1. The project's impacts were only reviewed in combination with the adjacent application for 240 homes under the presumption that it would be approved.
2. Viewpoint 3 of the study shows the Wittenham Clumps, but they are not called out and no analysis of the impact of the project on a key view of the Wittenham clumps from this intersection is offered.

6.33 The Council's Landscape Officer concludes that if the application is given permission, the height, location and density of proposed buildings should be strategic and the proposed landscape framework designed to minimize impacts to landscape character and protect views to the Wittenham Clumps from the intersection of Watlington Road and Braze Lane. Consideration should be given to the following general recommendations:

1. Introduce heavy plantings at the south edge of the site and retain and enhance the hedge along Braze Lane.
2. Consider setting buildings farther away from the adjacent property adjacent to the site along its northern boundary and adding taller vegetation along this edge to soften the views of roof lines from the north.
3. The drainage design should be designed to work with the natural topography of the site and blend with the character of the area or justification should be provided for the introduction of basins along Braze Lane.
4. Provide meaningful recreation opportunities that are available for year round use.

If the adjacent application P17/S1964/O is given permission

1. Revise the layout to integrate with the built form to the west including architecture, layout, pedestrian links, open space links and landscape treatments and palette.

In respect of the adjacent planning application P17/S1964/O a resolution has been made to approve, subject to a S106. As a result the indicative layout has been revised to show pedestrian links to the adjacent site, and this as well as the comments in respect of layout and landscaping can be addressed as part of any future reserved matters application.

6.34 Inevitably, the development of this field for residential development would in my opinion have an 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. However, the proposed residential development of this greenfield site together with the associated infrastructure would 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

- 6.35 Policy C9 of the SOLP seeks to retain landscape features that make an important contribution to local area.
- 6.36 In order to create the access, a small section of hedgerow will be removed. The existing hedgerows will be retained and enhanced. The Council's Forestry Officer has no objection to the proposal.
- 6.37 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.
- 6.38 The Council's Countryside Officer advises that the applicant has submitted details of a biodiversity impact assessment. The results indicate that the site has the potential to avoid causing a net loss of biodiversity in accordance with policy CSB1 of the Core Strategy. In order to ensure the proposed biodiversity enhancements are delivered in the reserved matters scheme then the following condition should be applied
- 6.39 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

- 6.40 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.
- 6.41 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.
- 6.42 The design policies of the SOCS (particularly CSQ3) and SOLP policies (particularly D1-D4) echo these requirements.
- 6.43 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.
- 6.44 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.

- 6.45 Policy NP4 of the BNP 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

- 6.46 Paragraph 170 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). Footnote 53 identifies that 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 170 of the NPPF puts the protection and enhancement of soils as a priority in the conservation and enhancement of the natural environment.
- 6.47 The Planning Statement submitted with the application identifies that the Agricultural Land Classification Maps identifies the majority of land around Benson (including the site) to fall within Grade 1 Agricultural Land. However, the 'Agricultural Land Classification and Soil Resources' report prepared for the adjacent application highlights that the land bordering the site is Grade 3a agricultural land. As such, the site is likely to be considered Grade 3a. From the submission made by the applicant the site constitutes best and most versatile land.
- 6.48 The site extends to 1.19ha and the potential loss of agricultural land must be balanced against the fact that this site is proposed for allocation in the Neighbourhood Plan. Due to the overall size of the site, it is not significant in the context of the NPPF.

#### Neighbour amenity and amenity of future residents

- 6.49 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.
- 6.50 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.
- 6.51 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

- 6.52 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.
- 6.53 A Flood Risk Assessment and Drainage Strategy has been submitted. It is proposed to discharge run-off from the site into the site sub-surface via infiltration into the Summertown-Radley Sand and Gravel Member. All surface water drainage systems will be designed to collect, store and infiltrate surface water run-off for all events up to and including the 1-in-100 year event including an allowance for a 40% increase in rainfall intensities as a result of climate change. 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.
- 6.54 Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. They have requested an appropriately worded condition to ensure that the additional flows can be accommodated accordingly.

Environmental matters (noise)

- 6.55 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.
- 6.56 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 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 amenity of the new dwellings 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 some disturbance will be inevitable. This will be conditioned accordingly.

Heritage impact

- 6.57 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.
- 6.58 Paragraph 190 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 196 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.

- 6.59 A Heritage Desk Based Assessment 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 three grade II Listed Buildings including Quakers Corner, The Horse and Harrow Public House, and Thatched Cottage. The assessment finds that the proposal will not harm the significance of these heritage assets.
- 6.60 The Assessment finds that there will be no harm to designated built heritage assets. Given the degree of separation of these heritage assets from the application site and with a scheme of landscaping I am of the view that the proposal will have less than substantial harm and therefore paragraph 196 of the NPPF is to be applied.
- 6.61 Paragraph 196 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. Section 7 of this report will balance these effects against the overall benefits of the scheme.
- 6.62 Policy CON13 of the SOLP requires appropriate archaeological investigation for developments that affect sites of archaeological importance.
- 6.63 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

- 6.64 On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended).
- 6.65 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
  - Management and maintenance of attenuation ponds
  - Monitoring fee
- 6.66 As advised by the County Highways the following would need to be secured under a S106:
1. A S106 agreement is required to secure a financial contribution of £6,000 (linked to Baxter Index at September 2018 price-base) per dwelling, payable prior to 1<sup>st</sup> occupation, toward the final section of the proposed edge road or similar measure to relieve congestion at the junction of Church Road and A4074.
  2. S106 contribution towards bus service improvements at a rate of £1,000.00 per dwelling. NB this sum shall be index-linked to RPIX February 2017.
  3. S278 to be secured via S106: Vehicular access and any necessary works in highway to facilitate pedestrian access which shall be submitted and agreed prior to determination.

- 6.67 I consider that these contributions / obligations 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.

Off-site contributions pooled under the Community Infrastructure Levy

- 6.68 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. As there is an adopted Neighbourhood Plan the Parish will receive 25% of the monies for infrastructure and may choose to spend it on local projects or contribute towards strategic infrastructure.

**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 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 housing sites to the north of Benson. Although the relief road does not fall within the application site, the site does fall within land allocated for housing in the Neighbourhood Plan. A contribution will be made to the final section of the proposed edge road or similar measure to take traffic away from the centre of Benson. Given that the site is allocated for housing within the Neighbourhood Plan and is in general conformity with the relevant policies, the principle of development is therefore acceptable.
- 7.2 The revised 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.
- 7.3 In respect of the economic dimension, the Government has made clear its view 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 am therefore of the view that moderate weight should be afforded to these benefits.
- 7.4 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.
- 7.5 In relation to the environmental dimension, the proposal would result in landscape harm. Although the section of edge road will not be provided within this part of the site the proposal will make a proportionate contribution to the edge road. The overall purpose of the edge road is intended to draw traffic away from the centre of Benson, producing environmental benefits for residents and visitors. I am of the view that the environmental benefits are neutral.

- 7.6 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.
- 7.7 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.
- 7.8 Overall, I am satisfied that the application proposal accords with the spatial strategy in the development plan. The site is allocated for housing in the BNP, which can be given full 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, on balance 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. **Approved plans.**
  2. **Commencement - outline planning permission.**
  3. **Maximum number of dwellings.**
  4. **Levels (details required).**
  5. **Market housing mix (outline).**
  6. **Sample materials required (all).**
  7. **Refuse and recycling storage (details required).**
  8. **Landscaping (including hardsurfacing and boundary treatment).**
  9. **Landscaping and protection of retained trees/hedgerows.**
  10. **Tree protection (general).**
  11. **Surface water drainage works (details required).**
  12. **Foul drainage works (details required).**
  13. **Biodiversity mitigation and enhancement strategy (outline).**
  14. **Noise mitigation.**
  15. **New vehicular access.**
  16. **Green travel plans.**
  17. **Construction traffic management.**
  18. **Hours of operation.**
  19. **Archaeology (submission and implementation of a written scheme of investigation).**

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