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<b>APPLICATION NO.</b>	<a href="#">P15/S0779/FUL</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION
<b>REGISTERED</b>	19.3.2015
<b>PARISH</b>	CHINNOR
<b>WARD MEMBERS</b>	Ian White Lynn Lloyd
<b>APPLICANT</b>	Bloor Homes South Midlands Ltd
<b>SITE</b>	Mill Lane, Chinnor, OX39 4QU
<b>PROPOSAL</b>	The erection of 61 dwellings (C3 use) and creation of new public open space; the realignment of Mill Lane to create a new junction with Thame Road; the creation of a vehicular access from the realigned Mill Lane; the delivery of a new car parking facility; public open space; surface water drainage; landscaping; and other ancillary works.
<b>AMENDMENTS</b>	As amended by drawings and information accompanying agent's letter dated 2 February 2016 and further amended/clarified by drawings and information accompanying agent's letter dated 11 April 2016.
<b>OFFICER</b>	Emma Bowerman

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**1.0 INTRODUCTION**

1.1 This application is referred to the Planning Committee at the discretion of the Head of Planning.

1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is a 2.55 ha field currently in agricultural use as a grazing pasture for sheep. The site is positioned at the junction of Mill Lane and Thame Road.

1.3 There are residential properties opposite the site to the south on Mill Lane and to the east on Thame Road. There are also some retail units on Thame Road. To the west of the site is one house and its very long garden beyond which lies playing fields. To the north, the site is bounded by agricultural land attached to New Farm.

1.4 The site is enclosed by established hedgerows and there are a number of trees within the hedgerows. There are three Horse Chestnut trees in the norther corner of the site that are protected by Tree Preservation Orders (TPOs). The site does not lie within any areas of special designation.

**2.0 PROPOSAL**

2.1 The application is for full planning permission for 61 homes, including 40% affordable housing. The development proposal would involve the realignment of Mill Lane to remodel the existing crossroad arrangement between Mill Lane, Thame Road, Lower Road and Station Road. Six car parking spaces would be created in the eastern corner of the site to support the retail units opposite the site on Thame Road.

2.2 The development would be predominantly 2 storey in height with 19 of the homes two and a half storey. The materials proposed are two red brick types for the main treatment of the walls and a palette of three roof tiles. Flint panels would also be used in screen walls to provide interest.

2.3 The mix of house types is as follows:

	Market Housing	Affordable	TOTAL
<b>1 bed</b>	2	6	<b>8</b>
<b>2 bed</b>	5	11	<b>16</b>
<b>3 bed</b>	21	6	<b>27</b>
<b>4 bed</b>	9	1	<b>10</b>
<b>TOTAL</b>	<b>37</b>	<b>24</b>	<b>61</b>

2.4 The application plans have been amended a number of times to improve the layout of the site and to address comments made by consultees. The original submission proposed 71 homes and the amendments reduced the scheme to 61 homes. The amendments increased the level of public open space and reduced the number of car parking spaces in the car park.

2.5 Some of the application plans are **attached** as Appendix B. The application is accompanied by a number of supporting documents, including a Design and Access Statement and Planning Statement. These are available to view on the council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk). The full application plans are also available to view on-line.

### 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Chinnor Parish Council - No comments received on final set of amendments at the time of writing. To be updated at planning committee meeting.

3.2 Oxfordshire County Council Highways - No objection subject to conditions and informatives.

3.3 Oxfordshire County Council Archaeology – No archaeological constraints to the scheme.

3.4 Environment Agency - No objection subject to a condition to secure remediation if contamination is found.

3.5 Thames Water Development Control - Conditions required to secure a drainage strategy detailing any on and off site drainage works and impact studies of the existing water supply network. These studies shall be in consultation with Thames Water.

3.6 Natural England –Advised that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal.

3.7 Landscape Architect – Satisfied that the landscape impact is acceptable and recommended changes to incorporate into the amendments to further reduce the landscape impact of the development.

3.8 Forestry - Recommended amendments to reduce the impact on trees and these were taken into consideration in the amended plans.

3.9 Countryside- No objection subject to a condition securing biodiversity enhancement measures. Concluded that the proposals should not result in a net loss for biodiversity in the longer term.

3.10 Urban Design – Support the application in urban design terms.

3.11 Conservation - No Objection. Concluded that there is potential for the site to be

developed without causing significant harm to the setting of heritage assets.

- 3.12 Housing Development – Latest proposal for affordable housing is acceptable and will meet current demand.
- 3.13 Contaminated Land - No objection. Site suitable for residential development.
- 3.14 Environmental Protection - No objection subject to conditions regarding hours of construction, the control of noise and dust, and details of external lighting.
- 3.15 Air Quality - No objection subject to a condition securing air quality mitigation measures.
- 3.16 Waste Management - No objection
- 3.17 Equalities - No objection
- 3.18 Leisure and Economic Development - Provided comments on contributions required towards leisure /sports facilities to mitigate the impact of the development.
- 3.19 Drainage Engineer – No objection subject to conditions.
- 3.20 Neighbour Representations – 25 received in total

15 received in objection to the original consultation raising the following concerns:

- Junction will not be any safer – no logical reason to close Mill Lane
- Loss of trees
- Already too many applications in Chinnor
- Brownfield sites should be considered first
- Loss of agricultural land
- Development beyond village boundaries and would extend Chinnor into countryside
- Lack of infrastructure – drainage cannot accommodate more homes
- Site is not sustainable - no employment nearby
- Overlooking
- Loss of a view
- Quantity / density / height of housing too high
- Impact on biodiversity
- Impact on highway safety - traffic congestion
- Disruption caused by construction traffic
- Priority not given to local people for affordable housing
- Not in Local Plan
- Not in keeping with character of area
- No consideration of cumulative impacts of other developments around Chinnor
- Application is premature – not in current Local Plan
- Negative impact on views from the Chilterns Area of Outstanding Natural Beauty
- Precedent for further development

8 received in objection to the amended plans raising the following concerns:

- Density and loss of green space would damage village
- Loss of Green Belt
- Does not meet needs for housing for the elderly
- Potential for basements to flood
- Lack of infrastructure / capacity in schools / doctors
- Lack of sewerage provision

- Additional parking on Thame Road
- Restricted loading and unloading for businesses on Thame Road
- Traffic from developments in surrounding towns have not been considered
- Impact on highway safety
- Intensification in traffic movements
- Chinnor already has too many new homes
- More affordable homes should be provided
- Height of dwellings on Mill Lane not in keeping with character of area
- Provision for long term maintenance of landscaping

1 received with no objections to original consultation

1 received in support of the amended plans with the following comments:

- Would improve parking on Thame Road

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

##### 4.1 [P01/N0271/O](#) – Treated as withdrawn (15/10/2008)

Erection of affordable housing, associated parking, car park and access from Mill Lane (including associated off-street highway improvements).

##### [P00/N0262/O](#) – Withdrawn prior to determination (07/07/2000)

Erection of 21 detached dwellings and garages. Erection of 30 low cost homes, parking and road system.

##### [P87/N0813/O](#) - Refused (21/09/1988)

Erection of 32 units of sheltered accommodation, Wardens dwelling, ancillary recreational areas and public car park. Access.

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

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

##### 5.2 **Planning Practice Guidance (PPG)**

##### 5.3 **South Oxfordshire Core Strategy (SOCS) 2027**

CS1 - Presumption in favour of sustainable development  
CSB1 - Conservation and improvement of biodiversity  
CSC1 - Delivery and contingency  
CSEN1 - Landscape protection  
CSEN3 – Historic environment  
CSG1 - Green infrastructure  
CSH1 - Amount and distribution of housing  
CSH2 - Housing density  
CSH3 - Affordable housing  
CSI1 - Infrastructure provision  
CSM1 – Transport  
CSM2 – Travel assessments and travel plans  
CSQ3 - Design  
CSR1 - Housing in villages  
CSS1 - The Overall Strategy

##### 5.4 **South Oxfordshire Local Plan (SOLP) 2011 saved policies**

C4 - Landscape setting of settlements  
C6 - Maintain & enhance biodiversity  
C8 - Adverse affect on protected species  
C9 - Loss of landscape features

CON5 – Setting of listed buildings  
CON7 – Proposals affecting a conservation area  
D1 - Principles of good design  
D10 - Waste Management  
D2 - Safe and secure parking for vehicles and cycles  
D3 - Outdoor amenity area  
D4 - Reasonable level of privacy for occupiers  
D6 - Community safety  
EP1 – Prevention of polluting emissions  
EP4 - Impact on water resources  
EP6 - Sustainable drainage  
EP7 - Impact on ground water resources  
EP8 - Contaminated land  
G2 - Protect district from adverse development  
G4 - Protection of Countryside  
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

**5.5 South Oxfordshire Design Guide (SODG) 2008**  
Sections 3, 4 and 5

**5.6 Emerging South Oxfordshire Local Plan 2032**  
The council has consulted on 'Issues and Scope' in June 2014 and 'Refined Options' in February 2015. The Refined Options identified the application site as a shortlisted site. The next consultation on 'Preferred Options' is scheduled for June 2016.

**5.7 Emerging Chinnor Neighbourhood Plan**  
The neighbourhood plan steering group for Chinnor Neighbourhood Plan has recently carried out a consultation on their pre-submission draft plan. The pre-submission draft plan identifies the application site as a draft allocation for development.

**5.8 Environmental Impact Assessment**  
This proposal does not exceed 150 dwellings, the site area is under 5ha and is not within a 'sensitive area' as defined by the EIA regulations. Consequently the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion.

**6.0 PLANNING CONSIDERATIONS**

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

- Principle of development
- Housing mix and affordable housing
- Landscape impact
- Design and layout
- Public Open Space
- Highway safety, convenience and traffic
- Impact on neighbours
- Amenity of future occupiers
- Drainage
- Trees
- Protected species and biodiversity

- Heritage assets
- Contaminated land
- Air quality
- Infrastructure and Section 106 contributions / obligations

**Principle of the development**

- 6.2 Chinnor is identified as a larger village within the SOCS. Policy CSS1 of the SOCS sets out the overall distribution strategy for the district and this includes supporting and enhancing the larger villages as local service centres. This distribution strategy is followed through in Policy CSR1 which addresses housing in the villages and indicates that sites will be allocated for housing in the larger villages and that there would be no limit on infill development in these settlements.
- 6.3 The application site falls beyond the built up limits of the village. It is not closely surrounded by buildings or a small gap in an otherwise built-up frontage. It does not represent an infill development. It is also not a site allocated for housing in an adopted / made plan. The development therefore conflicts with the development plan, insofar as it does not meet with the policy CSR1 criteria against which proposals for development beyond the built-up limits of larger villages are assessed.
- 6.4 At present, none of the sites around Chinnor have been allocated for housing. We are proposing to allocate sites through the new Local Plan 2032. The refined options (July 2015) consultation for the Local Plan 2032 shortlisted three sites for growth in Chinnor. The application site is one of the shortlisted sites under reference CH18. In the pre-submission draft Chinnor Neighbourhood Plan two housing development sites are proposed. The application site is again one of the proposed sites, as stated in draft policy CH H4 'Land at Mill Lane / Thame Road'.
- 6.5 In the past year, we have resisted housing developments on three other sites around Chinnor. In each case, the applicants appealed against our decision to refuse planning permission. The Inspectors who considered these appeals overturned our decisions and granted planning permission. In two recent appeal decisions at Winterbrook, Wallingford (P15/S0191/FUL) and Lower Icknield Way, Chinnor (P15/S0154/O) the Inspectors assessing these appeals concluded that we should be applying a higher housing target as set out in the Strategic Housing Market Assessment (SHMA).
- 6.6 The SHMA was published in April 2014 and sought to establish an objectively assessed need for the county and identify the housing requirements for each of the Oxfordshire authorities for 2011 – 2031. The SHMA indicates that a higher level of housing is required than was planned for in the SOCS. The SHMA Committed Economic Growth Scenario is 750 homes per annum. The SOCS figure is 547 homes per annum.
- 6.7 Based on the evidence in the SHMA, the Inspectors who considered the recent appeals were of the opinion that we cannot currently demonstrate a five-year supply of deliverable housing sites. The NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land.
- 6.8 Para.49 of the NPPF specifies that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Para.14 adds that where relevant policies are out of date, *planning permission should be granted unless*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or*

- specific policies in the NPPF indicate that development should be restricted.

- 6.9 This means that the policies for the supply of housing in the SOCS are given significantly less weight. Applications for housing should now be considered in the context of the presumption in favour of sustainable development and should be permitted unless there is planning harm that outweighs the benefit of providing new housing. The impacts of the development are considered below and the planning balance weighed up in the conclusion of the report.

**Housing mix and affordable housing**

- 6.10 Para.50 of the NPPF seeks to deliver a wide choice of high quality homes, highlighting the need to plan for a mix of housing based on current and future needs. Policy CSH4 of the SOCS reflects this requirement. The SHMA is the most up to date evidence base for considering housing mix. The SHMA found a shortfall in smaller units but recommended for most units to be 2 and 3 bedrooms. The findings from the SHMA and the application proposal are summarised below.

<b>Market homes</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4+ bed</b>
SHMA	6%	27%	43%	24%
Application proposal	5%	14%	57%	24%

- 6.11 The application proposes a mix of market homes and although not completely in accordance with the evidence in the SHMA, the proposal does provide for predominantly two and three bedroom homes. As such, I consider that the development would contribute towards providing a mix of houses for current and future needs, in accordance with the above policy.
- 6.12 Policy CSH3 of the SOCS specifies that 40 per cent of new homes shall be affordable, with a tenure mix of 75 per cent social rented and 25 per cent intermediate housing. For this scheme, that would equate to 24.4 affordable homes of which 75 per cent (18 units) should be for rent and 25 per cent (6 units) should be for shared ownership. A commuted sum would be payable for the part (0.4) unit.
- 6.13 The affordable housing mix from the SHMA and the application proposal are summarised in the table below.

<b>Affordable homes</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4+ bed</b>
SHMA	32.6%	35.5%	29.3%	2.7%
Application proposal	25%	46%	25%	4%

- 6.14 The proposal would provide a mix of affordable units and although not strictly in accordance with the evidence in the SHMA, would provide a high proportion of two bedroom affordable homes. This is particularly important as Government Welfare reform, introduced since the production of the SHMA, has seen a significant increase in the demand for two bedroom accommodation for rent with a reduction in demand for larger rented family homes due to the changes in eligibility for Housing Benefit.
- 6.15 The highest demand for shared ownership properties is also for two bedroom houses, therefore the affordable housing mix may be more suitably delivered with a higher proportion of two bedroom properties and a lower number of three bedroom properties than indicated in the SHMA guidance. The proposed mix reflects the significant demand for two bedroom units and with a subsequent reduction in the number of one

and three bedroom homes. As such, I consider that the mix is acceptable.

- 6.16 The affordable units would be evenly distributed throughout the development and a Section 106 legal agreement would require the units to be built “tenure blind” in respect of external design and features so they are materially indistinguishable from the general market housing. A commuted sum towards the part unit would also be secured under the legal agreement. Subject to the completion of a S106 to secure the affordable housing provision, I consider that the scheme is acceptable in this respect and complies with the above policy.

**Landscape impact**

- 6.17 The text accompanying policy CSEN1 of the SOCS explains that there will be some further development on the edge of our settlements and that we will take account of and seek to reduce the impact of development on the environment. Policy C4 of the SOLP advises that development that would damage the attractive landscape setting of settlements will not be permitted.
- 6.18 Although no Landscape and Visual Impact Assessment has been submitted with the application I am satisfied that the development would not have a significant impact on the visual and historic character of Chinnor. We assessed the site in 2014 as part of a Landscape Capacity Study, to inform the future allocations for the village. This study concluded that the overall landscape sensitivity of the site is medium / low.
- 6.19 The site layout would allow for the retention of all existing trees on site, including the prominent Horse Chestnut trees to the north of the site. The northern tree group creates a good boundary to the village and in landscape terms, it is important that these are retained. The layout allows for some additional substantive tree planting to break up the built form of the development.
- 6.20 The hedgerows to the north, east and west of the site would be retained to maintain the existing level of enclosure of the site. It is not possible to retain the hedgerow to the south of the site due to the realignment of Mill Lane. It is however proposed to mitigate against the loss of this landscape feature through a comprehensive landscaping scheme.
- 6.21 The development would clearly result in a very different situation to the existing and this would be the case with any extension to a settlement, where the base line is an agricultural field. The advantage of this site is that it relates well to the existing form of Chinnor, with existing built development to the south and east. It does not fall within a Green Belt or an AONB and is 1.3km from the Chilterns AONB escarpment, separated by the built form of Chinnor.
- 6.22 In landscape terms the site represents an acceptable location to extend the village. This is reflected in the fact that we have shortlisted this site for development and that it is a preferred site for the Neighbourhood Planning Steering Group. Subject to a condition to secure a robust landscaping scheme, I am satisfied that the development would have an acceptable impact on the landscape setting of the village, in accordance with the above policies.

**Design and layout**

- 6.23 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 SOCS (particularly CSQ3) and the SOLP policies (particularly D1-D4) echo these requirements.

- 6.24 The Applicants have worked with us to improve the design quality of the scheme and have submitted a number of amendments that take into account the advice we provided. The most notable change is the reduction in the number of homes within the central part of the site. The reduction of 10 homes has created a looser development whilst still promoting active frontages. This amendment has also allowed for the public open space to be better integrated into the site.
- 6.25 The original scheme proposed 20 parking spaces in the open space area at the intersection of Mill Lane and Thame Road. Our urban design officer raised concern that the provision of a car park in this prominent position would significantly reduce the design quality of the scheme. The amended plans have reduced the number of spaces to six and I consider that this provides a good balance between helping to ease the parking issues on Thame Road whilst creating an attractive and high quality built environment, which would complement the surrounding area.
- 6.26 The design retains a higher density on Mill Lane to form a strong frontage to the site entrance. The majority of the two and a half storey houses are proposed on the primary frontage to Mill Lane, with the remainder at the end of key views and overlooking the public open space areas. The overall density of the development is 39 dwellings per hectare (excluding public open space and infrastructure). The density is in keeping with the character of the area and accords with policy CSH2 of the SOCS.
- 6.27 The layout allows for suitable sized gardens and minimises the use of rear parking courtyards. In my opinion the balance of landscaping against the level of parking is appropriate and I consider that the development would create a strong sense of place that responds well to local character. As such, the development accords with the above design policies.

#### **Public Open Space**

- 6.28 Policy R6 of the SOLP requires that 10 per cent of the gross site area be provided as informal open space for the users of the development. An area of 0.38 hectares of usable public open space would be provided within the site and a further 0.2 hectares of community space in the form of the triangle of land on the corner of Thame Road and Mill Lane. This amounts to 14.9 per cent of the site as public open space, excluding the community land. The proposal therefore complies with this policy in terms of the percentage of space to be provided.
- 6.29 With regards to the quality of the open space, the majority of the open space would be in the form of a central green, which would provide a focal point for the development. The layout would provide a usable network of connected green spaces with a link between the central green and the space around the protected trees in the northern corner of the site.
- 6.30 The open space in the eastern corner of the site would not be as user friendly given its position at the junction and the inclusion of parking spaces. This space has a different purpose in that it would soften the corner of the development and alleviate parking issues on Mill Lane. This space is in addition to the central green and as such, I consider the overall provision of open space within the site to be acceptable. The long term management of the open space would be secured through a S106 legal agreement.

#### **Highway safety, convenience and traffic**

- 6.31 Policies D1, D2, T1 and T2 of the SOLP also require an appropriate parking layout and that there would be no adverse impact on highway safety. With respect to highway safety matters, the advice in the NPPF is that *Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.*
- 6.32 The realignment of Mill Lane seeks to improve traffic flow through the village and improve visibility at the crossroads that intersect at Mill Lane, Thame Road, Lower Road and Station Road. The access to the residential development and the parking spaces to serve the shops opposite would be off the realigned Mill Lane. The County highways officer considers that the removal of the crossroads configuration at the junction of Mill Lane and Thame Road will be beneficial in addressing existing congestion and road safety issues, and should improve road safety for motorists and pedestrians.
- 6.33 The application also proposes highway works that are outside of the red line site boundary and this includes the downgrading of Mill Lane, including stopping up the existing junction onto Thame Road / Station Road with an area of planting. A zebra crossing would be provided to allow safe pedestrian access to the shops on Thame Road. A turning head would also be provided opposite No.1 Mill Lane to assist traffic movement in this area and No 5 and No 7 Mill Lane would require slightly altered driveway access. These off site highway works can be secured through an appropriately worded planning condition and would require a separate Section 278 Agreement with Oxfordshire County Council.
- 6.34 The car park in the southern corner of the site would provide six parking spaces for visitors to the shops on Thame Road. On street parking in this area can cause traffic congestion and difficulties for road users. The aim of the car park is to alleviate these issues by improving traffic movement in this area. The County highways officer would prefer to see a greater number of parking spaces provided. Whilst a higher number of spaces could be provided, this needs to be balanced against securing a high quality design and layout that contributes to the character of the area.
- 6.35 The car parking for the new homes would be provided through a mix of garages and parking spaces to the front and sides of the dwellings. Designated visitor spaces are also provided within the development. The level of parking proposed would be adequate to serve the future residents and there is also sufficient capacity for the local highway network to accommodate the traffic movements associated with the development.
- 6.36 Policy CSM1 of the SOCS seeks to mitigate the impact of development on existing transport networks and promotes the use of sustainable transport. The site is located within a sustainable location, close to public transport routes and within walking distance of existing services and facilities within Chinnor. Appropriate cycle parking facilities could be secured by condition, as could a Green Travel Plan.
- 6.37 The County Council have requested a number of contributions towards site specific transport infrastructure. This includes a contribution of £62,967.86 towards the procurement costs of improved bus services in Chinnor, £1000 towards establishing a replacement bus stop on Mill Lane and £1,240 to enable the travel plan to be monitored. These can be secured through the S106 legal agreement.
- 6.38 Subject to the completion of a legal agreement and the use of planning conditions, I consider that the development would have an acceptable impact on highways safety. I have recommended conditions relating to the offsite highway works, visibility, achieving

appropriate access and parking arrangements, cycle parking, travel plans and construction traffic. With the imposition of these conditions, I consider that the development would be acceptable in highway terms and complies with the above policies.

**Impact on neighbours**

- 6.39 Policy D4 of the SOLP requires new development to secure an appropriate level of privacy for existing residents. The closest neighbour to the site is Littlewick House, which has a long garden running to the west of the site. The plots positioned closest to this neighbour (plots 1, 15 and 16) face sideways on to Littlewick House and a condition would ensure that any first floor side bathroom windows are obscure glazed to ensure that there would be no adverse overlooking of this neighbour. With regards to outlook and light, I consider that the layout proposed would not result in any material harm to the amenities of this neighbouring property.
- 6.40 All other neighbours are positioned across the road from the application site on either Mill Lane or Thame Road. Given the separation involved, the proposed dwellings would not result in any harm to these neighbours in terms of light, outlook or privacy. The impact on a view is not a matter that can be taken into account in the planning process. As such, I consider that the development would have an acceptable impact on neighbouring properties, in accordance with the above policy.

**Amenity of future occupiers**

- 6.41 Policy D3 of the SOLP requires all new homes to benefit from either a private garden, outdoor amenity space or a shared amenity area. The layout achieves an appropriate level of amenity space for all of the plots, including shared amenity space for the one bed flats on plots 10-13 and the maisonettes on plots 17-18. All plots would have allocated parking to ensure that future residents have sufficient space to park.
- 6.42 The relationship between the proposed dwellings would ensure that there would be no adverse overlooking between plots. The layout would also achieve a suitable level of outlook for the future occupiers and none of the plots would be subject to an adverse loss of light. As such, I consider that future occupiers of the site would have suitable living conditions, in accordance with the above policy.

**Drainage**

- 6.43 Policy EP4 of the SOLP advised that proposals which increase the requirement for water will not be permitted unless adequate water resources already exist or can be provided. Thames Water have commented that the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development.
- 6.44 To ensure that the water supply infrastructure can cope with the additional demand, Thames Water have recommended the following condition: *Development shall not commence until, impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.*

- 6.45 Thames Water has also identified an inability of the existing waste water infrastructure to accommodate the needs of the development. To ensure that there is sufficient capacity to cope with the new development and in order to avoid any adverse impact on the community, Thames Water have recommended the following condition:  
*Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.*
- 6.46 The documents submitted with the application state that off-site improvement works are proposed to be delivered and supported by the Applicant to upgrade the existing Thames Water foul sewerage system to improve capacity to support the residential development of the site. Subject to the above conditions to secure the required works, I consider that the impact on the water supply infrastructure and waste water infrastructure would be acceptable and would accord with the above policy.
- 6.47 In order to assist the drainage of the proposed development, a swale is proposed to feed into an infiltration basin to the north of the site. The use of permeable paving and deep bore soakaways are also proposed to aid drainage. Thames Water have raised no concerns relating to the proposed surface water drainage strategy. As such, I consider that the surface water proposals are acceptable and accord with policy EP6 of the SOLP, which seeks to ensure that surface water management systems accord with sustainable drainage principles.

**Trees**

- 6.48 Policy C9 of the SOLP seeks to retain landscape features that make an important contribution to the local scene. The Horse Chestnut trees in the in the northeast corner of the site are the most prominent landscape features, as reflected in their status as protected trees. The application proposals have taken account of these trees and would allow for their long term retention.
- 6.49 The amended plans have improved the relationship of plot 15 with the prominent tree in the neighbour's garden at Littlewick House. As such, there would be less pressure to prune this tree. Subject to a condition requiring tree protection measures, I consider that the development would have an acceptable impact on the trees on site, in accordance with the above policy.

**Protected species and biodiversity**

- 6.50 Policies CBS1 of the SOCS and Policies C6 and C8 of the SOLP seek to avoid a loss of biodiversity and take account of any protected species. Where opportunities arise, these policies seek to secure a biodiversity gain for all types of habitat. There are no ecological designations on the land and there are no records of protected species on the site.
- 6.51 The habitats present on site are common and widespread and would not present a constraint to the proposed development. The main features of importance on site are the surrounding hedgerows and the associated trees. The hedgerows provide linear habitat linkages which benefit a variety of species by providing feeding resources and places of shelter and breeding habitats.

- 6.52 I have considered the impact of the amended scheme on the habitats on the site and have taken account of the mitigation measures that could improve the sites ecological value. The layout of the amended scheme allows adequate space for the existing landscape features on the site to be retained and protected and I am satisfied that the proposals would not result in a net loss for biodiversity in the longer term. As such, the development accords with the relevant policies.

**Heritage assets**

- 6.53 Policy CSEN3 of the SOCS seeks to conserve and enhance the district's heritage assets, both above and below ground. In relation to below ground heritage assets, the Applicant undertook trial trenching at the site in 2014 and this concluded that there were no significant archaeological finds on site.
- 6.54 Policy CON5 of the SOLP advises that development that would adversely affect the setting of a listed building will be refused. The closest listed buildings to the site are Fourways on Station Road and Luctons at 4 Lower Road. Both are Grade II listed and are positioned close to the existing junction, some 30m from the site. The existing rural character of the site does make a positive contribution to the setting of these listed buildings but I do not consider that the development would cause any significant harm to the setting of these heritage assets.
- 6.55 Policy CON7 of the SOLP states that development outside of a conservation area which would have a harmful effect on the conservation area will not be permitted. Chinnor Conservation Area is over 200m from the application site and the impact on the conservation area would be minimal. On the basis of the above assessment, I consider that the development would have an acceptable impact on heritage assets, both above and below ground, in accordance with the relevant policies.

**Contaminated land**

- 6.56 Policy EP6 of the SOLP sets out the council's approach to development on contaminated land. The application was accompanied by a Ground Investigation Report and Desk Study. Based on the information in these reports I consider that the site is suitable for the proposed residential development, in accordance with the above policy.

**Air quality**

- 6.57 Policy EP1 of the SOLP seeks to secure mitigation measures to ensure that developments do not have an adverse effect on the health and amenity of future occupiers. Based on the size of the proposed development basic good practice design should be applied to this site in order to help mitigate against the air quality impacts and the potential cumulative effects of piecemeal developments and to enable future proofing of the development.
- 6.58 I have recommended a condition requiring air quality mitigation measures to be agreed to ensure satisfactory standards of air quality for the residents of the development and surrounding properties. Mitigation measures can include measures such as electric vehicle charging points and sustainable travel packs for residents. Subject to the imposition of this condition I consider that the development would comply with the above policy.

**Infrastructure and S106 contributions / obligations**

- 6.59 Policy CSI1 relates specifically to infrastructure provision and states that 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.

- 6.60 The council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, the development would be CIL liable at a rate of £150 per sq.m. The money collected from the development can be pooled with contributions from other development sites to fund a wide range of infrastructure to support growth, including schools, transport, community, leisure and health facilities.
- 6.61 The CIL Regulation 123 list distinguishes the infrastructure to be funded through CIL from that which should be secured through S106. A scaled back S106 would still be required to secure affordable housing and contributions towards on-site infrastructure, including street naming and bin provision. Contributions towards site specific highways matters and the long term maintenance of the public open space / sustainable drainage systems would also be secured through the provisions a S106. Subject to the completion of a S106 legal agreement I consider that development would comply with the above policy.

**7.0 PLANNING BALANCE AND CONCLUSION**

- 7.1 The application proposal would conflict with policy CSR1 of the SOCS, which sets out the criteria for housing within larger villages. The site is not an infill site and is not a site that is allocated for housing in an adopted / made plan. I consider that the weight to be given to this conflict is necessarily limited by the recent appeal decisions, which concluded that we are currently unable to demonstrate a five-year supply of deliverable housing sites.
- 7.2 Policy CSC1 of the SOCS sets out contingency measures that should be taken when development sites have not progressed in a timely manner. The policy states that under these circumstances, we will consider *bringing forward sites anticipated to come on stream later in the plan process*.
- 7.3 In this case, the application site is identified for growth in both the emerging Local Plan and Neighbourhood Plan and the proposed development is therefore consistent with the direction of travel that both of these policy documents are taking. It is highly likely that this site will be allocated for housing later in the development plan period. This is an important consideration and weighs significantly in favour of the development.
- 7.4 The Inspectors who considered the most recent appeals recognised the strength of our housing distribution strategy, which focuses development to the more sustainable towns and larger villages. The application scheme would broadly conform to the overall strategy in the SOCS and its ambitions for larger villages, as articulated by policy CSS1.
- 7.5 The NPPF does not suggest that populations of settlements should be limited in some way or not be expanded by any particular figure. It expects housing to be boosted significantly, with a presumption in favour of sustainable development. Para. 7 of the NPPF sets out the three dimensions to sustainable development: social, economic and environmental.
- 7.6 The proposal would positively support the delivery of housing, including affordable housing. There is a considerable need for market and affordable homes within our District. The social benefits of providing much needed housing is a material consideration of significant weight.
- 7.7 The realignment of Mill Lane would be an improvement on the existing situation as it would improve visibility from Mill Lane onto Thame Road. The realignment of Mill Lane

would downgrade the crossroad to a T-junction, thereby creating a safer environment for road users. The associated traffic management measures would also have a beneficial impact on the highway network. This represents a further benefit of the development.

- 7.8 With regards to the economic dimension of sustainability, the Government has made clear its views that house building plays an important role in promoting economic growth. In economic terms, the proposal would provide construction jobs and some local investment during construction, as well as longer term expenditure in the local economy. I consider that moderate weight should be afforded to these benefits.
- 7.9 In environmental terms, the proposal would cause harm to the rural character of the site and surrounding area. Extending the built up area of the village would have an impact on the landscape setting of Chinnor. Although these impacts weigh against the scheme, I have considered the overall impact on the landscape setting of the village to be acceptable and I consider that the development would represent an appropriate design.
- 7.10 The development would result in the loss of agricultural land. However, some loss will be inevitable in order to secure the delivery of the levels of housing required. In addition, given the very substantial area of our District that is covered by protected landscapes or Green Belt, the opportunity to provide new homes on a suitable site that is unaffected by these designations weighs in favour of the proposal.
- 7.11 Taking into account the benefits of the development and weighing these against the limited harm, I consider that the proposal represents a sustainable development, consistent with Para.14 of the NPPF and Policy CS1 of the SOCS. The proposal would contribute towards the objective to significantly boost the supply of housing, consistent with Para.47 of the NPPF.
- 7.12 In conclusion, placing all of the relevant material considerations in the balance, I consider that the limited adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal. When considered against the development plan as a whole, the proposal would represent a sustainable form of development.

**8.0 RECOMMENDATION**

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

**i) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and obligations stated above; and**

**ii) The following conditions:**

- 1. Commencement three years - full planning permission.**
- 2. Approved plans.**
- 3. Sample materials to be agreed.**
- 4. Slab and ridge levels to be agreed.**
- 5. Compliance with mitigation measures in biodiversity enhancement plan.**
- 6. Construction hours restriction.**
- 7. Appropriate provision for the control of noise and dust to be agreed.**
- 8. Details of external lighting to be agreed.**
- 9. Air quality mitigation to be agreed.**
- 10. Surface water drainage to be agreed.**
- 11. Foul drainage to be agreed.**

12. Drainage strategy for any on and off site works to be agreed (in consultation with Thames Water).
13. Impact studies of the existing water supply to be agreed (in consultation with Thames Water).
14. Remediation scheme to be agreed if contamination is found.
15. Landscaping scheme to be agreed.
16. Landscape management scheme to be agreed.
17. Tree protection to be agreed.
18. Green travel plans to be agreed.
19. Visibility splays to be agreed and retained.
20. Off site highway works to be agreed and a timetable for their implementation to include, but not limited to:
  - details of measures to permanently prevent vehicular access onto Thame Road at existing access point;
  - details of measures for treatment of area to front of 5 and 7 Mill Lane;
  - traffic management measures; and
  - new vehicular access onto Thame Road and Mill Lane.
21. Estate accesses, driveways, parking and turning areas to be provided.
22. Construction traffic management plan to be agreed.
23. Cycle parking to be agreed.
24. No surface water drainage onto highway.
25. First floor bathroom windows in side elevations to be obscure glazed.
26. Provision of fire hydrants to be agreed.
27. Refuse and recycling storage to be agreed.
28. Details of boundary walls and fences to be agreed.
29. Development to achieve Secure by Design Part 2.

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