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<b>APPLICATION NO.</b>	<a href="#">P21/S0804/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	17.3.2021
<b>PARISH</b>	CHINNOR
<b>WARD MEMBER(S)</b>	Lynn Lloyd Ian White
<b>APPLICANT</b>	Beechcroft Development Ltd
<b>SITE</b>	Land at Crowell Road Chinnor
<b>PROPOSAL</b>	Outline application (with all matters reserved except Layout and Access), for the erection of up to 54 age restricted dwellings (for people aged 55 and over), including 40% affordable housing and communal facilities, on land to the north of Crowell Road, Chinnor. New vehicular access to be created off Crowell Road, along with the retention of the existing pedestrian access to Oakley Road to the North (additional information received 31 March 2021 and 6 June 2021 and 29 October 2021).
<b>OFFICER</b>	William Sparling

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1.0 **INTRODUCTION AND PROPOSAL**

1.1 This application is referred to the Planning Committee at the Development Manager's discretion for a resolution on how council would have been determined the application had the applicant not submitted an appeal under Section 78 of the Town and Country Planning Act 1990 for non-determination. At the current time, the application would have been recommended for refusal on matters which are considered in the report below.

1.2 The proposal is an outline planning application for up to 54 age restricted dwellings, including layout and access with 40% affordable housing and communal facilities. The reserved matters are appearance (design, materials, decoration, lighting, colour and texture), landscaping (walls, fences, trees, hedges banks/terraces, lying out of gardens and amenity features) and scale (height, width and length of each building in relation to its surroundings). If the current application had been approved these matters would be considered through separate reserved matters applications. The current proposal can be seen in [Appendix 1](#) (Site Location Plan) and [Appendix 2](#) (Conceptual Schematic Layout) and [Appendix 3](#) (Site Plan).

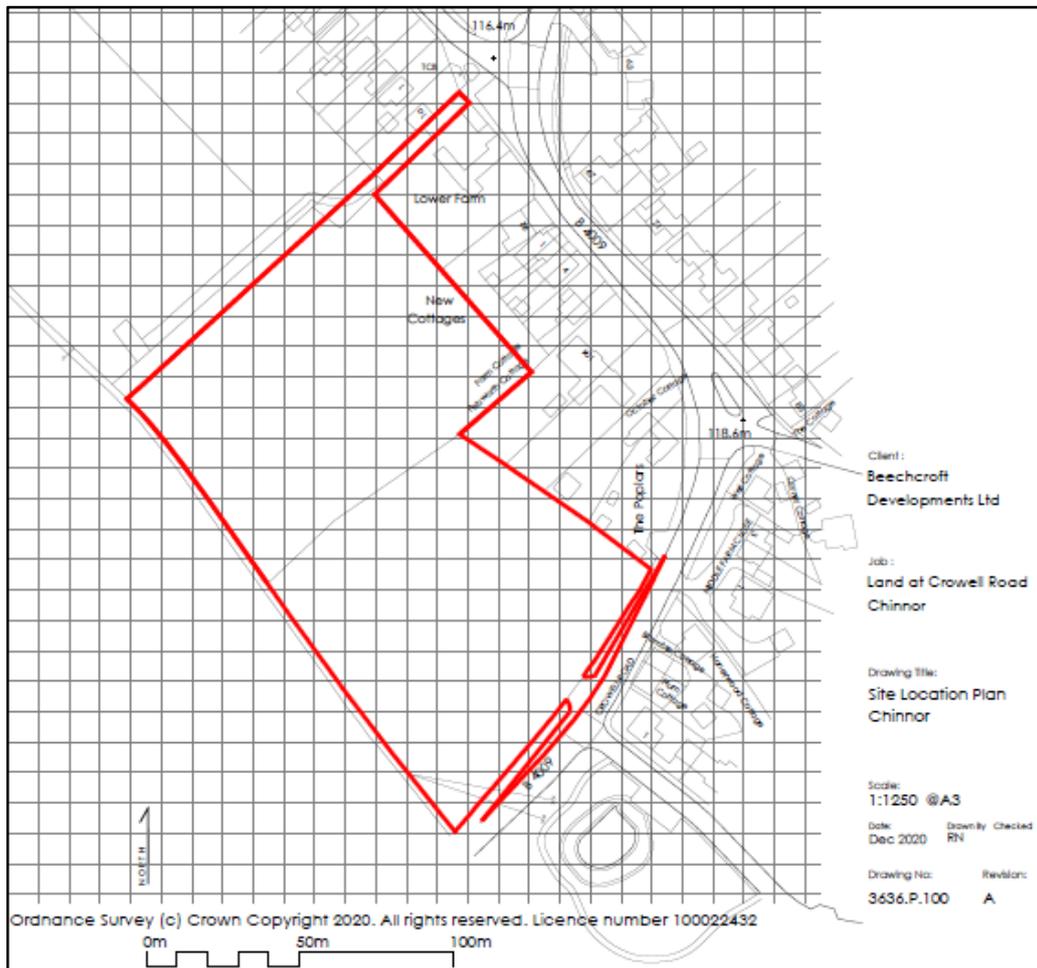
1.3 The site is located to the west of Chinnor, off Crowell Road. It is on land currently used as for grazing or as a paddock. To the north west there is a loose-knit boundary comprising some planting. To the south and west there is a hedgerow boundary to the open fields to the south-west and Crowell Road to the south-east. A combination of hedgerow, trees, buildings and fences form the boundary to adjacent residential gardens to the north east of the site. Aerial images and a site visit indicate there are some semi-mature and young trees and plants within the site which are of limited merit. There are two listed buildings nearby; The Poplars and Lower Farm are Grade II Listed. The site is adjacent to the Oakley Conservation Area.

1.4 During discussions with officers on the current proposal (which included several rounds of new or updated information being submitted), the applicant has submitted a

planning appeal for non-determination. The applicant (appellant in the appeal) has requested a public inquiry and officers have confirmed this is appropriate having regard to the complexity of the site, material planning considerations and level of public interest. The representations from the parish council, neighbours and key stakeholders on the planning application have carefully considered. The appeal start date was 24 January 2022 and the inquiry is planned for four days from Tuesday 26 April 2022.

- 1.5 As the applicant has submitted an appeal against non-determination, the purpose of this report is to seek the views of Planning Committee on how the proposal would have been determined. If the proposal would have been refused, planning committee will be asked to confirm its putative reasons, which will then be used to inform the main issues to be considered through the appeal process. The council will use the reasons to set out its case in more detail in the various appeal documents, as will the appellant.
- 1.6 In addition, the applicant has submitted a second planning application for the same development proposal on the same site (ref: P21/S5321/O). The applicant has indicated this application has been submitted, following discussions on the current application, with the aim of receiving a decision on the duplicate application before the appeal is heard. Officers are currently assessing the submitted information in respect of this application.

The location of the proposal to the west of Chinnor, off Crowell Road, is shown in **Appendix 1** and on the site location plan below:



2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of the consultations and representations is provided in the table below.

Consultee	Comment
Chinnor Parish Council	<b>Objection</b> to the proposed development, as it is considered to be contrary to the development plan and neighbourhood plan, including being outside of the settlement boundary, ribbon development and not a suitable location for elderly residents due to the distances to shops and services.
Crowell Parish Meeting	<b>Objection</b> to the proposed development as it is considered outside of the proposed development area, is unnecessary and is not the most suitable location for elderly residential properties.
Aston Rowant Parish Council	<b>Objection</b> to the proposed development. This is not the most suitable location for elderly residential properties. The proposal will lead to sprawl towards other parishes. There will be an increase in traffic where virtually no-one respects the speed limits. There are problems with sewerage issues. There is an indifferent attitude towards the AONB.
SODC Landscape Architect	<b>Comments</b> that issues remain with the application, including the lack of planting and mitigation on the north-western boundary and the appearance and usability of the attenuation basins/open space areas. Furthermore, the information submitted with the application is limited with an absence of photomontages from viewpoint 5, lack of proposed building heights in metres, further details of landscaping layout and species being required, and extent of hedgerow removal required. The attenuation basin sides are too steep for planting and an alternative will be required.
SODC Conservation Officer	<b>No objection</b> to the latest iteration of the current application. The proposal would result in 'less than substantial' harm to the nearby designated heritage assets (Poplars – Grade II, Lower Farm – Grade II, Oakley Conservation Area), which sits at the low-mid range of this scale of harm, in accordance with NPPF paragraph 202. Officers would need to be satisfied the public benefits clearly outweigh the harm to heritage assets. Issues remain with the proposal, including a lack of information on proposed building heights, lack of detail on intervisibility between the site and conservation area and lack of information provided on what lighting would be required, all of which may have different impacts on the area. The harm has been marginally reduced from previous conservation assessment and could be further reduced with further amendments to the scheme.

SODC Countryside Officer	<b>No objection</b> , subject to conditions, to the latest iteration of the current application. The outline proposal is within scope to comply with the requirements of Policy ENV2 (Biodiversity, Habitats and Species) and Policy ENV3 (Biodiversity). A small net gain for biodiversity is possible, dependent on the landscaping details to come at a later stage. It is likely that a small population of reptiles is present on site – the boundary landscaping being retained is likely sufficient to support these species in future. Badger setts have been located on or close to the site and these can be retained. A construction environmental management plan, reptile mitigation strategy, badger survey and biodiversity enhancement plan can be required by condition. A revised biodiversity metric may be sought at reserved matters stage if necessary.
SODC Forestry Officer	<b>No objection</b> subject to conditions for General Tree Protection and a Landscaping Scheme.
SODC Drainage Engineer	<b>No objection</b> subject to conditions for a suitable surface water drainage scheme and for a ‘Grampian’ condition to secure suitable foul water upgrades in the area in agreement with Thames Water. A discharge of conditions application would be handled by SODC.
Thames Water Development Control	<b>No objection</b> subject to conditions, including for foul water upgrades in the area. Network upgrades are likely required to accommodate the proposed development which are necessary to avoid sewage flooding and/or potential pollution incidents. All wastewater upgrades will be required prior to occupation of the development.
SODC Air Quality	<b>No objection</b> provided that the best practice measures outline in section 7.8 of the applicant’s Air Quality Report are adhered to. This can be secured by condition.
SODC Contaminated Land	<b>No objection</b> subject to a condition for the submission of a preliminary phased risk assessment. Previous investigations on the site confirmed there were no issues at the time, however, as these investigations were 5 years ago it is recommended a further assessment is made prior to the development commencing. In addition, standard contamination conditions will be applied to deal with any measures or unsuspected contamination.
SODC Environmental Protection	<b>No objection</b> although details of the noise climate should be provided so that appropriate mitigation from road noise can be secured. This can be secured by a suitably worded planning condition – the planning history indicates acoustic glazing and mitigation would be acceptable on this site.

<p>SODC Housing Development</p>	<p><b>No objection</b> subject to suitable planning conditions to secure a policy compliant affordable housing mix and tenure, supported by a contribution of £90,167 for a 0.6 part unit, as per the table overleaf:</p> <p><i>Tenure</i></p> <table border="1" data-bbox="608 497 1375 638"> <thead> <tr> <th><i>Tenure mix</i></th> <th><i>Percentage %</i></th> <th><i>Number of units</i></th> </tr> </thead> <tbody> <tr> <td>Affordable rent</td> <td>40%</td> <td>9</td> </tr> <tr> <td>Social rent</td> <td>35%</td> <td>7</td> </tr> <tr> <td>Home ownership</td> <td>25%</td> <td>5</td> </tr> </tbody> </table> <p><i>Type</i></p> <table border="1" data-bbox="608 743 1369 902"> <thead> <tr> <th></th> <th>1-bed/2p flat/maisonette</th> <th>2-bed/4p flat/maisonette</th> <th>2 bed/4p house</th> </tr> </thead> <tbody> <tr> <td>Affordable rent</td> <td>4</td> <td>5</td> <td>0</td> </tr> <tr> <td>Social rent</td> <td>0</td> <td>0</td> <td>7</td> </tr> <tr> <td>Home ownership</td> <td>0</td> <td>2</td> <td>3</td> </tr> </tbody> </table>	<i>Tenure mix</i>	<i>Percentage %</i>	<i>Number of units</i>	Affordable rent	40%	9	Social rent	35%	7	Home ownership	25%	5		1-bed/2p flat/maisonette	2-bed/4p flat/maisonette	2 bed/4p house	Affordable rent	4	5	0	Social rent	0	0	7	Home ownership	0	2	3
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<p>Oxfordshire County Council Highways</p>	<p><b>Objection, subject to further clarifying information</b> for further consideration. The key issues are as follows:</p> <ul style="list-style-type: none"> <li>• Any new footpath which would connect with the existing footway at the junction between Oakley Road and Oakley Lane is required to be a minimum of 2.0m wide.</li> <li>• All new footway within the site will be required to be a minimum of 2.0m wide.</li> <li>• More visitor cycle parking spaces should be provided in accordance with Oxfordshire County Council standards to encourage travel by this form of transport. This is required to be shown on the plans.</li> <li>• A new Stage 1 Road Safety Audit for both the proposed site access arrangement and internal site layout will be required as part of any future highway adoption and technical approval process.</li> </ul> <p>In addition, a legal agreement is required to secure public transport services and public transport infrastructure for a bus stop on Oakley Lane. A Section 278 agreement will be required, and a Section 38 agreement will be required for adoption of roads in the site.</p>																												
<p>Oxfordshire County Council Local Lead Flood Authority</p>	<p><b>No objection</b> subject to conditions as required by the South Oxfordshire drainage engineer.</p>																												

Oxfordshire County Council Archaeology	<b>No objection</b> subject to conditions to secure a written scheme of investigation and investigation works.
SODC Urban Design	<b>No objection</b> subject to alterations to the proposed layout of the scheme, including additional landscaping.
Berkshire Clinical Commissioning Group [Officer note: Berkshire CCG cover this part of Oxfordshire].	<b>No objection</b> to the proposal. Local healthcare should have sufficient capacity to deal with any additional needs.
SODC Energy Consultant	<b>Comments.</b> The energy statement should demonstrate how either each individual dwelling or how the average for each individual whole building will achieve at least a 40% reduction in carbon emissions compared with a 2013 Building Regulations compliant base case. Supporting SAP Calculations should be provided accordingly. This can be secured by planning condition as it is an outline application.
CPRE	<b>Objection</b> to the proposal. The delivery of new homes for older people in Chinnor should be carried out through a revision of the neighbourhood plan supported by a housing needs assessment and consideration of other more appropriate positioned sites.
Historic England	No comments to make on this application.
Neighbours and Local Residents	<p>There are 49 <b>objections</b> to the proposal including due to the following points:</p> <ul style="list-style-type: none"> <li>• Increase in traffic would make it dangerous.</li> <li>• Damaging impact on the local environment and wildlife.</li> <li>• Over development of the village due to previous developments.</li> <li>• Limited space for children to attend local primary schools. The school is full.</li> <li>• The village doctors are full, the local chemist is struggling to serve the local community.</li> <li>• The supermarket is only small and very busy.</li> <li>• The proposal is on the opposite side of the village to local shops and facilities.</li> <li>• Loss of privacy for existing residents.</li> </ul>

- Dangerous to pedestrians on surrounding access routes due to shared usage of track and lack of visibility.
- New development outside the settlement boundary will erode the rural village setting.
- There will be noise and disturbance.
- Chinnor has exceeded its capacity for taking new residential development.
- If someone is infirm at the age of 55 they would be located in the wrong place.
- Beechcroft would not be committed to selling these properties to over 55s. There should be enforcement that this is the case.
- The proposal discriminates against young people.
- Previous applications have been refused and so should this one because nothing in Chinnor has changed.
- There would be an increase in flood risk from surface and foul drainage. The sewer system is already overloaded.
- The site will become part of the AONB in the future.
- Alternative sites for this type of housing are available in the village.
- The information submitted by the developer is false.
- Its time to stop ad hoc building in Chinnor.
- The village is served by bus routes as follows 40 – hourly, 275 – 4 times a day west and three east, rail station – once in the AM and once in the PM.
- The field and hedgerow are essential for reducing the impact of road noise for existing residents.
- There is little demand for the houses and green land should not be used for them.
- This encroaches onto Green Belt which should be protected.
- The development site is not identified for development in the local plan or neighbourhood plan.
- The development is not needed due to previous growth and it is blatant opportunism from the developer.
- Nature spots once held in high esteem are being abused and trashed by all the new influx of different people with different values to the ones Chinnor holds dear.
- The proposed access will make it an accident blackspot and potential death trap. Crossing the road here should not be encouraged, especially by the elderly.

Following the submission of revised plans, 9 objections were received, mostly reiterating points of principle raised in previous comments. However, there were additional points raised. In summary, the additional key points can be summarised as follows:

	<ul style="list-style-type: none"> <li>• The revised plans make no improvements to the proposed access.</li> <li>• Crossing the road here will not be suitable for elderly and infirm people.</li> <li>• The proposed public access is a shared access track.</li> <li>• The site is too far from amenities.</li> <li>• The affordable housing is clustered together.</li> <li>• The district council has the required 5 years land supply for housing.</li> <li>• Chinnor has fulfilled its obligation for new housing, including a proportion which is affordable or suitable for the elderly.</li> </ul>
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**3.0 RELEVANT PLANNING HISTORY**

3.1 The relevant planning history is summarised below and considered in detail in this report further below.

[P20/S3848/PEJ](#) – Pre application advice provided (15/12/2020)  
Development of 55 units (including 22 affordable units) for people aged 55 and over.

[P17/S1867/FUL](#) - Appeal dismissed (24/12/2018)  
Full planning application for residential development comprising 54 dwellings, new vehicular and pedestrian access, internal roads and footpaths, car parking, public open space, landscaping, drainage and other associated infrastructure.

**4.0 ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposed development is for 54 age restricted dwellings. The total site area is 1.74 hectares. The site is not located within an AONB or other sensitive area for the purposes of EIA. In accordance with guidance on Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the proposal is for fewer than 150 dwellings and the overall area of the development does not exceed 5 hectares. As such the proposal does not require Environmental Impact Assessment (EIA).

**5.0 POLICY & GUIDANCE**

**5.1 Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

STRAT1 - The Overall Strategy

STRAT2 - South Oxfordshire Housing and Employment Requirements

STRAT5 - Residential Densities

H1 - Delivering New Homes

H4 - Housing in the Larger Village

H9 - Affordable Housing

H11 - Housing Mix

H13 - Specialist Housing for Older People

TRANS2 - Promoting Sustainable Transport and Accessibility

TRANS4 - Transport Assessments, Transport Statements and Travel Plans

TRANS5 - Consideration of Development Proposals

ENV1 - Landscape and Countryside

ENV2 - Biodiversity - Designated sites, Priority Habitats and Species

ENV3 - Biodiversity

ENV4 - Watercourses

ENV5 - Green Infrastructure in New Developments

ENV6 - Historic Environment  
ENV7 - Listed Buildings  
ENV8 - Conservation Areas  
ENV9 - Archaeology and Scheduled Monuments  
ENV10 - Historic Battlefields, Registered Park and Gardens and Historic Landscapes  
ENV11 - Pollution - Impact from existing and/ or Previous Land uses on new Development and the Natural Environment (Potential receptors of Pollution)  
ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)  
DES1 - Delivering High Quality Development  
DES2 - Enhancing Local Character  
DES3 - Design and Access Statements  
DES4 - Masterplans for Allocated Sites and Major Development  
DES5 - Outdoor Amenity Space  
DES6 - Residential Amenity  
DES7 - Efficient Use of Resources  
DES8 - Promoting Sustainable Design  
DES9 - Renewable Energy  
DES10 - Carbon Reduction  
EP2 - Hazardous Substances  
EP3 - Waste collection and Recycling  
EP4 - Flood Risk  
INF1 - Infrastructure Provision  
INF2 - Electronic Communications  
INF3 - Telecommunications Technology  
INF4 - Water Resources  
CF5 - Open Space, Sport and Recreation in New Residential Development

## 5.2 Chinnor Neighbourhood Plan (Review Version Made May 2021)

The neighbourhood plan policies have been considered in the assessment of the planning application.

Policy CH H2 (Affordable Housing)  
Policy CH H3 (Tenancy Mix)  
Policy CH H4 (Allocation of Affordable Housing for Local People)  
Policy CH H5 (Retirement Housing)  
Policy CH H6 (Site Allocations)  
Policy CH H7 (Settlement Boundary)  
Policy CH H8 (Sustainable Homes)  
Policy CH C1 (Design)  
Policy CH C2 (Conservation Areas)  
Policy CH C3 (Heritage Assets)  
Policy CH GP2 (Protection of Habitats of Significance)  
Policy CH GP3 (Public Rights of Way (PROW))  
Policy CH CF1 (Protection of Community Facilities)

## 5.3 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

South Oxfordshire Developer Contributions SPD

## 5.4 National Planning Policy Framework and Planning Practice Guidance

## 5.5 Other Relevant Legislation

### Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

### Equality Act 2010

In determining this planning application, the Council has regard to its equality obligations including its obligations under Section 149 of the Equality Act 2010.

## 6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- Principle of age restricted housing for older people in this location
- Design, layout and impact on character
- Impact on heritage
- Impact on the landscape
- Highways, access and parking
- Housing mix and tenure
- Carbon reduction and environmental sustainability
- Residential amenity
- Ecology
- Trees
- Surface and foul water drainage
- Archaeology
- Contaminated land
- Noise

### Principle of age restricted housing for older people in this location

6.2 The South Oxfordshire Local Plan (SOLP) was adopted in December 2020 and provides planning policies for the district. The new policies supersede those in previous local plans, including any saved policies. In addition, an updated Neighbourhood Plan for the area was made in May 2021 – the supporting text of which identifies the expansion of the Chinnor through new development in recent times. The planning history indicates a previous appeal on the site for market housing was considered and dismissed prior to the adoption of the new Local Plan. Moreover, it is worth noting that the recent appeal for a similar type of development in Sonning Common identified a need for housing for older people in the district which should be provided in more sustainable locations.

6.3 SOLP Policy STRAT1 (Overall Strategy) provides the spatial planning framework for the district, which includes supporting and enhancing the role of the Larger Villages in the district as local service centres, including Chinnor, whilst recognising a need to protect and enhance the countryside. The overall strategy seeks to ensure that all communities thrive, and everyone has access to services within the short distance. As such, the locational policies of the local plan direct new development to the most sustainable locations in the district, which includes directing it towards the larger villages. Indeed, Chinnor is identified as a “Larger Village” with a wide range of services and facilities in sustainable locations in the settlement hierarchy. Policy STRAT 2 (Housing Requirement) provides the housing requirement for the district in the plan period. Policy H4 (Housing in Larger Villages) is also of some relevance in supporting the role of larger villages.

- 6.4 More specifically related to the current development proposal, SOLP Policy H1 (Delivering New Homes) point 2) ii and Policy H13 (Specialist Housing for Older People) are clear in setting out considerations for specialist housing for older people. These policies provide encouragement to developments in locations across the district with good access to public transport and local facilities. In addition, NDP Policy CH H5 (Retirement Housing) provides broad support for retirement housing or care provision to meet the needs of the village that are summarised in the plan. These policies do include sites which are not allocated in the development plan. Furthermore, in supporting text, the SOLP plan identifies that being able to continue living independently for as long as possible may require specialist retirement accommodation.
- 6.5 Moreover, Policy CH H7 (Development Boundary) defines a settlement boundary for the settlement. Proposals for development outside the boundary “will only be supported where they are necessary or suitable for a countryside location, or are infill, and they are consistent with development plan policies”. The Neighbourhood Plan was independently examined and found to meet the ‘basic conditions’ including general conformity with the local plan.
- 6.6 When referring to development outside settlement boundaries, neighbourhood plans in the district have been consistent in setting out that development would be supported if necessary or suitable (or appropriate in some cases) for a countryside location. The examiner of the CRNP noted in his report, in paragraph 4.17: “*The purpose of the policy [CH H7] is to support appropriate development that is proposed within the boundary, whilst land outside the boundary will be considered to be countryside where planning policies for the countryside, contained in both national policy guidance and the adopted Local Plan, will apply.*”. This flexibility in the policy allows for appropriate forms of development to be supported where they are in accordance with other development plan policies. Therefore, development proposals which are in accordance with Policy H1 and Policy H13 from the local plan, would also be in accordance with Policy CH H7 (Development Boundary) of the Chinnor Review Neighbourhood Plan.
- 6.7 Having regard to an identified need for the type of development proposed, Chinnor has good access to services and facilities and the site is located in a more sustainable location. This is especially the case when considered in the wider context of the district – Chinnor retains a range of village shops, services and amenities. The site will have good access to public transport through the provision of a bus stop and access. In summary, there are a range of shops and services at the following approximate distances from the site:
- Co-op Convenient Store – approximately 400m
  - Village pub – approximately 100m
  - Alternative convenience store 600m
  - Village Hall – approximately 800m
  - Post Office and a shopping parade – approximately 1km
  - Pharmacy – approximately 1km
  - Hairdressers – approximately 1km
  - Opticians – approximately 1km
  - Village Centre Community Centre – approximately 1km
  - Two Health Centres – both approximately 1km
  - Additional shops and pubs – approximately 1.2km – 1.6 km
- 6.8 Most of these shops and facilities are along a bus route which can be accessed from the site (noting a request for the provision of a new bus stop). Existing nearby bus stops are served by four services (40, 275, 320 and T1). These services provide access to

the local areas surrounding Chinnor including Stokenchurch, Wheatley, Princes Risborough and Studley Green. The services also provide access to the centre of Oxford and High Wycombe. The bus services include a dedicated rail link (Bus No. 320) to Princes Risborough Station.

- 6.9 In that context, the South Oxfordshire Local Plan 2035 Policies H1 and H13 and Policy CH H5 of the Review Chinnor Neighbourhood Plan are supportive of the proposal in terms of it providing specialist accommodation for older people, particularly given the site is located on the edge of Chinnor, a larger village. Chinnor is a more sustainable location in the district and would provide a good range of shops, services and facilities within reasonable distances.
- 6.10 On balance, officers consider the proposed development would represent sustainable development, having regard to the policies of the development plan, including Policy STRAT1 (Overall Strategy), Policy STRAT 2 (Housing Requirement), Policy H1 (Delivering New Homes), Policy H2 (Housing Requirement), Policy H4 (Housing in Larger Villages), Policy H13 (Specialist Housing for Older People), and NDP Policy CH H5 (Retirement Housing), Policy CH H7 (Development Boundary).
- 6.11 For additional context, it is worth noting the previous appeal decision on the site was made for an alternative form of development, having regard to the previous local plan policies. These policies have been superseded by the up-to-date local plan that now distinguishes housing for older people as a separate type of development (in Policy H13).

#### Design, Layout and Overall Character

- 6.12 The design and layout of the proposal can be seen in **Appendix 2** (Conceptual Schematic Layout Drawing), **Appendix 3** (Proposed Site Plan), and **Appendix 4** (Conceptual Site Sections).
- 6.13 The development proposal is located to the south and west of Chinnor. Immediately to the south of the site is the B4009 and further south and east is recent new built development. The settlement pattern is of a large, nucleated village, comprising some historic areas (with Listed buildings and Conservation Areas) with more modern and contemporary built form – particularly to the west side. On the edge of the settlement, it has a very linear build line. More historic buildings in Oakley are also nearby. To the west are open fields, north are residential gardens and to the east are gardens and the main settlement of Oakley and Chinnor. There are no public rights of way within the site. A pipeline easement is within the site.
- 6.14 Policy DES1 (Delivering High Quality Development) requires proposals to use land efficiently, whilst respecting the existing landscape character. Proposals should take into account landform, layout, building orientation, massing and landscaping. The design should respect the local context, working with and complementing the scale, height, density, type and details of the surrounding areas.
- 6.15 As such, the overall design of the development is to incorporate the accommodation in modest buildings which are laid out across the site. These take the form of a self-contained layout, with 2 storey buildings reasonably dispersed to provide courtyards, gardens, walkways and other servicing facilities. Proposed building heights are within keeping of the adjacent buildings – although officers require further information on building heights in metres – the density is similar to that of the existing settlement and the overall character of the settlement has been respected.

- 6.16 However, there are several issues that officers consider need to be addressed with the proposal which can be summarised as follows:
- Additional photomontages are required (including for viewpoint 5 – which is a main approach to Chinnor) to allow a full assessment of the impact on the landscape and Conservation Area.
  - Actual building heights in metres for the building heights parameters plan have been requested and are required to control the impact on the landscape, listed buildings and the Conservation Area and ensure the character of the existing settlement is respected.
  - Continuous and linked footpaths through the development site are required to ensure appropriate access and the usability of public open space.
  - Boundary planting on the north western boundary would form a new rural edge. Additional space in the layout for planting mitigation would be required and the proposed species should be mixed with the planting proposed for the north-side boundary (and vice versa) to provide a robust, native hedge and maximise biodiversity value.
  - A 1 in 3 slope to the sides of the attenuation basins will not create an attractive feature and will not allow access to these areas for elderly residents. These features are overlooked by buildings, forming the focal point of courtyard areas, and are shown as open space on the green infrastructure parameter plan. They will fulfil neither of these functions.
  - Appropriate lighting details will be required to avoid harmful impacts on heritage and landscape.
  - Further information is required to demonstrate refuse vehicles can adequately access the proposed bin stores within acceptable distances for the SODC waste team.

- 6.17 The applicant has not demonstrated the proposal provides sufficient usable public open space in accordance with Policy CF5 (Open Space, Sport and Recreation in New Residential Development). The proposal does not fully meet the requirements of the development plan and is not in accordance with Policy DES1, which requires a layout that would provide a clear and permeable hierarchy of streets, routes and spaces. The layout should also provide a high-quality public realm helping to support an active lifestyle, whilst ensuring a sufficient level of well-integrated solutions for car and cycle parking as well as bin storage. Whilst the development of the site could be considered to be a logical complement to the existing built-form and character of the area, the remaining issues with the proposed layout mean the proposal is not in accordance with Policy DES2 (Enhancing Local Character) and Policy EP3 (Waste Collection and Recycling).

#### Impact on Heritage

- 6.18 The proposed development site is adjacent to the Oakley Conservation Area and two listed buildings; The Poplars and Lower Farm are Grade II Listed. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given by decision takers to the asset's conservation, irrespective of the level of harm, in accordance with NPPF paragraph 199. This includes the setting of those assets. The local planning authority also has statutory duties in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 6.19 Having regard to the development plan, SOLP Policy ENV6 (Historic Environment) requires proposals to take account of the desirability of sustaining and enhancing the

significance of heritage assets. Proposals should be sensitively designed, to conserve and where possible enhance those assets and designated areas. Proposals should make a positive contribution to local character and distinctiveness, through high standards of design and use of appropriate materials.

- 6.20 In accordance with Policy ENV7 (Listed Buildings), proposals resulting in less than substantial harm to the significance of a Listed building will be expected to minimise harm, provide justification for harms remaining and identify public benefits. Having regard to Policy ENV8 (Conservation Areas), proposals affecting the setting of a Conservation Area should conserve or enhance its special interest. Chinnor Neighbourhood Plan Policy CH C2 (Conservation Areas) and Policy CH C3 (Heritage Assets) provide similar protections to heritage in the village.
- 6.21 Officers have been in dialogue with the applicant in seeking to amend the layout to address the constraints of these designations more effectively. Some amendments have been made which results in a slightly altered layout leading to a marginally reduced level of harm. This was achieved through additional open space, improved landscape buffers and an orchard area to the west of the site. Further amendments could be made to take account of view corridors and softening through landscape planting. However, even with these changes it is considered the changes to the level of harm would be marginal. Great weight has been given to conserving the nearby heritage assets.
- 6.22 In conclusion, irrespective of any layout changes being required, the proposal would result in a degree of harm which is ‘less than substantial’ at the low-mid range of this scale of harm, in accordance with NPPF paragraph 202. However, in your officer’s opinion, there are clear public benefits to the proposal which would outweigh the level of harm identified, including the urgent need to provide additional housing in the district in more sustainable locations, an identified need for housing for older people (having regard to a recent appeal decision) and the opportunity to further support the role of Chinnor as a sustainable settlement. There would also be economic benefits during construction. As such, the proposal is in accordance with Policy ENV6 (Historic Environment), Policy ENV7 (Listed Buildings), Policy ENV8 (Conservation Areas), and the NPPF.

#### Impact on the Landscape

- 6.23 The proposed landscape masterplan can be seen in **Appendix 5** (Landscape Masterplan).

Having regard to the site context, the site is not within the AONB. Whilst the site is near to the AONB designation (the edge of which is approximately 800m to the south east), at the previous appeal the inspector concluded it is “an undesignated field with nothing extraordinary to make it a valued landscape, despite the presence of pasture. It makes little contribution to the intrinsic character and beauty of the countryside”. The Inspector of the previous scheme at the site stated that the scheme would not materially affect the setting of the AONB and concluded that the development would cause little landscape harm and not conflict with the relevant policies of the core strategy (the adopted local plan at the time).

- 6.24 Moreover, on sites outside the settlement boundary, Neighbourhood Plan Policy CH H7 (Development Boundary) identifies proposals or sites to be developed outside the boundary will be less sustainable and where proposals will affect the character of the countryside. For the current site, the previous appeal inspector described the site as:

“an undesignated field with nothing extraordinary to make it a valued landscape, despite the presence of pasture. It makes little contribution to the intrinsic character and beauty of the countryside”.

- 6.25 However, it is noted there are visual receptors and views meaning the site has some degree of landscape sensitivity. As such, officers consider the current proposal should be amended to further reduce the impact on the surrounding area. This has been considered in more detail under the layout section of this report. In conclusion, the proposal is not considered to be in accordance with Policy ENV1 (Landscape and Countryside) or Policy DES1 (Delivering High Quality Development).

#### Highways, Access and Parking

- 6.26 Policy TRANS 5 (Transport – Consideration of Development Proposals) requires development to provide adequate and safe for all highway users, including pedestrians and cyclists. Any new footpath which would connect with the existing footway at the junction between Oakley Road and Oakley Lane is required to be a minimum of 2.0m wide.
- 6.27 The proposal is largely acceptable, except for the following:
- All new footway within the site will be required to be a minimum of 2.0m wide. The proposed footway is currently 1.8m.
  - More visitor cycle parking spaces should be provided in accordance with Oxfordshire County Council standards to encourage travel by this form of transport. This is required to be shown on the plans.
  - A new Stage 1 Road Safety Audit for both the proposed site access arrangement and internal site layout will be required as part of any future highway adoption and technical approval process.
  - In addition, a legal agreement is required to secure public transport services and public transport infrastructure for a bus stop on Oakley Lane. A Section 278 agreement will be required, and a Section 38 agreement will be required for adoption of roads in the site.
- 6.28 As such, the proposal is not considered to be in accordance with Policy TRANS4 (Transport Assessments and Travel Plans) and Policy TRANS5 (Consideration of Development Proposals).

#### Housing Mix and Tenure

- 6.29 The proposed housing mix of 1 and 2 bed homes for older people is considered to be in accordance with Policy H13 (Housing for Older People). It is the applicant’s intention that all affordable housing and any 1 and 2 bed market dwellings will comply with the National Described Space Standards. Subject to securing this the proposals would comply with Policy H11 (Space Standards).
- 6.30 Policy H9 (Affordable Housing) requires proposals to deliver 40% affordable housing. Through the planning application, the applicant demonstrates an intention to provide 40% affordable housing on site, which is shown on the proposed layout plan. The exact mix has not yet been confirmed by the applicant and secured through a Section 106 agreement. All affordable housing would have to be in accordance with Part M (4) Category 2: Accessible and Adaptable Dwellings and at least 5% would meet the standards of Part M (4) Category 2: Wheelchair Accessible Dwellings.

- 6.31 The applicant has proposed that the mix will provide a range of dwelling types and sizes that meet current and future household needs. However, in the absence of confirmation from the applicant that the proposal will provide the required affordable housing mix, and in the absence of a suitable S106 agreement to secure the affordable housing, the proposal is contrary to Policy H9 (Affordable Housing).

Carbon Reduction and Environmental Sustainability

- 6.32 Policy DES8 (Promoting Sustainable Design) and Policy DES9 (Renewable and Low Carbon Energy) encourage the use of environmental sustainability measures and renewable energy at all scales. Furthermore, Policy DES10 (Carbon Reduction) requires a 40% reduction in carbon emissions over a code 2013 Building Regulations base case. As the application is in outline, a fabric first approach to environmental sustainability can be secured through a planning condition requiring an energy statement and associated measures. The proposal would be in accordance with the relevant policies.

Residential Amenity

- 6.33 The closest buildings will be more than 10m away from the boundary line to the north east, with a significant landscaped buffer between. Of the closest proposed new buildings, the layout indicates two buildings (plots 34-37 and 46-54) will be oriented so the gable wall is closest, avoiding issues of overlooking. Plots 42-45 will be more than 10m from the boundary, with a landscape buffer between and more than 40 metres from the closest properties. As such, there will be only 1 building closer than 40m (plots 34-37) to the properties to the north-east, which is oriented to avoid overlooking issues.
- 6.34 Furthermore, Plots 46-54 will be approximately 30m from the front of a residential building, although this is separated by proposed landscaping and the adjacent B4009. All other buildings will be more than 40 metres from existing dwellings. A substantial 10m landscaping buffer is proposed between the existing properties and proposed new buildings. As such, the proposal provides a sufficient amount of space between buildings, which is greater than that required in the South Oxfordshire Design Guide 2016 and as such avoids any issues of overlooking for existing and future residents.
- 6.35 In conclusion the proposal, will not lead to significant adverse impacts on the amenity of neighbouring uses when considering individual and cumulative impacts. Having regard to building heights and separation distances, there is unlikely to be a loss of privacy, daylight or sunlight, it will avoid dominance or visual intrusion. Furthermore, external lighting can be controlled by condition, which will ensure impacts on residential amenity are avoided. In these respects, the proposal is in accordance with Policy DES6 (Residential Amenity).
- 6.36 With regard to amenity space, Policy CF5 (Open Space, Sport and Recreation in New Residential Development), requires development proposals to provide suitable outdoor amenity space for residents. The applicant has indicated the proposal will provide 0.4ha of shared public open space including multifunctional space and corridors, swales and strategic planting. However, swales are not considered to be usable public open space, especially as the sides are indicated as being very steep at 1 in 3. They are unsuitable for planting and would not be accessible by residents.
- 6.37 Therefore, the total area of usable public open space would be less than the suggested 0.4 hectares of space. Having regard to the landscape officer comments, the proposed new swales should be amended to allow adequate planting and as such the total area

of drainage swales is not yet known and more information is required. Once this is known, the total area of public open space to be provided will be known. As such, the applicant has not demonstrated the proposal provides sufficient usable public open space in accordance with Policy CF5 (Open Space, Sport and Recreation in New Residential Development).

- 6.38 Noise from the development will be limited, having regard to the residential type of proposal and will be further reduced by additional planting – including road noise. There will not be issues with residential amenity of neighbouring properties.

#### Ecology

- 6.39 Policy ENV1 (Landscape and Countryside), protects the district from harmful development. Policy ENV2 (Biodiversity – Sites, Habitats and Species) and Policy ENV3 (Biodiversity) require proposals to protect the biodiversity of the district. Having regard to the information submitted, the proposal will meet the requirements of these policies, with a small net gain for biodiversity being possible. This is subject to appropriate provision for biodiversity being included in a detailed landscaping and planting scheme at a later date.
- 6.40 As the proposal is in outline, it would be subject to planning conditions for a construction environment management plan for biodiversity, including updated ecological surveys supported by a biodiversity metric. In addition, a planning condition would be used to secure a suitable biodiversity enhancement plan including habitat create, species enhancements, and methods for establishing vegetation. The proposal is in accordance with Policies ENV1, ENV2, and ENV3.

#### Trees

- 6.41 Policy ENV1 (Landscape and Countryside) ensures important trees in the district are not harmed by development, including from encroachment into root protection areas.
- 6.42 Having regard to the information submitted with the planning application, at the current time, the indications are that 4 semi-mature ash trees – all category B2 trees - would be removed from the south-east boundary of the site to facilitate the proposed new access. Hedgerow would also be removed.
- 6.43 In addition, two trees both category U would be removed. These are a Hawthorn (T1) in the centre of the site and a Willow T(2) in the north corner of the site. Please refer to Tree Survey Ref K\_112\_B. Mitigation tree planting would be provided through the site, including a 10m wide buffer on the south-east boundary of the site adjacent to the road. The buffer would comprise native woodlands trees and shrubs of various varieties. Detailed planting plans would be required based on the submitted landscape masterplan.
- 6.44 However, the extent to which any other trees or hedgerow would need to be removed to facilitate the access is currently unknown, noting the comments of Oxfordshire County Council and the landscape officer comments. Therefore, the proposal is not in accordance with Policy ENV1 (Landscape and Countryside).

#### Surface and Foul Water Drainage

- 6.45 Representations on the planning application indicate a range of issues in the village, particularly arising from an inability of the foul drainage to accommodate requirements. This has been raised in neighbour comments, by the SODC Drainage Engineer and by

Thames Water. It is noted that Thames Water have a statutory duty to provide sufficient capacity for new developments.

- 6.46 The flood risk assessment identifies the site as being in Flood Zone 1, with a low probability of fluvial flooding. Surface water flood risk can be mitigated through a suitable drainage scheme. This can be secured by a suitably worded planning condition, to include groundwater assessment and infiltration testing, landscape plans with sustainable drainage features integrated and a maintenance and management plan. With respect to foul water drainage, suitable upgrades could be secured by a 'Grampian' condition to secure foul water upgrades to avoid sewage flooding and/or potential pollution incidents.
- 6.47 Policy EP4 (Flood Risk) requires proposals to be directed to areas with the lowest probability of flooding, ensures new development addresses the effective management of all sources of flood risk and does not increase the risk of flooding elsewhere. On the layout plan, space has been provided in the land budget for swales, which are to be provided as part of a sustainable drainage scheme. Subject to suitable conditions, the proposal is in accordance with Policy EP4 (Flood Risk).

#### Archaeology

- 6.48 The application site is in an area of archaeological interest. Subject to planning conditions for an Archaeological Written Scheme of Investigation and a programme of archaeological investigation, the proposal would be in accordance with Policy ENV6 (Historic Environment), Policy ENV9 (Archaeology) and the NPPF.

#### Contaminated Land

- 6.49 Policy ENV11 and Policy ENV12 (Pollution) requires proposals to ensure adequate protection against existing and future sources of pollution. Subject to suitable conditions for updated surveys, the proposal is in accordance with these policies.

#### Noise

- 6.50 Policy ENV11 and Policy ENV12 (Pollution) requires proposals to ensure adequate protection against existing and future sources of pollution, including noise from the adjacent road. Subject to suitable conditions for noise mitigation in the proposed new buildings, the proposal is in accordance with these policies.

#### **7.0 COMMUNITY INFRASTRUCTURE LEVY**

- 7.1 The current CIL Charging Schedule does not levy CIL on retirement or age restricted housing. An obligation in a S106 agreement is necessary to ensure that the development remains restricted as proposed. Were the development to become unrestricted, CIL and other S106 contributions (education for example) would become payable.

#### **8.0 CONCLUSION**

- 8.1 Having regard to SOLP Policy STRAT1 (Overall Strategy), Policy STRAT 2 (Housing Requirement), Policy H4 (Housing in Larger Villages) and Policy H13 (Specialist Housing for Older People), these policies provide support for housing for older people in more sustainable locations, including larger villages. Most significantly support for the proposal is afforded by Policy H1 (Delivering New Homes) and Policy H13 (Specialist Housing for Older People) which will meet an identified need for specialist housing for older people. The site has good access to public transport and local facilities. In addition, support is afforded to the proposed development in Chinnor NDP Policy CH

H5 (Retirement Housing). These policies do not identify specific locations for the specialist housing beyond encouraging provision on strategic sites and as such support development on sites which are not yet allocated.

- 8.2 However, Chinnor NDP Policy CH H7 (Settlement Boundary) seeks to resist proposals outside the boundary as unsustainable and more likely to have an impact on the countryside. Significantly, the examiner of the CRNP noted in his report, in paragraph 4.17: “The purpose of the policy [CH H7] is to support appropriate development that is proposed within the boundary, whilst land outside the boundary will be considered to be countryside where planning policies for the countryside, contained in both national policy guidance and the adopted Local Plan, will apply.”. This flexibility in the policy allows for appropriate forms of development to be supported where they are in accordance with other development plan policies, namely Policy H1 specifically in this case.
- 8.3 Other material planning documents, including the NPPF, refer to avoiding isolated dwellings in the countryside which the proposed new buildings will not be. They would be well related to the existing settlement, will provide for an identified significant need in a location with good access to public transport and local facilities. As such, the principle of housing for older people in this location is considered to be in accordance with the development plan when read as a whole, including Policy H13 (Housing For Older People), Policy CH H5 (Retirement Housing) and Policy CH H7 (Settlement Boundary).
- 8.4 Regardless of the changes required to the overall layout, the proposal would result in a degree of harm to the conservation area and listed buildings, which is ‘less than substantial’ at the low-mid range of this scale of harm, in accordance with NPPF paragraph 202. However, there are clear public benefits to the proposal which would outweigh the level of harm identified, including the urgent need to provide additional housing in the district in more sustainable locations, an identified need for housing for older people (having regard to a recent appeal decision at Little Sparrows dated 25 June 2021 APP/Q3115/W/20/3265861) and the opportunity to further support the role of Chinnor as a sustainable settlement. There would also be economic benefits during construction. Moreover, great weight has been afforded to the conservation of nearby heritage assets. As such, the proposal is in accordance with Policy ENV6 (Historic Environment), Policy ENV7 (Listed Buildings), Policy ENV8 (Conservation Areas), and the NPPF.
- 8.5 Having regard to other material planning considerations, the proposal is in accordance with a range of other policies of the development plan including Policy H11 (Space Standards) The proposal provides a sufficient distance between buildings and impacts on residential amenity, including existing neighbouring properties, are avoided. The proposal is in accordance with Policy DES6 (Residential Amenity). Subject to conditions to secure a suitable energy statement and a fabric first approach to the design, the proposal would be in accordance with Policy DES8 (Promoting Sustainable Design), Policy DES9 (Renewable and Low Carbon Energy) and Policy DES10 (Carbon Reduction).
- 8.6 Subject to planning conditions for mitigation tree planting, a construction environment management plan and a biodiversity enhancement plan, the proposal is in accordance with Policy (ENV1 Landscape and Countryside) in respect of biodiversity and trees, and Policies ENV2 and ENV3 (Biodiversity). Subject to a ‘Grampian’ condition to secure foul water upgrades in agreement with Thames Water, and for a sustainable drainage scheme, the proposal is in accordance with Policy EP4 (Flood Risk). Subject to planning conditions for an Archaeological Written Scheme of Investigation and a

programme of archaeological investigation, the proposal would be in accordance with Policy ENV6 (Historic Environment), Policy ENV9 (Archaeology) and the NPPF.

8.7

However, the proposed layout does not fully meet the requirements of the development plan and is not in accordance with Policy DES1 (High Quality Design) and the applicant has not demonstrated the proposal provides sufficient usable public open space in accordance with Policy CF5 (Open Space, Sport and Recreation in New Residential Development) and Policy EP3 (Waste Collection and Recycling). The changes required have been considered in some further detail in the report above. Whilst the development of the site could be found to be in accordance with the existing character of the area, the remaining issues with the proposed layout mean the proposal is not in accordance with Policy DES2 (Enhancing Local Character). The proposal is not in accordance with Policy ENV1 (Landscape and Countryside).

8.8

It is necessary for the proposal to provide contributions towards transport infrastructure, to provide a suitable footway. In the absence additional information and a suitable Section 106 legal agreement to secure contributions, the proposal is contrary to Policy TRANS5 (Transport). The proposal is required to deliver a suitable affordable housing mix and ensure the development remains restricted to elderly persons accommodation. In the absence of a suitable S106 agreement, the proposal is contrary to Policy H9 (Affordable Housing), Policy CH H2 (Affordable Housing), Policy CH H4 (Allocation of Affordable Housing for Local People) and Policy INF1 (Infrastructure).

9.0

## **RECOMMENDATION**

9.1

**That, had the council been able to determine the application, it would have refused for the following reasons:**

### **Reasons**

1. The proposal fails to demonstrate a design and layout of high quality that incorporates tree planting, landscaping and drainage features and that the development can provide adequate areas of usable open space for residents. The proposed development will be detrimental to the landscape of the area and would result in unsatisfactory amenity space for residents. As such, the proposal is contrary to Policy ENV1 (Landscape and Countryside), Policy DES1 (High Quality Development Proposals), Policy DES2 (Enhancing Local Character), Policy DES4 (Masterplans), Policy DES5 (Outdoor Amenity Space), Policy EP3 (Waste Collection and Recycling) and Policy CF5 (Open Space, Sport and Recreation in New Residential Development) and the National Planning Policy Framework.
2. The proposal fails to provide safe and secure access arrangements for all vehicles and pedestrians. As such, the proposed development would be detrimental to highway safety and contrary to Policy TRANS5 (Consideration of Development Proposals), Policy EP3 (Waste Collection and Recycling) and the National Planning Policy Framework.
3. The development fails to secure the provision of affordable housing to meet the identified needs of the district. The proposal has not included sufficient evidence to demonstrate it would secure the delivery of 40% affordable housing of a suitable mix, type or tenure as required by the Development Plan. As such the proposed development is contrary to Policy H9 (Affordable Housing), Policy DES1 (High Quality Design), Policy CH H2 (Affordable Housing), Policy CH H4 (Allocation of Affordable Housing for Local People) and the National Planning Policy Framework.

4. In the absence of a completed Section 106 Legal Agreement, the proposal fails to secure the necessary affordable housing to meet the needs of the district and local area. As such, the proposal is contrary to Policy H9 (Affordable Housing), Policy CH H2 (Affordable Housing), Policy CH H4 (Allocation of Affordable Housing for Local People) and the National Planning Policy Framework.
5. In the absence of a completed Section 106 Legal Agreement, the proposal fails to secure the infrastructure necessary to meet the needs of the development. As such, the proposed development is contrary to the Development Plan, including Policy TRANS5 (Consideration of Development Proposals) and Policy INF1 (Infrastructure Provision), Policy INF4 (Water Resources), Policy TRANS2 (Promoting Sustainable Transport and Accessibility), Policy EP3 (Waste Collection and Recycling) and the National Planning Policy Framework.

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