

APPLICATION NO.	P15/S3387/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	12.10.2015
PARISH	CROWMARSH GIFFORD
WARD MEMBER(S)	Felix Bloomfield Richard Pullen
APPLICANT	CABI and CALA Management Limited
SITE	CABI International, Nosworthy Way, Mongewell, OX10 8DE
PROPOSAL	Demolition of existing buildings and creation of a new headquarters for CABI, erection of 91 dwellinghouses, comprising open market and affordable housing, provision of open space, landscaping and parking and other associated works. The residential part of the proposal is made in full while the CABI headquarters part is made in outline form with all matters reserved for future consideration except access.
AMENDMENTS	<ul style="list-style-type: none"> • Air Quality Assessment February 2016 • Drawing no. 2808/P/05 Rev F, proposed site layout • Planning Statement Addendum February 2016 • 2808/P/42 Rev E, extant permission overlay
GRID REFERENCE	461192/188266
OFFICER	Emily Hamerton/Mella McMahon

1.0 INTRODUCTION

1.1 This planning application is referred to planning committee as the views of Crowmarsh Parish Council differ from the Officers recommendation.

1.2 The site as a whole comprises an area of approximately 14 ha and is located to the north of the A4130 Wallingford Bypass and east of the River Thames. The planning application site is 7.26 ha and is shown on the OS extract plan **attached** at Appendix 1. It lies in a rural location within the Chilterns Area of Outstanding Natural Beauty (AONB). Grims Ditch runs through this site, this is a large scale earthwork running from Wallingford to Henley probably constructed in the late Iron Age. The section of Grims Ditch to approximately 500m east of the application site is a Scheduled Ancient Monument.

1.3 The site currently comprises offices buildings which are a combination of 2, 3 and 4 storey buildings grouped together in a complex to the south west of the site. These buildings were originally built in the 1960's for Carmel College which was a boarding school. The Centre for Agriculture and Biosciences International (CABI) converted these in the 1980's to offices. To the north of the site along the application boundary are tennis courts and to the east is open grassland. The site sits at a lower level to the road, this combined with the established vegetation along the southern boundary screen most of the buildings from the road. There are glimpsed and partial views of the existing buildings from a bridleway (which links to the Ridgeway National Trail) to the immediate west of the site.

There are open views of the northern boundary vegetation from the footpaths and

bridleways to the north of the site. The existing buildings within the site are generally screened from these views, with only occasional glimpses seen through the vegetation.

- 1.4 CABI is an international not-for-profit organisation that aims to improve people's lives worldwide by providing information and applying scientific expertise to solve problems in agriculture and the environment.

2.0 **PROPOSAL**

- 2.1 This is a hybrid application for a residential development and new office building. It is divided as:

Full planning application:

- 91 new houses
- provision of open space
- landscaping
- parking and other associated works

Outline application:

- Office building
- Access

(all matters apart from access reserved for future consideration).

- 2.2 **Attached** at Appendix 2 is a schedule of the plans and supporting documents accompanying the application and a copy of the layout plan. The proposal is to locate the housing to the west of the proposed access road, on the site of the existing office buildings and disused tennis courts. The proposed office building would be to the east of the access road located on an undeveloped area that currently comprises disused sports pitches and grassland. All other plans and information submitted with the application can be viewed online at www.southoxon.gov.uk.

2.3 **Environmental Impact Assessment**

The applicants submitted a Screening Opinion under the Town and County Planning (Environmental Impact Assessment) Regulations 2011 as amended. The development was not considered to lead to significant environmental harm and it was concluded that matters could be address through the planning process.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Crowmarsh Parish Council: object

- Refuse, major residential development in an isolated countryside location.
- Unsustainable, against core strategy policy CSS1 and SOLP G1 to G4 and H6
- Development will not enhance or conserve the AONB
- Expansion of built footprint, destroying biodiverse green areas and urbanising a rural area including the popular bridleway along the boundary site.
- Extra traffic on Nosworthy Way which is a very fast road
- As the HQ is outline, the site could become a housing development without the proposed HQ complex being completed.
- Not the best location for a sustainable office development, only because CABI already occupies the site.

Cholsey Parish Council

Refuse permission: housing development is unsustainable in this location – only being considered because of desire to keep CABI in the area.
Site access is inadequate and not compatible with safe traffic strategy.

Wallingford Town Council

Consider the application should be refused. If approved, request conditions relating to community space, footpath, traffic and highway improvements.

Neighbour Representations –Letters from 10 objectors received. The main objections are summarised below.

- Unacceptable development in the AONB. Even with mitigation in place, applicant's assessment identifies adverse impacts on the AONB
- Harmful impact on views from the Ridgeway
- Not in accordance with development plan or national planning policy, insufficient material considerations to outweigh the development plan
- The applicant's viability study should be available for public comment, clear public interest as NPPF provides that major development in the AONB will only be permitted in exceptional circumstances
- There are alternative available sites outside the AONB
- Will result in a decrease in employment land on the site
- Does not provide for 40% affordable housing
- The transport assessment provides no data for modes of travel to access services or amenities. Poor access for pedestrian, cycle and public transport to facilities
- Very different to the extant scheme, no care home, retirement or key worker housing
- The limited benefits are significantly and demonstrably outweighed by the adverse impacts
- Dangerous access onto the busy Nosworthy Way
- Could set a precedent for other businesses to make a similar case
- Adverse impact on ecology
- Drainage concerns, Private pumped sewage system will not be able to cope with additional development.
- Design does not reflect local character
- Too many 4 bed house, Core Strategy identifies a need for 2 bed units
- Essential that the office development is before the housing
- Moving the bus stop would make Carmel College more unsustainable
- Significant harm to the setting of St Mary's Church
- There should be no lighting as there are currently no lights in Mongewell

4 responses raising concerns and queries

- Measures needed to manage traffic congestion, improve highway safety and bus access
- Concerns about possible increases of trespass for local farms
- Query re suitability of site for a joint commercial and residential use
- Concerns about impacts of lighting
- Query whether 91 housing units is necessary for CABI's future, do not have business plan.
- The proposed development will be considerably greater than the existing buildings, concerns about development on greenfield.
- Concern re northern boundary retained vegetation within private gardens.
- Query re the steps SODC will take to avoid setting a precedent in the AONB.
- The short spur road intended for access to a sewage pumping station should not provide vehicular access to the bridleway

- Need to ensure CABI HQ is built, with full planning permission for all elements and a legally binding timetable for construction.
- The existing buildings will need to be demolished for the housing to be built, requiring CABI to move elsewhere, loss of jobs if CABI do not return.
- The care home (with the new jobs it would have supported) has entirely disappeared. Reduction of affordable units to 10%.
- Concerned about the absence of a published Viability Study
- If the application does not accord with local and national policies, including the protection of the AONB, it should either be rejected or modified.

Oxfordshire County Council

Broadly support development in this location subject to details.

OCC Transport: December 2015

Holding objection due to layout amendments required. Issues identified:

Improvements to bus services required

New cycle/footway link required from the site entrance along Nosworthy Way, to join existing path

Require pedestrian crossing facilities to south side of Nosworthy Way for bus passengers

Noted site accessibility for local facilities is not good.

Travel plan

March 2016:

Following the submission of an amended site plan, no objection subject to conditions and the S106 agreement providing £91,000 for strategic bus services, £20,000 for bus shelters and £6,200 for residential travel plan monitoring and £6,200 for office.

S278 agreement required for:

- Bus stops and improved pedestrian crossings, cycle safety on Nosworthy Way.
- Shared foot/cycleway linking the Thames footpath to the west of the site along Nosworthy Way.
- Improved surface for bridleway to the west of the site

OCC Archaeology: No objection subject to conditions- programme of archaeological mitigation prior to development, conditions for approval of scheme of investigation and programme to produce an archive and publishable report.

OCC Education: No objection – Support subject to s106 contributions for primary (£1,009,932) and secondary (£633,586) education and a condition that planning permission is dependent on a satisfactory agreement to secure resources necessary to increase education provision.

OCC Property: No objection subject to conditions

SODC Landscape Officer:

Does not support this proposal in landscape terms as it does not protect and enhance the AONB and therefore conflicts with policy CSEN 1 Landscape.

Considers that the impact of the proposed building form on the existing landscape has not been properly assessed:

- The LVIA identifies Major to Moderate adverse impact on the local AONB landscape but concludes the impact is Moderate adverse as this a previously developed site and the extant permission on the site. Disagree with this approach as only the southwest corner of the site is currently developed and the

rest is open. The extant permission is not relevant to the judgement of landscape impact of this proposal.

- A similar balancing act is used in the assessment of the visual impact that results in it reducing from Minor adverse to Negligible.
- Concerns that the assessment was carried out in summer, winter impacts will be considerably higher.

SODC Landscape Adviser

Following the provision of additional landscape information to response to Landscape Officer comments:

- The application is considered acceptable in landscape terms, subject to conditions providing for landscaping, arboricultural method statement, lighting, landscape and ecological management strategy.
- The retention and enhancement of the boundary vegetation is essential to maintaining the enclosure of the site and consequently the baseline character currently experienced within the AONB landscape surrounding the site. Details of the additional buffer planting should come forward in a landscape condition.

Historic England:

Further work is needed to determine the impact that the proposals would have on the significance of the grade II* listed church to meet the requirements of paragraph 129 of the NPPF. If this analysis indicates that the proposed development would be visible from the Churchyard or the immediate approach to the church would recommend that its impact is minimised by improved landscaping.

SODC Conservation Officer

No objections. Where appropriate, archaeological, landscape and material conditions should be applied to preserve the existing character of the site boundaries and ensure a high quality development is brought forward.

SODC Housing Officer

Affordable housing provision of 20% wholly comprising shared ownership does not meet the requirements of policy CSH3 for 40% affordable housing comprising 75% affordable rent and 25% shared ownership.

Environment Agency: No objection subject to conditions

Thames Water: Inadequate information to determine the waste water infrastructure requirements. Request a Grampian condition requiring a drainage strategy detailing any on and/or off site drainage works.

SODC Drainage: Foul drainage: Suggest that Thames Water be asked to comment further as there is a sewer impact study for this location.

Surface water, condition requirement for sustainable drainage. Details of future maintenance and management of SuDs should be submitted.

SODC Contaminated Land: Unable to comment as a contaminated land preliminary risk assessment has not been submitted

SODC Air Quality: Following the submission of additional information relating to air quality impact assessment, No objection subject to air mitigation measures

SODC Countryside Officer: No objection on ecology grounds subject to condition

SODC Forestry Officer: The access in the north west of the site has the potential to

damage trees. Most other issues could be dealt with by condition but may need further information or detail at this stage given the location of the site within the AONB.

SODC Equalities Officer: Comments re lifetime homes, location of affordable housing and accessibility of grassland area.

Chilterns Conservation Board

Object: The volume and configuration of housing is excessive and would have an unacceptable wider impact on the landscape of the Chilterns AONB. Should reconsider the exceptional circumstances case and give greater weight to the duty of conservation and enhancement of the AONB landscape.

The previous permission was granted as exceptional circumstances under paragraph 116 of the NPPF. Disagree with this approach and request that the current application is assessed against policy tests in paragraphs 115 and 116 of the NPPF. The planning history has been a case study in the National Trust 2015 report, “AONB’s and Development”.

Consider that the enabling argument can only carry limited weight and that the LVIA and planning statement give insufficient weight to AONB issues. The current application results in a greater coverage of residential development than the previous application. In line with Section 85 (1) of the Countryside and Rights of Way Act 1985 and paragraph 115 of the NPPF, the starting point for consideration should be conserving or enhancing the natural beauty of the area.

Development for mostly market housing is not an AONB exceptional case and query whether the CABI development could be located outside the AONB. At the very least the scheme requires revision to its built cover and amendments to reduce its visual impact.

Weight should be given to Policy D1 of the AONB management plan (AONB natural beauty to be conserved and enhanced by encouraging the highest design standards) and Policy CSEN 1 of the Core Strategy i.e. high priority to the conservation and enhancement of the AONB.

There should be a detailed scrutiny and review of the proposed site cover and volumes proposed compared to the 2014 scheme. An independent review of the viability for the financial case. Acknowledge para 14 and footnote 9 means housing in AONB is not supported by the NPPF. If the LPA is persuaded by the enabling case there should be substantial revisions to protect the landscape.

CPRE: Strongly oppose the application. Considerable extension of development in the Chiltern AONB and the Thames corridor. Inappropriate development outside the urban envelope and would damage the rural approach to Wallingford. Increase in traffic and pollution.

Chiltern Society: Refuse. Proposal would not conserve the landscape and scenic beauty of the AONB. Concerns about traffic and infrastructure impacts.

- 4.0 **RELEVANT PLANNING HISTORY**
- 4.1 [P12/S0436](#) - Approved (27/01/2014)

Re-development of CABI Wallingford site. Demolition of existing offices and creation of new offices for use by CABI. Creation of care village (new office building (up to 3,108 sq m) (B1 Use Class), A dedicated 'extra care' retirement development up to 17,165 sq m comprising up to 49 extra care units and care home comprising up to 64 bed spaces (C2 Use Class), Up to 56 retirement units (C3 Use Class), Up to 24 key worker flats (C3 Use Class), a community/ leisure use building up to 375 sq m (D1/D2 Use Class), and open space, footpaths and landscaping) (as amended)

[P86/W0030](#) - Approved (13/03/1986)

Alterations and extensions to building complex to render it suitable for scientific research, review and training.

[P85/W0157](#) - Approved (19/11/1985)

Change of use for the purpose of Scientific Research, Review and Training. Planning permission.

[P65/H0490](#) - Approved (11/10/1965)

Erection of girl's boarding school. Planning permission.

5.0 POLICY & GUIDANCE

5.1 South Oxfordshire Core Strategy Policies

Policy	Summary
CS1	Presumption in favour of sustainable development
CSS1	The overall strategy is to focus major new development at towns and larger villages, allow limited amounts of development at smaller and other villages, outside of towns and villages development should only serve specific needs of the agricultural industry or enhancement of the environment.
CSM1	Seeks to encourage sustainable Transport
CSM2	Transport Assessments and Travel Plans
CSEM1	Supporting a successful economy by providing an environment that encourages sustainable economic growth
CSEM4	Supporting economic development by a range of measures including redevelopment of existing employment sites
CSEM2	The amount and distribution of employment
CSH1	Amount and distribution of housing
CSH2	Density: Minimum density of 25 dwellings/ha unless adverse impact on area
CSH3	Affordable housing: 40% affordable sought on all sites where net gain of more than 3 dwellings, subject to viability.
CSH4	Meeting housing needs: Dwelling mix to be sought on all developments to meet needs of current and future households.
CSWAL1?	The strategy for Wallingford?
CSR1	Housing in villages, Crowmarsh Gifford is a larger village
CSEN1	Landscape, The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced. (i) Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area. (ii) High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and planning decisions will have regard to their setting. Proposals which support the

	economies and social wellbeing of the AONBs and their communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.
CSEN3	Historic Environment, designated historic heritage assets will be conserved and enhanced for their historic significance
CSQ2	Sustainable design and construction
CSQ3	Design: all proposals should be accompanied by a design and access statement to show how they have responded to criteria set out in policy
CSG1	Green infrastructure: A net gain in green infrastructure including biodiversity will be sought through development proposals and a net loss will be avoided
CSB1	Conservation and improvement of biodiversity: avoid net loss in biodiversity Infrastructure provision: development must be served by appropriate on/off site infrastructure/services, permission only granted when provision and/or mitigation of the development impact has been put in place or will be provided as agreed
CSI1	Infrastructure provision
CSC1	Delivery and contingency: if sites not developed in accordance with timescales contingency measures will apply

South Oxfordshire Local Plan 2011 Saved Policies

CON 12, 13 and 14 Archaeology EP1 Protection from polluting emissions EP2 Noise EP3 Lighting EP6 Surface water EP8 Contaminated Land D1 Good design D2 Vehicle and cycle parking

Policy	Summary
G2	The district's countryside, settlements and environmental resources will be protected from adverse developments
G4	Protecting the countryside
C4?	Landscape setting of settlements
CON5	Setting of Listed buildings
CON11	Protection of archaeological remains
CON12	Archaeological field evaluation
CON13	Archaeological investigation recording & publication
C6	Maintain & enhance biodiversity
C8	Adverse effect on protected species
C9	Loss of landscape features
D1	Principles of good design
D10	Waste Management
D12	Public art
D2	Safe and secure parking for vehicles and cycles
D3	Outdoor amenity area
D4	Reasonable level of privacy for occupiers
D5	Compatible mix of uses
D6	Community safety
D7	Access for all
E9	Extensions to existing institutions
EP3	Adverse effect by external lighting
EP4	Impact on water resources
EP6	Sustainable drainage
EP7	Impact on ground water resources

EP8	Contaminated land
G2	Protect district from adverse development
G3	Development well served by facilities and transport
G4	Protection of Countryside
H9	Provision of affordable housing
R6	Public open space in new residential development
R8	Protection of existing public right of way
T1	Safe, convenient and adequate highway network for all users
T2	Unloading, turning and parking for all highway users
T3	Transport assessment
T7	Protection and improvement to footpath and highway network

South Oxfordshire Design Guide 2008

Emerging South Oxfordshire Local Plan 2031

National Planning Policy Framework

National Planning Policy Guidance

Other Relevant Legislation

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- Human Rights Act 1998
- Equality Act 2010
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- Section 85 of the Countryside and Rights of Way Act 2000
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)
- Environmental Impact Regulations, as amended 2015

Human Rights Act

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

Equalities

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

Environmental Impact

This proposal is within a ‘sensitive area’ (the AONB) as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended. As required by the above Regulations officers have undertaken a screening opinion. Taking into account government guidance on thresholds in paragraph 58 of the NPPG and having considered the potential for significant effects of the proposal in accordance with Schedule 3 of the Regulations, it has been decided that in this case this proposal is not EIA development. A screening opinion has been issued and placed on the public register.

- 6.1 Planning permission was granted in January 2014 for the redevelopment of this site which included the demolition of the existing offices and the construction of new offices and a care village. The care village included a dedicated extra care retirement development up to 17,165sqm with up to 49 extra care units and a care home, 56 retirement units, 24 key worker flats and a community and leisure building, open space, footpaths and landscaping.
- 6.2 This site is not allocated in the development plan for employment or housing development. CABI are a not-for-profit organisation and require new office buildings as the existing buildings are outdated, of poor construction and beyond their useful economic life. The supporting Planning Statement submitted with the current application explains that the buildings detract from the organisation's global reputation and make no visual contribution to the locality. Therefore, there is a longstanding requirement within the organisation to replace them with a modern fit for purpose new headquarters building, which addresses the organisation's current and future requirements.
- 6.3 CABI does not have the financial resources to build a new headquarters building nor could it justify using such funds which should be used to address poverty and improve global food security. CABI's member countries require that CABI retain freehold properties in the UK in order not to become vulnerable to future rises in the UK rental cost and to maintain a level of fixed assets in its balance sheet.
- 6.4 The report to Planning Committee dated 17 October 2012 which considered the original scheme identified that it was necessary to demonstrate exceptional circumstances for allowing major development in the AONB. The report, in summary, concluded:
- CABI is a key local business that contributes to South Oxfordshire's and Wallingford's reputation as an area specialising in environmental sciences
 - CABI are important in a national and international context in maintaining this country's position at the forefront of environmental research
 - CABI is a key local employer, with nearly 50% of these living in the district.
 - The current buildings are not fit for use and the costs rule out re-locating elsewhere in the district
 - There would be a significant adverse impact on the local economy if CABI were to relocate from South Oxfordshire District
 - The council wants to ensure that CABI flourishes and continues to operate from South Oxfordshire, these factors weigh heavily in the balance in support of allowing this proposal

It was considered that these factors weighed heavily in the balance in support of the proposal. Planning Committee resolved to approve this application and following the completion and agreement of the S106 agreement planning permission was issued in January 2014.

- 6.5 However, according to the Planning Statement Addendum submitted with this current application there was no firm interest from the retirement village market. Following targeted marketing there was only serious interest from one group, who then withdrew their interest. New interest came forward by a different group however they fell away as they were unable to raise the capital for the scheme. At this stage the marketing strategy was reviewed and a further attempt to raise interest was made, whilst this managed to raise 8 further expressions of interest none materialised into formal offers. Further marketing was carried out this time through the Estates Gazette on 26 November 2013 and an email campaign and an online banner on the Estates Gazette website which ran for one month in order to maximise the marketing exposure. Again, no formal offers were made on the basis of this.

6.6 During this time unsolicited approaches regarding this site had been made by a number of housebuilders, three of whom made offers. Following a competitive selection process CABI selected Cala homes to be their development partner.

7.0 PLANNING CONSIDERATIONS

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

- Principle of the development
- Area of Outstanding Natural Beauty
- Landscape and Visual Impact Assessment
- Impact on trees and hedges
- Enabling development
- Economic impact
- Traffic, highways and accessibility
- Affordable housing and housing mix
- Design
- Impact on heritage assets
- Neighbour impact
- Ecology
- Green infrastructure and play provision
- Contaminated land
- Air quality
- Drainage and flood risk management
- Infrastructure
- Additional S106 requirements

7.1 Principle of the development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In the case of South Oxfordshire, the most relevant parts of the Development Plan are the Core Strategy which was adopted in December 2012 and the saved policies of the South Oxfordshire Local Plan 2011. Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.

7.2 *Current Policy Position*

This site is not allocated within the development plan for housing or employment development. Policy CSS1 of the adopted Core Strategy sets out an overall strategy for the District, which seeks, among other things, to support and enhance the larger villages as local service centres, while focusing major development at Didcot and the market towns. Similarly, Local plan Policies G2 and G4 seek to protect the countryside from adverse developments. Although Crowmarsh Gifford is identified as a larger village the site is clearly outside the village and in a location where Policy CSS1 only allows development for very specific needs such as agriculture or the enhancement of the environment. Therefore the proposal is not considered to accord with these policies.

7.3 Policy CSR1 of the adopted Core Strategy identifies where housing will be permitted and allows for infill within the larger villages. The policy goes on to state that all

development should conserve and enhance the natural beauty of the Areas of Outstanding Natural Beauty. Suitable designed and located development at an appropriate scale that facilitates the economic and social well-being of such areas, especially the larger villages in the Areas of Outstanding Natural Beauty will be supported. Again due to its location outside the village the proposal does not accord with this policy.

- 7.4 Other policies relevant to the principle of development include Core Strategy Policy CSEN1 which seeks to protect the district's landscape with high priority given to the AONB landscape and Local Plan Policy C4 seeks to protect the landscape setting of settlements.
- 7.5 *Housing Land Supply*
The applicant's supporting Planning Statement considers that the council does not have a five year supply of housing, referring to recent housing appeals.
- 7.6 The council has recently received two planning appeal decisions on major housing proposals; land at Winterbrook, Wallingford (P15/S0191/FUL) and land north of Lower Icknield Way, Chinnor (P15/S0154/O). These appeals were allowed and planning permission granted for the proposed housing development.
- 7.7 Both Inspectors assessing these appeals concluded that we should be applying a higher housing target as set out in the Strategic Housing Market Assessment (SHMA), which means delivering more housing than is currently planned for in our adopted Core Strategy. However, they recognised the strength of our housing distribution strategy, which focuses development to the more sustainable towns and larger villages.
- 7.8 *National Policy Position*
Paragraph 49 of the NPPF states "*Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a deliverable five-year supply of deliverable housing sites*".
- 7.9 A recent Court of Appeal decision considered the meaning of relevant policies for the supply of housing and found that it means all policies capable of affecting the supply of land for housing. Nonetheless the Court emphasised that the weight to be given to policy is a matter for the decision maker.
- 7.10 It is clear that this application is contrary to policies relating to the location of development as set out above, in particular, Policies CSS1 and CSR1. However, as the council does not have a five-year housing land supply, these policies are not considered up to date. Furthermore, as these policies do not make provision for the higher housing targets identified in the most recent assessment of housing need, i.e. the SHMA, I consider that they hold limited weight. In such circumstances paragraph 14 of the NPPF is relevant and provides 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.*

- 7.11 However, foot note 9 to paragraph 14 identifies that development is "restricted" within AONBs. Therefore, given the AONB location of the site, the presumption in favour of sustainable development within the NPPF is not engaged. This means that the application needs to be considered in accordance with the development plan unless material considerations indicate otherwise.

7.12 Paragraph 115 specifies that great weight be given to conserving the landscape and scenic beauty. However that ordinary balance is in fact displaced here because the application comprises major development in the AONB where paragraph 116 advises that permission ought to be refused, except in exceptional circumstances and where it can be demonstrated they are in the public interest. I return to paragraph 116 in my detail later in this report. The applicant's point to several material considerations which they contend indicate permission should be granted. One is the planning history which I refer to below and the other is the lack of a 5 year housing land supply.

Extant Planning Permission: the Fall Back Position

7.13 As set out previously, there is an existing planning permission granted in 2014 following a resolution to grant permission by the Planning Committee in 2012, for new offices and a care village on the site. Consideration therefore needs to be given as to the weight that can be attached to this extant permission which is the fall-back position. This permission was in outline and included a 2 storey office building (10m in height); retirement dwellings (mostly 9m, with a small element up to 11m); extra care units and care home (12m in height); a block of keyworker flats (12m in height); and a community building (8m in height). A plan showing the extent of the previous scheme compared to the current proposal is **attached** at Appendix 3. The current proposal further extends into the undeveloped part of the site (the proposed office building and 15 dwellings would be outside the previously permitted scheme). The permission was subject to a S106 obligation requiring the office building to be occupied prior to the occupation of the residential element.

7.14 Whilst this is a material consideration, the weight to be given to it is a matter of planning judgement and in my view limited weight can be attached to the fall-back position. The evidence submitted by the applicant in support of the current application sets out that there is no interest in taking the care village forward. They have submitted details of the marketing exercise over a number of years as part of the current application. Therefore, in my opinion, the fall-back position is more theoretical rather than possible and for this reason I give it limited weight.

Conclusion on the Principle of Development

7.15 As this site lies outside the built up limits of Crowmarsh Gifford, within the AONB and is not allocated, the principle of this development is not acceptable and as such is a departure from the development plan. However this proposal is based on an enabling case, whereby the residential development enables CABI, which is an important local, national and international organisation, to retain its headquarters on the application site. The weight to be given to this issue is considered in paragraphs 7.41-7.45.

Area of Outstanding Natural Beauty

Planning Policy

7.16 Section 85 of the Countryside and Rights of Way Act 2000 (CRoW Act) states that a relevant authority in exercising or performing any functions in relation to, or so as to affect land in an area of outstanding natural beauty, shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. This section of the report sets out the planning assessment made in relation to conserving and enhancing the AONB having regard to CRoW Act and the NPPF and development plan policies.

Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving

7.17 and enhancing the character and qualities of the AONB “*which have the highest status of protection*”. This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000.

7.18 Para 116 of the NPPF states that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. It is accepted by the applicant that the application proposals constitute major development for the purposes of paragraph 116.

7.19 Adopted Core Strategy Policy CSEN1 reflects NPPF guidance in providing high priority to the conservation and enhancement of the AONBs. Proposals which support the economies and social wellbeing of the AONBs will be encouraged provided they do not conflict with the aims of conservation and enhancement. Although, as outlined above, recent case law has established that environmental/countryside protection policies which influence the supply of housing land may be considered out of date where there is a housing land supply shortfall, in my view great weight should continue to apply to Policy CSEN1 in view of the AONB location and therefore NPPF paragraph 116 provides that major development should be refused except in exceptional circumstances.

7.20 Representations received from the Chilterns Conservation Board (CCB), local councils, Natural England and neighbours raise objections in relation to the impact of this development on the AONB. They have concerns that the exceptional circumstances for major development within the AONB are not met, the application proposals do not give due consideration to the priority to conserve and enhance the AONB landscape and that the proposed development would cause significant landscape harm. These issues are considered in the paragraphs below.

Assessment of Exceptional Circumstances

7.21 Paragraph 116 of the NPPF provides that consideration of applications for major development within the AONB should include an assessment of:

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

7.22 While some objectors acknowledge it would be desirable to retain CABI for the local economy, many, in particular CCB, consider that the proposal raises no matters of national importance and affects a nationally protected landscape. Furthermore, the market housing element is not considered a matter of national importance.

7.23 The issue of whether there were exceptional circumstances to justify major development within the AONB were considered in the previous application in 2012, as set out in paragraph 6.4 of this report. The applicants’ planning statement and addendum presents similar information to the previous application and considers both the need for the development and the impact of permitting it or refusing the proposal upon the local economy. The applicants acknowledge that the need for housing is not an exceptional circumstance justifying major development within the AONB as there are alternative sites outside the AONB that could provide housing need. The need relates to retaining CABI’s headquarters on the application site and the residential element of the application is to provide the funds for the new offices.

The applicants advise:

- 7.24
- CABI is an internationally recognised development organisation with 47 member countries and approximately 500 staff based around the world.
 - The national importance of the work CABI, as a not-for-profit science-based development and information organisation that improves peoples’ lives worldwide by providing information and applying scientific expertise to solve problems in agriculture and the environment.
 - This application site is the headquarters with 160 employed, approximately half living within the District. With a new building this will increase to approximately 220 people working on the site.
 - Given the poor condition of the current buildings on the site, if this planning application is refused it is highly likely that CABI would have to find a new location for their headquarters outside the district either at Egham or overseas. This would result in a loss of jobs in the local area which in turn would impact negatively on the local economy.

7.25 A number of objectors also consider that CABI’s requirements for new offices could be met on other existing employment sites which are not within the AONB, the environmental science cluster at Howbery Park (allocated employment land in the Local Plan, outside the AONB) is identified by some as being a particularly suitable location.

7.26 The applicants’ submission assesses the cost of, and scope for, developing elsewhere outside the AONB, or meeting the need for the offices in some other way. The Planning Statement sets out that CABI have looked at a number of alternative sites outside the AONB but advises that there are issues with these alternatives. A fundamental aspect of building new offices on CABI’s existing site is that it avoids the cost of buying land elsewhere. CABI have looked at three other alternative sites which include, Culham Science Centre, Hithercroft Industrial Estate and HR Wallingford site. The table below summarises the evaluation of these sites, based on the information in the Planning Statement

Culham Science Centre	HR Wallingford	Hithercroft
Land cost	Land cost	Land cost
Security fencing has disadvantages for staff and visitors	Could only build and lease offices. CABI want to retain freehold control of their HQ	Access to the site would have to be through existing depot and warehousing which would not be suitable for a global HQ
Traffic concerns during peak times in the area		CABI require a low carbon building with passive ventilation which would be a problem due to the road noise near this site
Little synergy between the work CABI do and defence and space activity at Culham		

7.27 The key issue highlighted is that as a not for profit organisation of international importance, the factor of free land for the building is a significant requirement.

- 7.28 The application has been supported by viability information demonstrating that the quantum of residential development proposed is based on the cost of CABI's desired office redevelopment. The applicant's viability information submitted by the applicant has been subject to an independent review by expert advisers acting on behalf of the Council. This review has included a detailed analysis of the CABI office requirements and its construction costs. The costs and values associated with the residential development has also been subject to a detailed review (as set out later in this report, this has enabled the provision of a higher quantum of affordable housing).
- 7.29 Officers consider that the need for the replacement offices to retain CABI within the District, and the ability of the proposed residential development to enable this, is a factor which weighs heavily in favour of the proposal.

Landscape and Visual Impact Assessment

- 7.30 The priority in AONB's is to conserve and enhance the landscape. If, there are exceptional circumstances where the development is proposed is in the public interest, it is necessary to assess the impact of the development on the environment, landscape and recreational opportunities in accordance with paragraph 116 of the NPPF. Impact on the environment and recreational opportunities are considered elsewhere. Concerns have been raised by objectors about significant harmful and urbanising effects and that the current scheme would have a greater adverse landscape effects than the previous permission as there is a greater extent of development across the application site.
- 7.31 The applicant has submitted a landscape and visual impact assessment (LVIA). This recognises that the introduction of residential development, the intensification of development on the western part of the site and the change in the northern and eastern parts of the site from open playing fields to a built development would give rise to permanent effects on the AONB. This is assessed as being major adverse at the site level and moderate adverse on the immediate contextual AONB landscape. However, these effects are without mitigation and the applicant considers that these effects are moderated by the proposal for the new office building to include extensive areas of green roof, the residential development being of higher quality design than the existing buildings and the retention/enhancement of existing boundary vegetation.
- 7.32 In terms of visual impact the LVIA identifies a permanent moderate adverse impact on local residential views and local public rights of way users (minor adverse further away from site) and minor adverse impact on local road users.
- 7.33 The Council's Landscape Officer did not support the application on landscape grounds due to adverse landscape impacts arising from the overall intensification of development on the site. There were also concerns that the LVIA had taken into account the extant planning permission in identifying the level of impact arising from the proposed development and that no assessment has been undertaken in winter months.
- 7.34 In response to these concerns, the applicant submitted a landscape update clarifying that the extant permission had not be taken into account in assessing the landscape/visual impacts and seeks to clarify the additional impacts that might occur in winter. The update considers that in winter there will be a limited increased visibility of the site from the south and west but not from the north due to the presence of ever green vegetation.
- 7.35 Following the submission of the applicant's additional information, a further landscape assessment has been carried out by a Landscape Adviser for the council. The Landscape Adviser notes that the site originated as a school and has associated areas for recreation but is institutional and does not demonstrate the principal characteristics of the AONB (set out within the AONB Management plan). The existing CABI buildings are not characteristic of the local area

and have limited architectural merit in their own right. The condition of the landscape within the site is that of decline. In terms of the effects of the proposals with regards to landscape and visual amenity, the council's Landscape Adviser considers that the LVIA provides an accurate assessment of impacts in that there would be no long term significant adverse effects on the wider AONB landscape or the Ridgeway National Trail.

- 7.36 The Landscape Adviser considers that there would be impacts within the local landscape. However provided that the boundary vegetation is maintained and enhanced, it is considered that there would be sufficient physical and visual separation between the development and the wider countryside such that effects on the wider landscape could be limited to an acceptable level. Within the site, the intensification of development would have adverse impacts on the AONB. The Landscape Adviser considers that a suitably designed landscape scheme and improved management for the whole site to conserve key landscape features, could go some way towards mitigating the impacts of construction. In addition the design of the proposed dwellings and office buildings would be more in keeping with the local building vernacular than the existing office buildings within the site.
- 7.37 The Landscape Adviser has also assessed the impacts relative to the extant permission. The proposed housing development is lower in height than the extant permission and the reduced massing with regard to housing versus the large blocks of development within the extant permission, would have lower visual impacts, particularly when viewed from the north.
- 7.38 Clearly, great weight must be given to the conservation of the AONB landscape. I consider that the proposal will have no long term adverse impact upon the wider AONB landscape. In terms of effects on local AONB landscape, the site already has some built form and activity. Subject to the retention and enhancement of boundary vegetation, the moderate adverse impacts upon the AONB landscape will be localised, with views predominantly of landscape rather than buildings. Therefore, there is some conflict with the requirement in paragraph 115 of the NPPF to conserving the landscape and natural beauty of the AONB and Policy CSEN1 which provides priority to the conservation of the AONB.

Impact on Trees and Hedges

- 7.39 As outlined above, the impact of the proposed development on existing trees and hedges is an important consideration as the landscape and visual impacts assessed in the applicant's LVIA are based on the retention and long term management of boundary vegetation. The application submission includes an arboricultural assessment which assesses existing trees on the site and the potential impacts of the proposed development on trees.
- 7.40 As with the previous planning permission, a considerable number of trees within interior of the site will be removed, this is to enable wider buffers for the retention of trees to the western and southern boundaries. The majority of trees to be removed are of low quality and no objection has been raised by the Forestry Officer.
- 7.41 The site's east, west and south boundaries comprise native species trees and hedges. The eastern section of the northern boundary primarily comprises Lawson cypress hedging interspersed with Lombardy poplar except for the western section which is defined by a native species trees and hedges. The application proposes buffer zones to the west and south and this will enable the enhancement of the boundaries, particularly to the west, with additional planting comprising locally native trees and shrubs.
- 7.42 To the northern boundary, the existing trees and hedges would form the rear garden boundary to the proposed dwellings. The proximity between the trees within the northern hedge and the rear elevations of the proposed dwelling is such that the useable garden space is severely restricted. This is a particular issue for plots 72 and 73. This is likely to result in pressure from the future occupiers to remove the hedge, and the trees within it and will also constrain the

potential for enhanced landscaping to the boundary. Amended plans have been requested to address this issue and an update will be provided at the meeting.

- 7.43 Concerns have also been raised by the Forestry Officer about the access to the pumping station in the north west of the site as this also has the potential to damage trees. Further clarification has been sought regarding the access to the pumping station. Amended plans are expected and again an update will be provided at the meeting.
- 7.44 **Enabling Development**
The applicant's main case is that the residential development is an "enabling" which provides the necessary funding for the new CABI headquarters and therefore retaining an important local, national and international organisation on this site. A number of objectors have raised concerns that the "enabling" housing element is a fully detailed application whereas the office development is in outline. They have raised concerns that the housing could be constructed without the new offices being completed.
- 7.45 The proposal, comprising residential development enabling the replacement offices is providing exceptional circumstances for the grant of planning permission in the AONB and is a material planning consideration, to which I have given weight. Therefore, it is essential that legally enforceable arrangements are provided through the S106 legal agreement to ensure that the enabling residential element of the development, cannot be carried out without the exceptional benefits, i.e. the new offices, being delivered.
- 7.46 The extant planning permission is subject to a S106 obligation which provides: "*Not to cause or permit the occupation of any of the Class C2 and Class C3 units of accommodation on the Land until the Office Building shall have been constructed and occupied by CAB International*".
- 7.47 For the current application, in addition to clauses linking the construction of the residential development to the delivery of the office building, the S106 will need to prevent any residential development until the reserved matters for the office building have been approved, Officers have proposed the following clauses to ensure that the housing is an "enabling" development for the new offices:
1. No residential development to start until all reserved matters and pre-commencement conditions for the office building have been approved and until a building contract has been let for the office building.
 2. No dwelling to be occupied until works on the superstructure of the office development have commenced.
 3. No more than 30 dwellings to be occupied until the Office Building has been constructed and occupied by CABI.
- 7.48 Furthermore, as with the previous S106, a financial penalty clause is recommended in the event of CABI moving from the site within 10 years.
- 7.49 These details are still under discussion with the applicant and an update will be provided at the committee meeting but officers consider that it is essential for the S106 to ensure that the new offices are provided in tandem with the residential development.
- 7.50 **Economic Impact**
The NPPF emphasises the need for economic growth. Paragraphs 18 – 20 of the NPPF state that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 21 goes on to state that investment in business should not be overburdened by the combined requirements of planning policy expectations.

- 7.51 I have given weight to the NPPF. It is the applicant's case is that in order to remain as a local employer and to keep their international headquarters on this site they need the enabling residential development to achieve this.
- 7.52 **Traffic, Highways and Accessibility**
Policy T1 of the Local Plan requires all new developments to provide for a safe and convenient access to the public highway network for all users. Policy T2 requires appropriate parking, manoeuvring and turning space within all new development, including larger vehicles such as refuse lorries or emergency vehicles.
- 7.53 A number of objectors raise concerns about traffic and highway safety impacts and query whether this is a sustainable location for housing development. The application is supported by a Transport Assessment which has considered the current traffic flows on local roads and junctions and assessed the likely impact from the additional movements associated with this scheme. The highway authority agree with the conclusions that there would be a marginal increase in traffic generation compared with the existing site traffic generation potential. Therefore it is considered that the site access and Nosworthy Way in its current form is acceptable to serve the proposed development.
- 7.54 The highway authority initially identified some minor concerns with the site layout in relation to carriageways widths, parking bays, footpath links and service strips. These have been addressed by an amended site layout plan. Provision for parking comprises a minimum of 2 spaces per dwelling and 21 unallocated visitor parking spaces and accord with adopted standards.
- 7.55 In terms of site accessibility, the site is located about 1.8 km from Wallingford town centre and is detached from the existing built up area of the town. The X39/40 bus to Wallingford, Oxford and Reading passes by the site (half hourly Monday-Saturday, hourly off-peak) and S106 contributions will improve bus stop infrastructure and pedestrian/cycle crossing facilities on Nosworthy Way. The highway authority note that site access for walkers and cyclists to local facilities is not good but that there is an existing footpath all the way to Wallingford within 100 metres of the site. Section 278 arrangements would be required to provide:
- Improved pedestrian cycle crossing on Nosworthy Way
 - Shared footway/cycleway linking the Thames footpath to the west of the site along Nosworthy way
 - Upgrade the bridleway to the west of the development between Nosworthy Way and St Mary's Church (Crowmarsh bridleway 7)
- 7.56 Therefore, there would be opportunities for accessing facilities by sustainable transport modes although it is inevitable that site location is such that there will be a significant amount of travel by car. However, paragraph 32 of the NPPF provides that development should only be prevented on transport grounds where the residual cumulative implications of the development are "severe". In this case, there is no objection from the highway authority on transport grounds and there are opportunities to access the site by sustainable transport modes and consequently the proposal is considered acceptable in terms of transport impacts.
- 7.57 **Affordable Housing and Housing Mix**
Policy CSH3 seeks 40% affordable housing comprising a tenure mix of 75% affordable rented and 25% intermediate e.g. shared ownership, subject to the viability of provision on each site. Policy CSH4 seeks a range in mix to meet housing needs. The SHMA gives an indicative mix for both affordable and market mix in South Oxfordshire recognising that regard should be had to the nature of the development site and character of the area, and to up to date evidence of need as well as the existing mix and turnover of properties at the local level.

- 7.58 The application as originally submitted provided for 10% discounted market sale affordable housing units. The applicants' Affordable Housing Statement acknowledged that this did not meet target set out in Policy CSH3 but advised that this was the level of affordable housing that could be provided while ensuring that the enabling housing development was sufficiently viable to cross subsidise the replacement CABI office building.
- 7.59 As outlined earlier, the viability information submitted by the applicant has been independently assessed and challenged by expert advisers acting on behalf of the Council. This has resulted in the affordable housing provision being increased to 20% shared ownership units (i.e. 18 dwellings), as follows:

Table:1 Affordable Housing Proposal

No of Beds	1 bed	2 bedrooms	3 bedrooms
No of Units	1	16	1

- 7.60 If a mix of Affordable Rent and Shared Ownership were to be provided, the applicant has advised the proposal would comprise 15% Affordable Housing based on a mix of 20% Affordable Rent and 80% Shared Ownership. If the council were to require a greater proportion of Affordable Rent to Shared Ownership than a 20:80 ratio then the overall proportion of Affordable Housing units would fall below 15%.
- 7.61 The Housing Officer has raised concerns that the proposal does not meet Policy CSH3 requirements in terms of quantum (20% falls significantly short of the 40% required) or mix (wholly shared ownership rather than 75% rent/25% shared ownership). While the proposed 18 shared ownership units would provide an opportunity for people within the district to buy a home that would otherwise be unaffordable to them, the development would not contribute to meeting the needs of households requiring an affordable rented home.
- 7.62 There are unusual viability circumstances in this case as the housing element of the application is to enable the provision of replacement offices for CABI. Therefore, the residential development needs to generate sufficient value to deliver the offices. The affordable housing mix is clearly not policy compliant, in this particular circumstance, having regard to the need for the new offices for CABI and viability evidence provided, officers consider that the affordable housing provision is acceptable given these other considerations.
- 7.63 As set out in table 2, in terms of market units, the application proposal primarily comprises 4+ bed units, limited 3 beds units and no provision for 1 or 2 bed units and therefore does not accord with the SHMA recommended housing mix in terms of size of market units.

Table 2: Open Market Mix

Market homes (%)	1 bed	2 bedrooms	3 bedrooms	4+ bedrooms
SHMA	6	27	43	24
Application Proposal	0	0	4	94

- 7.64 Whilst the housing mix should be informed by the housing need evidence, as outlined in the SHMA, it should also respond to the character of the setting and the layout of the scheme to help develop character and variety in the development. Given the site's location within the AONB and having regard to the extant permission, officers consider that not allowing the built form to spread across the site and keeping it as contained as possible is important is a consideration that should be given great weight.

- 7.65 For the reasons outlined above, the affordable and open market housing mix is considered acceptable in this instance.

Design

- 7.66 Policy D1 of the Local Plan confirms that all new development should be in keeping with the locality, listing twelve elements of good design that proposals should adhere to. As this is a hybrid application the residential element of the scheme is in full detail, however the CABI office building is in outline and therefore no details of this is considered at this stage. The site has a number of constraints and opportunities in terms of the layout and design. The access point constrains the main entrance and exit which in turn dictates where the main road through the residential scheme can be positioned.
- 7.67 The existing vegetation on the site is a positive asset and the high quality species must be retained as it is an important feature of the site. Therefore the positioning of the houses in relation to the vegetation has been an important consideration. The landscape buffer to the south and west of the site is not included in any residential gardens so that it can be managed and maintained in its entirety. As outlined previously, there are concerns about the layout in relation to the northern boundary and amended plans have been requested to address this issue.
- 7.68 The site also benefits from links to the existing public right of way to the west of the site. The layout of the housing scheme ensures that the new roads connect into the existing public right of way, therefore from a pedestrian perspective the roads are legible and connect to existing pedestrian links. All areas of open space are directly overlooked providing passive surveillance and security with the active frontages. The office and residential elements are integrated with a central open landscaped area.
- 7.69 The office building is in outline but the intention is to provide a high quality modern design that would provide for a landmark building at the site entrance. Apart from plot 11 which is a flat over a garage, the proposed dwellings would comprise a mix of 2 and 2.5 storey houses with dormers to break up the eaves line and to provide visual interest. The design comprises traditional brick built pitched roof houses, reflecting local building traditions and materials, primarily red brick with the occasional use of render to provide visual interest.
- 7.70 The proposed design and layout, subject to further consideration of the relationship with the northern boundary, and conditions to secure some details around landscaping and materials, is considered to be acceptable.
- 7.71 **Impact on Heritage Assets**
Paragraph 129 of the NPPF requires that local planning authorities identify and assess the particular significance of any heritage asset that may be affected by a proposal. Core Strategy Policy CSEN3 sets out that designated historic heritage assets will be conserved and enhanced for their historic significance. Local Plan Policy CON5 provides that proposals which would adversely affect the setting of a listed building will be refused.
- 7.72 There are no designated heritage assets within the site but Grim's Ditch, within the site has a high potential for archaeological finds. Further archaeological investigation is required and this issue can be dealt with by a condition requiring a scheme or archaeological investigation. Approximately 500m away from this site a section of Grim's Ditch is classified as a Scheduled Ancient Monument. It is considered that there would be a minimal impact upon the setting of the Scheduled Ancient Monument arising from the proposed development.
- 7.73 There are other designated heritage assets within the vicinity of the site. The Grade II* listed Church of St Mary and the Grade II listed Newnham Farmhouse and Newnham Farm Cottage are located to the north-west of the site. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to the desirability of preserving the setting of listed buildings when considering whether to grant planning permission. Therefore the potential impact of the proposals upon the setting of these listed buildings is a

consideration that requires special attention. If there is any impact then considerable weight and importance must be attached to it.

- 7.74 The Applicant's Landscape and Visual Impact Assessment submitted with the application concludes that there would be a "minor adverse" impact on the setting of the listed buildings. Historic England recommended that further work was required to determine impact on the Grade II* listed church and, if the proposed development is visible from the churchyard or the immediate approach, that this impact be minimised by improved landscaping.
- 7.75 The Conservation Officer has carried out a comprehensive assessment of the potential impact of the proposed residential and office development upon the setting of the listed buildings, in particular, the Grade II* listed church. The residential development has the greatest potential to impact upon the setting due to its proximity to the northern and western boundaries of the site. The views from within the churchyard are considerably screened by existing tree and hedge planting and are generally south towards the field to the west of the public right of way. There will be glimpses of the proposed development in the wider setting of the church when viewed from the lane to the east and north-east. However, there will be limited impacts on the existing views of the church as the development will be screened by existing mature trees. The trees comprise a mixture of evergreen and deciduous trees, and Conservation Officer's assessment were carried out in the winter months when the tree cover was lighter. It is considered that the impact on views from the lane will be limited.
- 7.76 The views towards the church from the south and the public right of way are glimpsed through mature trees and hedgerows and will not be directly impacted by the proposed development, although the development will be experienced in the wider context. Overall, the Conservation Officer agrees with the LVIA conclusion of minor adverse impact. As outlined earlier, amendments are sought to northern boundary layout to ensure the retention of the boundary vegetation.
- 7.77 Although your officers consider that there would be less than substantial harm to the significance of a designated heritage asset, paragraph 134 of the NPPF requires that this harm should be given considerable weight and importance and should be weighed against the public benefits of the proposal. In this case, as set out elsewhere in the report, there are significant public benefits associated with retaining an important local, national and international organisation on the application site and the provision of housing to meet the council's housing supply shortfall and it is considered that these public benefits outweigh the minor adverse impact upon the setting of the Grade II* listed church.
- 7.78 **Neighbour Impact**
There are no immediate neighbours to the site, there are some properties to north, however given the distance and the established screening this development would not lead to an oppressive or overbearing impact which would be detrimental to their amenity. A number of local residents have written and objected to this development, however their concerns have related to the impact of this development on the AONB, concerns about the generation of traffic and impact on the existing landscape of the site. A summary of neighbour objections are set out in section 3 of my report.

Ecology

- 7.79 Paragraph 115 of the NPPF provides that the conservation of wildlife is an important consideration in AONB's. The application includes an ecological assessment that identifies the most valuable habitats are at the boundaries. The proposals would involve the loss of a minor roost for soprano pipistrelle bats and the ecological report includes an appropriate mitigation strategy which should ensure that the species is not harmed as a result of the proposals. No

other protected species have been recorded.

7.80 The Countryside Officer considers that the proposal is unlikely to result in any significant ecological impacts and that there are opportunities for enhancements for biodiversity. The most valuable vegetation for ecology is located to the south and western boundaries of the site and the application proposals to enhance this boundary vegetation will be beneficial for wildlife.

7.81 The S106 for the extant planning permission includes a 4.42 hectare natural/semi natural green space which would be subject to an ecological management plan. This is also proposed as part of the current application and provides significant opportunities for ecological enhancement. It is considered that the proposal accords with policy CSB1 of the Core Strategy and policy C8 of the local plan and NPPF paragraph 109 requirement to minimise impacts on biodiversity and provide net gains where possible. The proposal also provides opportunities to moderate and improve the environment in accordance with NPPF paragraph 116.

Green Infrastructure and Play Provision

7.82 Policy R2 of the Local Plan requires 2.4 hectares of open space per 1000 population. Policy R6 requires residential developments to make provision for informal recreation and the explanatory paragraphs set out that approximately 10% of the total site area is required for informal open space.

7.83 Provision for the residential development comprises a 0.19ha equipped play area and 0.68 hectares of green space in the western and southern buffer areas. The office development would have a 0.66 hectare green buffer and 1.42 hectares of amenity space. Therefore, the development as a whole provides considerably in excess of the 10% site area required for informal open space.

7.84 The intensification of development on the site and the introduction of a residential use will have some impacts upon users of the adjacent footpath network, of particular importance is the bridleway to the west of site which links with the Ridgeway National Trail. This impact will be mitigated to some extent by the enhancement of the boundary vegetation. As outlined earlier, the proposal includes provision for a natural/semi natural green space to the west of the site. The proposal is to include a permissive footpath across this land to link to the River Thames and to improve views towards the River. Therefore it is considered that the proposal would make appropriate provision for open space and would enhance recreational opportunities within the AONB.

Contaminated Land

7.85 The extant planning permission conditions to address potential contaminated land issues. The current application extends development within the site and therefore a condition is recommended to deal with potential contamination.

Air Quality

7.86 Additional air quality assessment information was submitted following a request from the Environmental Protection Officer. This demonstrates that the air quality impacts of the proposed development would not be significant and therefore subject to a condition, the proposal is considered to accord with Local Plan Policy EP1.

Drainage and Flood Risk Management

7.87 The application site is located in flood zone 1 and is in an area at low risk of flooding.

7.88 The council's drainage adviser has identified that the foul drainage of the application site has been the subject of local community meetings in 2015 and a Thames Water Impact Study dated March 2015. Thames Water have identified that a drainage strategy is required detailing

both the foul and surface water strategies. If investigations indicate that the existing sewer network is unable to accommodate the development, it may be necessary for the developer to fund an impact study, to ascertain, whether any network upgrades are required. Thames Water recommend that this issue be deal with by a Grampian condition. This would ensure that there would be no discharge of foul or surface water from the site into the public system until any drainage works required have been completed.

- 7.89 The flood risk assessment identifies a range of sustainable urban drainage measures for the site. Subject to a Grampian condition relating to a drainage strategy for foul and surface water and provision of a surface water drainage scheme for the site incorporating SUDS features, the proposal is considered acceptable.

Infrastructure

- 7.90 Policy CSI1 of the Core Strategy requires that new development must be supported by appropriate on and off-site infrastructure and services. Through consultations on the application the infrastructure needs required to mitigate the impact of development have been identified.
- 7.91 The Council has adopted the Community Infrastructure Levy (April 2016). In this area of the district the CIL residential rate is £150 per square metre. CIL is intended to contribute towards local and strategic infrastructure as identified in the Regulation 123 list and the adopted SPD Planning Obligations (April 2016). The relevant parish will receive either 15% or 25% (if they have an adopted Neighbourhood Plan at the relevant stage) of the monies for infrastructure and may choose to spend it on local projects or contribute towards strategic infrastructure.
- 7.92 In addition to the levy specific public transport and on site infrastructure will be secured through a Section 106 legal agreement. The specific infrastructure requirements of the site that will be included within the legal agreement include:
- A Local Area for Play within the site
 - Open space and green buffers within the site
 - £20,000 contribution to bus stops
 - Travel Plan monitoring
 - Contributions towards street naming and bin provision

Additional S106 Provisions

- 7.93 There are a number of specific issues relevant to the application that need to be included within the S106. These are set out below:

Affordable housing

Provision of 20% affordable housing as shared ownership

Financial review mechanism

The applicants make a viability case that a policy compliant affordable housing provision cannot be met. A financial review mechanism is required to review the residential element and if sales are higher than forecast, the uplift shall be given to an affordable housing contribution.

Commencement of development

A restriction on the commencement of development until approval of reserved matters and discharge of pre-commencement conditions for the office building together with the building contract for construction.

Phasing

No dwelling to be occupied until works on the superstructure of the office development have commenced. No more than 30 dwellings to be occupied until the office building has been

constructed and occupied by CABI.

Penalty payment

CABI shall occupy the site for a minimum of 10 years. A penalty payment per year shall be payable if they leave the site before this period of time.

Green Space on land to the west of the application site

Provision of a 4.42 hectare natural/semi natural green. To include a plan shall for the long term restoration and management of the habitats within the riverside meadow and arrangements for public access and on-going management.

8.0 CONCLUSION AND PLANNING BALANCE

- 8.1 The report describes the proposals in full and assesses the proposals against the relevant material planning considerations. This site is within the AONB and is not within a location where new housing would normally be permitted. It does not comply with the development plan but there are two main considerations which indicate that development should be permitted namely the need to achieve a new Headquarters Quarters on site so that CABI can remain and the need for more market and affordable housing.
- 8.2 In assessing the application, I have had regard to paragraphs 186 and 187 of the NPPF which requires Local Planning Authorities to approach decision-taking in a positive way to foster the delivery of sustainable development where possible. The three strands of sustainable development are set out at paragraph 7 of the NPPF as economic, social and environmental. All these have been considered throughout the report and my conclusions against each of the strands is summarised below.
- 8.3 In assessing the application, I have had regard to paragraph 115 of the NPPF which requires great weight to be given to conserving landscape and scenic beauty in AONB's. As set out in the report, the proposal would cause localised permanent moderate adverse harm to the AONB landscape and great weight is given to this harm. The detrimental effects on the landscape can be moderated by the retention and enhancement of boundary vegetation. Furthermore, as outlined in the report, the proposals provide measures to improve the environment through habitat creation and enhancement and enables additional recreational opportunities by providing access to the green space to the west of the application site.
- 8.4 I have given great weight to the moderate adverse effect on the setting of the nearby grade 2* listed church but I consider that this minor harm is justified in the public interest.
- 8.5 In economic terms, the proposed housing would provide construction jobs and some local investment during construction, as well as longer term expenditure in the local economy. The proposal would contribute towards the objective to significantly boost the supply of housing, consistent with Para.47 of the NPPF, by providing 91 houses in a high quality environment. Against this, the scheme only provides for 20% affordable housing and the market housing mix does not does not meet the need for smaller dwellings identified in the SHMA. Furthermore, the site does not have local facilities within a reasonable walking distance. I consider that some but limited weight should be afforded to these social and economic benefits as there are sites outside the AONB and in more accessible locations that could accommodate the housing element of the proposal although that would not enable CABI to remain on site.
- 8.6 Paragraph 116 of the NPPF provides that major developments should be refused planning permission except in exceptional circumstances. However, I have given weight to the exceptional and enabling circumstances of this particular application. CABI are an important local, national and international organisation, working worldwide to improve lives by solving problems in agriculture and the environment. The proposed housing development will enable CABI to replace their substandard offices with a high quality headquarters and remain on this

site. This in turn will ensure that local jobs are retained and that CABI will remain within South Oxfordshire thereby providing economic and social benefits.

8.7 Therefore, placing all of the relevant material considerations in the balance, but particularly the exceptional circumstances of enabling the replacement offices for CABI and weighing this against the localised moderate adverse harm to the AONB, I consider that planning permission should be granted.

9.0

RECOMMENDATION

Delegate to the Head of Planning to grant planning permission subject to the provision of a revised layout plan in the vicinity of the northern boundary, completion of a Section 106 agreement to cover the matters set out in the report and the following conditions:

1. Submission of reserved matters application for the office building.
2. Commencement of development.
3. Approved plans.
4. Sample materials (all).
5. Access track to pumping station.
6. New vehicular access.
7. New estates roads.
8. Estates accesses, driveways and turning areas.
9. Plan of car parking provision.
10. Roads and footpaths prior to occupation.
11. Parking and manoeuvring areas retained.
12. Cycle parking facilities.
13. Construction management plan.
14. No surface water drainage to highway.
15. Residential travel plan.
16. Drainage strategy for waste water infrastructure.
17. SUDS.
18. Archaeological written scheme of investigation.
19. Programme of archaeological evaluation and mitigation.
20. Fire hydrants.
21. Contamination.
22. Lighting details.
23. Ecological appraisal.
24. Landscaping (planting and management strategy).
25. Buffer planting.
26. Arboricultural method statement.
27. Tree protection.
28. Site investigation and remediation.
29. Verification report (contamination).
30. Unsuspected contamination.

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