
APPLICATION NO.	P15/S2121/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	02.07.2015
PARISH	WHEATLEY
WARD MEMBER	Toby Newman
APPLICANT	Taylor Wimpey UK Ltd
SITE	Land North of London Road, Wheatley
PROPOSAL	Erection of 51 dwellings, with access from London Road, together with associated landscaping and open space provision. (Rural exception site) (As amended by Drawings accompanying agent's letter of 13 October 2015)
AMENDMENTS	One – As above
GRID REFERENCE	459900/205865
OFFICER	Peter Brampton

1.0 INTRODUCTION

- 1.1 This application has been referred to the Planning Committee at the discretion of the Development Manager.
- 1.2 The application site is a single field of approximately two hectares in size. It is located directly north of London Road in Wheatley, directly south of the A40 and west of a residential development known as Fairfax Gate. Woodland lies to the east.
- 1.3 Wheatley is one of the district's larger villages where the South Oxfordshire Core Strategy makes provision for housing allocations. The village is largely inset from the Oxford Green Belt but this site is within the Green Belt.
- 1.4 The application site is reasonably close to the facilities of Wheatley, being within a mile walk of two convenience stores, the post office, primary and secondary schools and the local surgery. Access to these facilities are mostly along existing footpaths within the village.
- 1.5 The site falls from west to east at a relatively gentle slope, with the total difference being 12.5 metres. One of the notable features of the site is a stone estate boundary wall along the southern boundary. Although damaged in places, it is an important feature that sits around 1 metre above London Road on an embankment. A number of large trees sit along the southern boundary that are protected by a Tree Preservation Order (TPO). Close-boarded fencing defines the eastern boundary with Fairfax Gate. Unprotected trees and post and rail fencing define the boundaries to west and north.
- 1.6 The site lies within Flood Zone 1.
- 1.7 A location plan is **attached** as Appendix 1.

2.0 PROPOSAL

- 2.1 This application seeks full planning permission for the erection of 51 new homes. The scheme is presented as a Rural Exception site as 38 of the proposed dwellings will be affordable homes exclusively available for residents who live in, or have a connection to, the parishes of Wheatley and Holton. The scheme incorporates a range of accommodation from one-bed flats to five bed houses. The proposed accommodation can be summarised as follows:

No. of Units	Affordable	Market	TOTAL
1	10	0	10
2	20	2	22
3	6	2	8
4	2	4	6
5	0	5	5
TOTAL	38	13	51

- 2.2 The scheme proposes two access points onto London Road. Amended plans have secured improvements to the road layout so that the main access road runs around the site serving both accesses. A number of private drives lead from this main road. Footways are provided around the site, with a future link into the existing woodland proposed to help formalise an existing route through to the schools to the west.
- 2.3 The amended plans have redesigned and relocated the block of one-bed flats. This is now an “L” shaped building facing northwards in response to concerns that the private amenity space for the flats would otherwise be unduly affected by noise from the A40.
- 2.4 The scheme includes a footway along the northern side of London Road connecting an existing footway east of the site to an existing footway at the London Road/Holloway Road/Park Hill junction to the west. Also proposed are two pedestrian crossings, one adjacent to the Glebe to link with an existing footpath and a Pelican crossing.
- 2.5 The market housing is largely located within the central part of the site with the affordable located to either side. The affordable dwellings comprise social rented and shared ownership units mixed together in both parts of the site following input from the council’s housing officer.
- 2.6 Parking is provided on-plot or in shared parking courts. Visitor spaces are provided throughout the site.
- 2.7 The application includes a bund and acoustic fence along the near-entirety of the northern boundary to address noise concerns arising from traffic on the adjacent A40. The bund is 4 metres wide and 1 metre high. The close-boarded fence above is three metres in height.
- 2.8 Reduced plans of the layout, street scene and sample elevations of house types are **attached** as Appendix Two. All plans, elevations and supporting documentation can be viewed on the council’s website at www.southoxon.gov.uk
- 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 3.1 **Wheatley Parish Council** – Recommends approval
- 3.2 **Holton Parish Council** – No strong views
- 3.3 **Neighbour Representations** –
 Two letters of support from local residents have been received.
 Individual letters of objection from 13 local households have been received.
 Furthermore, a letter of objection from the “St Mary’s Close Action Group” has been received, representing the views of 25 households. The main objections received can be summarised as follows:
- Two access points are unnecessary
 - Conflict between existing driveways on London Road and position of new

accesses

- Increased traffic on local roads
- Insufficient car parking on-site will lead to parking within existing roads
- Need for speed control on London Road
- Overdevelopment of the site
- Imbalance of social housing on the site
- Noise from A40 will harm amenity of future residents
- Pollution and poor air quality for future residents
- Increased noise levels in Mulberry Drive
- Surface water run-off and flooding concerns
- Increased sewerage flooding
- Lighting pollution for existing residents
- Overlooking of properties on London Road
- Better sites for housing exist in Wheatley
- Need to improve local footpaths linking London Road to village
- Need for new housing to only go to local people.

- 3.4 **Oxfordshire County Council Highways** – No objections subject to conditions relating to access, vision splays, estate roads, driveways, parking, construction traffic, travel plans, drainage and cycle parking. Also requests Section 106 contribution to increasing the frequency of the Thame-Oxford Premium Bus route passing through Wheatley and Section 106 contribution to provision of controlled pedestrian crossing on London Road. A separate Section 278 agreement will be necessary to secure provision of a footway on the north side of London Road.
- 3.5 **Oxfordshire County Council Archaeologist** – No objections subject to conditions covering prior agreement to Archaeological Watching Brief and programme of archaeological works
- 3.6 **Oxfordshire County Council Education** – No objections and no S106 contributions requested
- 3.7 **Oxfordshire County Council Property** – S106 contribution requested to extension of Wheatley library and book stock within
- 3.8 **Housing** – Supports the proposal following submission of amended plans
- 3.9 **Thames Water Development Control** – Identifies a lack of capacity in the local sewer network for additional foul flows from this development. Requests Grampian condition requiring the prior agreement to sewer upgrades before work commences, with agreed works implemented prior to first occupation. Also identifies that Thames Water assets cross the site and these will need to be safe-guarded during development.
- 3.10 **Environment Agency** – No specific comments to make
- 3.11 **Drainage Engineer** – No objections subject to conditions covering surface water and foul drainage strategies
- 3.12 **Urban Design Officer** – No significant objections following receipt of amended plans. Raises concerns over structural planting, visitor parking and amenity space maintenance.
- 3.13 **Forestry Officer** – No objections subject to tree protection and tree pit conditions.

Confirms trees marked for removal are of low arboricultural merit.

- 3.14 **Landscape Architect** – Confirms site has high capacity for housing. Raises concerns over acoustic fencing/bund, aspects of the layout (original scheme), connectivity and planting proposals.
- 3.15 **Countryside Officer** – Identifies the need to protect protected species likely present on the site (particularly slow-worm) and recommends conditions to deal with this. Identifies the habitats on site have significant local value and the loss of these cannot be mitigated on site. Therefore, recommends a condition requiring a bio-diversity off-setting scheme that will secure adequate compensation through the provision of new/enhanced habitats elsewhere.
- 3.16 **Natural England** - No specific comments
- 3.17 **Environmental Health – Air Quality** – No objections subject to pre-commencement condition requiring agreement to mitigation measures
- 3.18 **Environmental Health – Noise Officer** - Suggested amendments to improve noise mitigation for block of flats and north-facing units
- 3.19 **Leisure** – Requests Section 106 contributions to local sports projects and commuted sums for maintenance of public open space and provision of play equipment
- 3.20 **Equalities Officer** - No comments
- 3.21 **Waste Management Officer** – General comments on council's waste collection contract provided. Requests Section 106 contributions for provision of each house with wheeled bins.

4.0 **RELEVANT PLANNING HISTORY**

4.1 None

5.0 **POLICY & GUIDANCE**

5.1 **South Oxfordshire Core Strategy 2027 policies**

CS1 - Presumption in favour of sustainable development

CSS1 - The Overall Strategy

CSB1 - Conservation and improvement of biodiversity

CSEN1 - Landscape protection

CSEN2 - Green Belt

CSG1 - Green infrastructure

CSH2 - Housing density

CSH3 - Affordable housing

CSH4 - Meeting housing needs

CSR1 - Housing in villages

CS11 - Infrastructure provision

CSM1 - Transport

CSM2 - Transport Assessments and Travel Plans

CSQ2 - Sustainable design and construction

CSQ3 - Design

CSQ4 - Design Briefs

5.2 **South Oxfordshire Local Plan 2011 policies;**

- G2 - Protect district from adverse development
- G4 - Protection of Countryside
- E6 - Loss of employment uses
- C4 - Landscape setting of settlements
- C6 - Maintain & enhance biodiversity
- C8 - Adverse affect on protected species
- C9 - Loss of landscape features
- GB4 - Visual Amenity
- D1 - Principles of good design
- D2 - Safe and secure parking for vehicles and cycles
- D3 - Outdoor amenity area
- D4 - Reasonable level of privacy for occupiers
- D6 - Community safety
- D12 - Public art
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- H4 - Towns and larger villages outside the Green Belt
- H10 - Rural affordable housing on exception sites
- R1 - Outdoor sport or play areas
- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

5.3 National Planning Policy Framework

National Planning Policy Framework Planning Practice Guidance
CIL Regulations 2010
Environmental Impact Regulations, as amended 2015

5.4 Emerging South Oxfordshire Local Plan 2031 and evidence base

5.5 South Oxfordshire Design Guide 2008

Housing Supply Statement 2015
Oxfordshire Rural Community Council Wheatley and Holton Housing Needs Surveys
2013

6.0 **PLANNING CONSIDERATIONS**

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

- Principle of development – including evidence of local need
- Green Belt impact
- Affordable housing and housing mix
- Design and layout
- Public Open Space
- Highway safety, convenience and traffic
- Impact on neighbours
- Amenity of future occupiers – particularly noise and pollution
- Drainage
- Landscape and trees
- Protected species and biodiversity
- Archaeology
- Section 106 contributions

- Other matters

6.2 *Principle of development – including evidence of local need*

Policy CSH1 of Core Strategy allocates 1154 homes to the 12 larger villages in the district. Wheatley is one of those larger villages although there are limited opportunities to build new homes in Wheatley as the Green Belt tightly defines the village. However, the supporting text to Policy CSR1 confirms that rural exceptions sites are one means of providing rural housing within or adjacent to villages where housing would not normally be permitted. Wheatley Parish Council have previously raised the particular need for more affordable homes both with the council and to the Core Strategy Inspector at the examination in public of that document.

6.3 Policy H10 of the Local Plan expands on this approach stating:

“In exceptional circumstances special small-scale affordable housing schemes may be permitted within or adjoining villages, provided that:

(i) it can be demonstrated that all of the houses meet a particular local need that cannot be accommodated in any other way;

(ii) there are satisfactory arrangements to ensure that the benefits of the affordable housing can be enjoyed by subsequent as well as the initial occupants and that the dwellings remain available for local people; and

(iii) there are no overriding amenity, environmental, design or highway objections.

Preference will be given to sites where there are adequate local services and facilities.

Planning obligations will be sought before planning permission is issued to ensure that the above conditions are met.”

6.4 It is important to note that Policy H10 is consistent with the NPPF but was written with a view to allowing schemes that offered 100% affordable housing. This scheme includes 13 market units to facilitate the delivery of the 38 affordable units. This is consistent with the national approach outlined at Paragraph 54 of the NPPF which states, *“Local Planning Authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.”* The provision of some market housing on this site as part of this application can therefore be supported whilst remaining consistent with the requirements of Policy H10.

6.5 The origins of this particular scheme can be traced back to the preparation of the Core Strategy. Initially, the Council proposed a local review of the Green Belt at Wheatley to allow more development to come forward to maintain its role as a key local service centre. However, the Core Strategy Inspector indicated his view that any need for further housing in the area could be dealt with through the exception site approach if necessary.

6.6 Subsequently, considerable work was undertaken by Wheatley Parish Council with the local community in summer and autumn 2013 and two local exhibitions were held to identify where homes could go in Wheatley. This site was one of the most popular sites with the community, it is an appropriate size to meet the identified need and relates well to the village and will allow good access to the main village facilities. It was agreed with the parish council that the landowner should be approached with a view to taking an exception site forward. The landowner was willing to proceed but considered that a scheme of this scale would not be viable without some supporting market housing.

6.7 Officers recognise that some local objection has suggested there are better sites in the village for housing. However, there are no development proposals on any other site in the village for affordable housing and this scheme has to be judged on its individual merits.

6.8 Alongside this work, in 2013, the Oxfordshire Rural Community Council (ORCC) conducted a Housing Needs Survey Report for Wheatley. The states aim, “*was to assess the affordable housing need for local people (or those who need to live in the parish or the locality) in Wheatley, and to gauge local opinion about the principle of affordable housing.*” The survey revealed that there was an affordable housing need in Wheatley from 54 respondents, of which 48 had a local connection to Wheatley based on the criteria outlined in Policy H10. The survey also showed strong support amongst respondents for a rural exception site in the village.

6.9 ORCC conducted a similar survey for the parish of Holton which revealed an affordable housing need from 7 respondents.

6.10 In terms of the requirements of Policy H10, there is a clear need for affordable housing in Wheatley. There is no suitable site within the built limits of the village and so there is a need to look at sites outside the built limits. Whilst the development would not accord with the general housing policies of the Core Strategy and Local Plan there is no realistic opportunity to provide a housing scheme of this size in a policy compliant way. However Policy H10 allows for development adjoining a village where the houses will meet a particular local need.

6.11 The recommendation is subject to the prior completion of a Section 106 agreement to ensure affordable housing will be for residents with a local connection to satisfy criterion (ii) of Policy H10.

6.12 The amenity, environmental, design and highway impacts of this scheme are discussed later in the report and have been found to be acceptable so the proposal accords with criterion (iii).

6.13 The housing needs evidence demonstrates a clear need for more affordable housing in Wheatley and its surroundings. As there is no suitable site within the built up limits of the village there is a need to look outside the built limits. Officers consider that of the sites considered for an exception site in Wheatley this is the most appropriate and will be deliverable given the landowner support. It is well related to Wheatley and Holton and will achieve a significant boost to the affordable housing provision in the area.

Green Belt

6.14 Policy CSEB2 of the Core Strategy states, “*The special character and landscape setting of Oxford will be protected by the Oxford Green Belt.*” Policy GB4 of the Local Plan states, “*Where new development is permitted...within...the Green Belt, it should be designed and sited in such a way that its impact on the open nature, rural character and visual amenity of the Green Belt is minimised.*”

6.15 Paragraph 79 of the NPPF confirms, “*The Government attaches great importance to the Green Belts.*” Paragraph 80 of the NPPF confirms the Green Belt serves five purposes – namely:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;

- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration by encouraging the recycling of derelict land

6.16 Paragraph 88 of the NPPF states, *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm...is clearly outweighed by other considerations.”* Paragraph 89 of the NPPF expands on this stating that the construction of new buildings should be regarded as inappropriate in the Green Belt but lists exceptions to this. One of these exception is, *“Limited infill in villages, and limited affordable housing for local community needs under policies set out in the Local Plan.”* This development accords with the rural exception site policies of the Core Strategy and Local Plan and any harm will be outweighed by significant social benefits. As such, officers are satisfied that “very special circumstances” exist for the development of this site in the Green Belt.

6.17 As part of the evidence base for the emerging Local Plan 2031, the Council commissioned a Local Green Belt Study. This study reviewed the Green Belt across the district and made a number of recommendations for sites in and around the district settlements within the Green Belt. The Study looks at this site and states, *“This strip of field and woodland is not important in the function of the Green Belt. It is surrounded by the settlement to the south and the A40 to the north.”* This site relates well to Wheatley and development would be seen in the context of other development in the village. Whilst currently maintaining the open character expected of land within the Green Belt, it is not strategically important in the function of the Green Belt. Officers consider the developing this site as a rural exception site will result in significantly less harm to the function of the Green Belt than other sites would around Wheatley and Holton and this must be considered in the planning balance.

Affordable housing and housing mix

6.18 As well as establishing the need for affordable housing in Wheatley, the ORCC Housing Needs Surveys also sought to understand the mix of housing and tenure types that would be necessary to meet the requirements of the local population. The affordable house mix now proposed reflects that Survey and has been agreed between the applicant and the Council’s housing team. The 38 affordable units are to be provided as follows:

No. of beds	Social Rent	Shared Ownership	TOTAL
1	10	0	10
2	12	8	20
3	4	2	6
4	2	0	2
TOTAL	28	10	38

6.19 As well as securing an appropriate mix of affordable units, officers have sought to ensure the affordable units and different tenures are properly integrated into the scheme. Whilst the affordable units sit either side of the market housing this is to allow for the relatively easy management of the affordable units by a Registered Provider. The proposed units will be “tenure-blind” in that they will be built in the same materials and to the same quality as the market housing on the site.

6.20 The proposed affordable housing will be made available solely for people in housing need within the parishes of Wheatley and Holton. The recommendation to approve this application is dependent on the completion of a Section 106 agreement to secure this arrangement both for the initial occupants and future occupants. At the time of

writing the report your officers are working closely with the applicant to agree the clauses of the Section 106 that will ensure this arrangement exists in perpetuity once the applicant completes construction work and the affordable units are passed to a Registered Provider.

- 6.21 With these clauses in place, officers are satisfied that this scheme will make a substantial contribution to affordable housing need in Wheatley and Holton. This is a significant benefit that must weigh heavily in favour of this development in the planning balance.
- 6.22 Turning to the mix of private housing, Policy CSH4 of the Core Strategy seeks to secure a range of housing sizes in any new development to meet the identified needs of the district. The most up to date information on housing need is found in the Oxfordshire SHMA. This provides a market housing mix requirement for South Oxfordshire of 33% 1 and 2 bed houses and 67% 3 and 4 bed houses.
- 6.23 The proposed market mix for this scheme proposes two 2-bed properties and eleven larger 3-5 bed properties. This represents a provision of 15% smaller properties, clearly contrary to Policy CSH4 and the current recommendations of the SHMA. However, given that the inclusion of market housing is to facilitate the provision of a significant number of affordable dwellings and officers consider it would be unreasonable to strictly apply the market mix requirements in this particular instance. It is noteworthy that, taking the site as a whole, 63% of the dwellings are 1 or 2-bed units.

Design and Layout

- 6.24 Paragraph 56 of the NPPF states, “*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*” Paragraph 58 of the NPPF requires new development to create a sense of place, optimise the potential of the site to accommodate development, respond to local character and create a safe and accessible environment. The design policies of the Core Strategy (particularly CSQ3) and the saved design policies of the Local Plan (particularly D1-D4) echo these requirements.
- 6.25 Officers have negotiated at both pre-application and application stages to improve the quality of the scheme. One of the key issues has been ensuring a well-connected layout so that the development will read as one, rather than separating the affordable from the market properties. This was a danger with the two vehicular accesses. The initial layout did not allow east-west connectivity through the site by car, which was unacceptable. The amended plans now allow a car to travel through the northern part site and the overall legibility of the scheme has been improved. However, it should be noted that there are two “private drives” in the southern part of the site, separated by a “structural hedge” shown on the plans. To maximise visual connectivity between these private drives, the details of this hedge will be carefully conditioned.
- 6.26 The proposed layout uses a simple perimeter block structure. Active frontages onto public streets are achieved throughout. Where buildings are located on corner plots, the dwelling proposed “turns the corner” to achieve active frontages in both directions.
- 6.27 The important boundary wall to the south, and the protected trees within and immediately outside the site are retained. The layout includes a footpath link in the northwestern corner. This mirrors an existing informal route often used by schoolchildren. Officers understand the Parish Council would like this connection retained due to a local desire to continue a more formal footpath through the adjacent

woodland to improve connectivity to the schools to the northwest. Officers are supportive of this “future-proofing” of this layout to encourage its integration with the village.

- 6.28 Generally, the proposed units are two-storey. There is a pair of 2 ½ storey market units (Plots 41 & 42) and the larger wing of the flats (aligned north-south) is three storey. The market units all benefit from attached or detached single storey garages. Walling materials are a mixture of brick, render and reconstituted stone, whilst a grey or a red tile will be used for the roofs. The materials are generally considered acceptable and reflect existing building types in the village reasonably well. Conditions requiring sample materials and a sample walling panel to be on site during construction are necessary to ensure the quality of the materials used.
- 6.29 Parking is generally provided on-plot for the market housing or in reasonably convenient parking courts for the affordable units. Within the larger areas of parking, provision is made for street trees to break up what would otherwise be quite a stark area of hardstanding. There are some large parking areas but these are not overly dominant. However, the strategy for visitor parking is not clear. Whilst an appropriate number of spaces are provided, they are distributed in a rather ad-hoc manner and they are not properly integrated into the street scene. This could be combated by providing more regular and formal treatment of visitor spaces and officers recommend the matter is dealt with by condition.
- 6.30 Overall, officers are satisfied this layout and the design approach taken will provide a suitably high quality development that accords with the requirements of local and national policy.

Public Open Space and play

- 6.31 Policy R2 requires the provision of play equipment on site as part of new residential developments. Policy R6 of the Local Plan requires that 10% of the gross site area be provided as informal open space for the users of the development. The site does not offer any informal open space nor any play equipment. However, as mitigation the applicants have offered a commuted sum for both open space and play equipment. These sums are the equivalent to the capital and maintenance contributions that a policy compliant scheme should provide and will be used to improve existing facilities in the village.

Highway safety, convenience and traffic

- 6.32 Policy T1 of the Local Plan requires proposals for all types of development to provide a safe and convenient access to the highway network for cars, cyclists and pedestrians and be accessible by public transport. A number of objectors to this scheme have raised issues of the access positions, increase in traffic on local roads and car parking provision.
- 6.33 The application has been supported by a Transport Statement. This includes a traffic impact assessment of both the Park Hill/London Road/Holloway Road and London Road/Old London Road roundabouts. This assessment included the assumption that 60% of the site traffic will use the southeastern access. The results of traffic surveys and modelling work conclude that peak movements at the Park Hill roundabout will increase 3.1% in the AM and 2.8% in the PM, which is considered negligible by the Transport Statement. Similarly, the Old London roundabout will see a predicted increase of 2.8% in the peak AM period, and 4.2% in the peak PM period. Again, the Transport Statement concludes this increase is negligible. In consultation, the Highways Authority states, “*The contents [of the Transport Statement] have been*

found to comply with the [pre-application] scoping exercise with Oxfordshire County Council and are robust in their recommendations.”

- 6.34 Contrary to some local objections, the Highways Authority have no objection to the provision of two accesses nor their positions. The plans provided demonstrate both will provide adequate visibility in both directions along London Road. They are also likely to have the effect of slowing traffic speeds in the area, something identified by the Transport Statement and confirmed by the Highways Authority.
- 6.35 Local objection has criticised the parking provision on site, particularly the reliance on “tandem” parking and garages. The allegation is that this parking arrangement will not be fully used and this will lead to additional on-street parking within the estate and on local roads. Whilst it is recognised that County Council guidance on parking advises against tandem parking, there is nothing in planning policy to resist it. The proposed garages are large enough to be accepted as parking spaces and their conversion to other accommodation can be restricted by condition. Therefore, the proposed level of parking is acceptable (subject to condition) and there are no objections on this point from the Highways Authority. However, the Highways Authority recognises that the current visitor parking arrangement is not acceptable and as mentioned earlier this aspect of the scheme can be agreed by condition.
- 6.36 The Highways Authority have assessed and agreed a number of mitigation measures proposed by the Transport Statement. These include the footpath on the northern side of London Road from southeast of the site up to the mini-roundabout west of the site. This footpath will be linked to two pedestrian crossings (one signalled) across London Road. These mitigation measures will be a benefit of the scheme used by existing residents as well as the new residents of this scheme.
- 6.37 In terms of public transport, the Highways Authority have requested financial contributions to “pump-priming” the 280 bus route that links Aylesbury and Thame to Oxford. The Highways Authority wish to increase the frequency of this route to four times an hour. This scheme is contributing towards the £800,000 requisite investment at the rate of £1,032.26 per dwelling.
- 6.38 Overall, the scheme is considered acceptable in relation to highway safety for motorists or pedestrians.

Impact on neighbours

- 6.39 Given the location of this site between London Road and the A40, the number of existing houses affected by this development is relatively small. However, properties on Fairfax Gate will be affected, particularly the terrace of dwellings in the northwestern corner of this development. One impact of the amendment to the block of flats is that the “wing” aligned east-west will sit side onto these properties.
- 6.40 Officers acknowledge that Nos.15, 17 and 19 Fairfax Gate are the properties most directly affected by this approach. At the closest point, the rear of this property is 17 metres from the two-storey flank wall of the flats. The South Oxfordshire Design Guide confirms that a rear to flank distance should be at least 12 metres, so this arrangement exceeds that requirement. However, the flats sit noticeably higher than Fairfax Gate so this increases their impact. The proposed plans allow for the retention of the trees and hedge planting along the eastern boundary of the site which will help to reduce the impact of the flats on the rear elevations and gardens of the most affected properties. These trees will be covered by the tree protection condition recommended in Section 8 of this report.

6.41 The owners of No.19 Fairfax Gate are concerned that the relocated parking area for the flats will cause noise disturbance and a security risk to them. In terms of security, the retention and enhancement of the planting along the shared boundary can be secured by condition which should help. Inevitably there will be some disturbance from the traffic movements associated with the use of 10 flats. However, when weighed in the planning balance, this harm is not considered sufficient to justify a refusal of planning permission.

6.42 It is noted that 26 London Road sits directly opposite the western access to the site, which lies on higher ground. As such, it is quite likely cars using this access at night will cause some light disturbance to this property. However, No.26 is set around 35 metres away from the access point and has some soft planting in the front garden. Again, it is accepted the development will lead to a change, but the impact on the property's amenities will not be undue.

6.43 Some objecting neighbours have indicated that noise levels outside the site and elsewhere in the village will increase due to this development, with particular focus on the removal of some of the less important trees. However, no compelling evidence has been submitted to indicate that noise levels experienced by existing properties in the village will increase as a result of this development, nor that the noise levels will be unacceptable against nationally agreed standards.

6.44 Given the distances involved, this development will not materially increase overlooking of properties on London Road.

6.45 *Amenity of future occupiers, including issues of noise*
Officers have assessed the plots for each unit against the guidelines in the SODG in respect of garden sizes. These guidelines indicate a 1-bed unit should have 35 square metres of amenity space, a 2-bed unit should have 50 square metres and 3-beds+ should have 100 square metres. Six of the plots will not have private gardens that meet these standards. The SODG also encourages new development to ensure adequate back to back distances between properties to secure adequate privacy for occupants. This scheme does not achieve these distances between a number of plots, particularly those units in the eastern part of the site. Here, the back to back distances are generally around 21 metres. These shortfalls have to be weighed in the planning balance. There are constraints on this site which have influenced the proposed layout. In particular, there is a need to ensure internal and external noise levels are acceptable given the proximity of the A40 and the retention of the important trees to the south mean the units are somewhat concentrated into the central part of the site. Achieving larger gardens would be likely to involve a combination of increasing the impact on the important trees, removing access roads and thereby limiting connectivity or bringing housing closer to the noise of the A40. On balance, officers conclude that the harm this would cause to the overall quality of the scheme outweighs the shortfalls relative to the requirements of the Design Guide.

6.46 The noise from the A40 is an obvious constraint to the scheme. The council's environmental health officer identified initial aspects of the proposal that did not provide adequate mitigation from this noise. In particular, the amenity area for the block of flats was not protected properly, whilst those houses facing north towards the road would have experienced unacceptably high levels of noise at first floor level. The noise insulation package proposed for those houses was not sufficient to reduce internal noise levels below nationally accepted standards.

6.47 As outlined at Para 2.3, the amended scheme has introduced an "L" shaped block of flats that faces the A40, with the private amenity space to the south. The building now

acts as a shield between the A40 and the amenity space and this helps to reduce predicted noise levels to an acceptable degree. Furthermore, bespoke window units and glazing configurations are proposed to reduce internal noise levels for those rooms facing the A40 in the northern part of the site.

- 6.48 Officers have sought to ensure that the internal and external noise levels residents experience are within acceptable noise levels that are outlined in national standards. The proposed mitigation measures which include the bund and acoustic fence will achieve that. Officers are mindful that objecting neighbours have criticised the noise surveys accompanying the application and have undertaken their own readings. However, the Council's environmental health officer has reviewed the noise report accompanying the application and is satisfied that the methodology and associated results are sound. Officers are satisfied that the mitigation will achieve the necessary noise reductions within the housing. On this basis, there are no grounds to refuse this application on noise grounds.

Drainage and sewerage

- 6.49 The application is accompanied by a flood risk assessment. This confirms that the site falls wholly within Flood Zone 1, the area at least risk of experiencing flooding. The existing soil on the site comprises sands, weathered limestone and limestone bedrock. These are highly permeable materials and so the applicant proposed to drain the site using infiltration based SUDS. The proposed SUDS include permeable paving throughout the highways and drives of the development and domestic soakaways. Subject to a pre-commencement condition covering finer details of these works, the council's drainage consultant has confirmed no objections to this scheme related to surface water drainage.
- 6.50 Thames Water have identified that the existing waste water infrastructure serving the site is not adequate to accommodate the predicted additional flows from this development. This is perhaps not surprising given the edge of settlement location. Thames Water have recommended a Grampian condition that requires works to upgrade the sewer system to be agreed prior to work commencing and for those works to be implemented prior to any new dwelling connecting to the public sewer network. This is considered an appropriate response to the issue, consistent with Policies EP4 and EP6 of the Local Plan and supported by the council's drainage consultant.

Landscape and trees

- 6.51 As part of the evidence base necessary to support the emerging Local Plan 2031, the council commissioned a landscape capacity assessment in 2014 looking specifically at sites on the edge of the larger villages of the district. This assessment included Wheatley and this site and concluded this site had a high capacity for accommodating housing without causing harm to the wider landscape. This is largely due to the visual containment of the site from existing boundary vegetation and the low sensitivity of the area due to the proximity to the A40. Therefore, officers are satisfied housing on this site can be accepted in landscape terms, however the detailing will be important.
- 6.52 The main landscape feature being introduced as part of this development is the bund and acoustic fence to deflect some of the traffic noise from the A40. This has the potential to be a rather stark functional feature of the site. Whilst it is intended to retain much of the adjacent vegetation, the fence will be positioned in a location where it will be seen clearly when travelling through the site and this is clearly not ideal. There is a need for the landscaping scheme proposed as part of the application to include planting to sit in front of the fence and soften its appearance as much as possible. The current landscaping scheme does not achieve that, seeming to show

large swathes of the fence left exposed to the street. A pre-commencement condition is recommended requiring a more detailed landscaping scheme that includes additional planting to screen this fence as much as is practical. The proposed bund is 4 metres wide by 1 metres high and planting on the southern bank of the bund will need to be species that can establish at a 1:25 slope.

- 6.53 The Council's landscape officer had raised concerns over the amount of hardstanding proposed within the scheme. The amendments that improve connectivity around the site improve this aspect by reducing the need for turning heads. Differing materials are proposed for the private drives to break up the appearance of the access road. Street trees are proposed throughout the development, particularly within the larger areas of parking. A condition is necessary to ensure the tree pits for these new trees are of adequate size to ensure a meaningful species can establish.
- 6.54 The perimeter block layout leads to a number of private gardens sitting side onto public roads. It is important that these boundaries are brick walls rather than fencing to ensure the quality of the public realm.
- 6.55 The retention of most of the southern planting and the boundary wall means that the wider impact of the proposal is limited. Some views into the site from London Road will be possible through the two accesses, but this will be comparable to existing "glimpsed" views into the estates accessed from London Road such as Fairfax Gate. The limited impact this development will have on the wider character of the area is a clear benefit of using this site for housing.
- 6.56 The Council's forestry officer has confirmed that the trees proposed to be removed are of low arboricultural value and are not a constraint to development. The arboricultural information demonstrates all of the protected trees can be retained with minimal negative impacts, subject to a standard pre-commencement tree protection condition.
- Protected species and biodiversity*
- 6.57 Policy CSG1 of the Core Strategy states, "A net gain in green infrastructure including biodiversity will be sought through developer works, developer contributions...", whilst Policy CSB1 states, "A net loss of biodiversity will be avoided and opportunities to achieve a net gain across the district will be actively sought." The council's countryside officer has visited the site on a number of occasions and advised the applicant on providing a number of species and habitat surveys with the application. These surveys show the site supports a range of habitats (scrub / woodland / grassland / hedgerows) and species (slow-worms / hedgehogs / bats / badgers / birds).
- 6.58 The development will cause the loss of the majority of the habitats and will affect slow-worms, which are a protected species. The Ecological Appraisal sets out mitigation proposal that will ensure the slow-worms are protected during the development process. These can be secured through condition, as can some biodiversity enhancement measures as required by the above policies.
- 6.59 Less clear cut is the loss of habitats, which, whilst not in particularly good condition, do have a significant local value to a variety of species. This habitat loss cannot be mitigated within the development and so the countryside officer has recommended that a biodiversity off-setting scheme is used. Therefore, the applicant needs to find a scheme off-site, as close to the site as practical, to create or restore habitats. These off-site works will provide adequate compensation for the loss of habitats within the site and meet the policy requirements of the Core Strategy. The applicant has confirmed they are willing to enter into an off-setting agreement and accept the

condition recommended in Section 8 of this report.

Archaeology

- 6.60 In consultation, the County Archaeologist has confirmed the site is located in an area of archaeological potential. A medieval moated site is located 220 metres north of the site which is a scheduled monument. It is therefore possible that archaeological artefacts related to this could survive within this site. Therefore, a condition is necessary to secure prior agreement to a Written Scheme of Investigation and a Watching Brief that will be in place during construction operations.

Section 106 contributions

- 6.61 Policy CS11 of the core strategy requires that new development must be supported by appropriate on and off-site infrastructure and services. Planning permission will only be granted when infrastructure and services to meet the needs of the new development are met. This includes requirements set out in the Infrastructure Delivery Plan (IDP). Infrastructure and services required as a consequence of development, and provision for their maintenance, will be sought from developers and secured by the negotiation of planning obligations, by conditions attached to a planning permission, and/or other agreement, levy or undertaking, all to be agreed before planning permission is granted.

- 6.62 In line with these requirements, the applicants have been asked to provide the following financial contributions:

- Football Pavilion improvements in Wheatley - £19,627
- Cricket pitch improvements in Wheatley - £4,474
- Maintenance of existing cricket ground in Wheatley - £3,195
- Cricket pavilion improvements in Wheatley - £5,973
- Rugby pavilion improvements in Wheatley - £2,431
- Play Equipment commuted sum for off-site improvements - £10,049
- Public Open Space commuted sum for off-site improvements - £53,140
- Community Facilities in Wheatley - £33,294
- Green Infrastructure - £19,917
- Public Art - £12,077 + maintenance at £845
- Bin provision for each property - £8,670
- Street Naming - £1,211
- Public Transport Service Improvements - £52,645
- Local Library extension and book stock - £10,204

- 6.63 Officers are satisfied that these contributions are necessary, related to the impacts of the development and proportionate to the impact of the development, in line with guidance on financial contributions within the NPPF.

Other Matters

- 6.64 One local objection has raised concerns about increased light pollution disturbing existing neighbours. The main source of increased light pollution is likely to be from the new street lights required to light the new footway on the north side of London Road. The Highways Authority propose a pre-commencement condition to secure further details of these street lights prior to their construction.
- 6.65 Local objection has also raised the issue of the air quality experienced by residents within the new development. No part of Wheatley or this site falls within a designated Air Quality Management Area. The application has been supported by an Air Quality Assessment. In consultation, the council's air quality officer has agreed the methodology, findings and conclusions of that report. The report concludes that the

level of pollution experienced by residents will be within nationally accepted guidelines. However, a pre-commencement condition is proposed that requires the developer to propose mitigation measures to cover the identified impacts of this development. For example, these measures could include the provision of electric vehicle charging points.

- 6.66 Provision is made within the layout to ensure that each property can accommodate wheeled bins in accordance with the council's waste provision contract.

7.0 CONCLUSION

- 7.1 National and local policy support the provision of rural exception sites where there is a clear local need. The Core Strategy Inspector considered a rural exception site as an appropriate mechanism to deliver affordable housing in Wheatley. The level of need for affordable housing in Wheatley and Holton has subsequently been established by ORCC's Housing Needs Surveys in 2013. The parish council has undertaken extensive work and public consultation to identify this site at the most appropriate site in Wheatley for a rural exception site. National policy also now permits the use of market housing on rural exception sites to facilitate the provision of affordable housing.
- 7.2 Due to the constraints of the Green Belt around Wheatley and the lack of alternative sites within the built limits of the village, the use of land outside the village and within the Green Belt for an exception site is considered acceptable. This particular site has been identified as not being of strategic importance to the quality of the Oxford Green Belt and developing it would cause less harm to the Green Belt than others in Wheatley.
- 7.3 In balancing the merits of the case, great weight should be given to the benefits associated with the provision of 38 affordable houses to meet the identified local need in a manner that accords with the requirements of the Core Strategy and Policy H10 of the Local Plan 2011.
- 7.4 Officers acknowledge that there are some weaknesses with the scheme. In particular, garden sizes will be smaller and back to back distances less than the council normally accepts. There will also be some negative impact on the amenities of residents in Fairfax Gate.
- 7.5 The need for a bund and acoustic screen along the entire northern boundary of the development is a further negative aspect of the scheme and planting will only mitigate this to a certain extent. The noise levels throughout the site will impact on living conditions for some properties but mitigation can ensure this remains within acceptable margins. There are no other technical concerns subject to the recommended conditions.
- 7.6 The proposal has the support of the parish council and the site is in a sustainable location, with easy access to education, retail, recreation and employment opportunities. In particular, the site benefits from excellent public transport access to Oxford.
- 7.7 Officers consider that the proposal meets the environmental, economic and social strands of sustainable development as outlined in the NPPF. A Section 106 agreement will secure a financial package of over £230,000 to local infrastructure improvements, including commuted sums to mitigate the lack of on-site public open space and play equipment. The benefits of this scheme significantly outweigh the harm identified above and in this report. Balancing all the relevant issues, officers consider this application should be approved.

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 with the County Council and the District Council to secure the affordable housing and financial contributions as listed above; and
- II. The following conditions:
 1. Commencement three years.
 2. Approved plans.
 3. Slab and ridge levels to be agreed.
 4. All sample materials to be agreed.
 5. Sample wall panel of materials to be agreed.
 6. Tree protection to be agreed.
 7. Landscaping – including access, hardstanding, fences and walls – to be agreed.
 8. Tree pits to be agreed.
 9. Construction traffic management plan to be agreed.
 10. Green travel plans to be agreed and provided to residents.
 11. Street lighting to be agreed.
 12. Air quality mitigation measures to be agreed.
 13. Internal and external noise mitigation as agreed.
 14. Surface water drainage works to be agreed.
 15. Foul drainage works to be agreed.
 16. Reptile mitigation strategy to be agreed.
 17. Biodiversity off-setting to be agreed.
 18. Archaeological watching brief to be agreed.
 19. Implementation of programme of archaeological work to be agreed.
 20. New vehicle access to County highway specification to be agreed.
 21. Vision splay details as agreed and as specified.
 22. New estate roads as approved.
 23. Estate accesses, driveways and turning areas as approved.
 24. Parking and manoeuvring areas as approved and retained.
 25. No garage conversion into accommodation.
 26. Cycle parking as approved.
 27. No surface water drainage to highway.
 28. Ecological enhancement measures as approved.
 29. Refuse and recycling as approved.
 30. Hours of construction.

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