

APPLICATION NO.	P16/S0970/O
APPLICATION TYPE	OUTLINE
REGISTERED	18.3.2016
PARISH	HARPSDEN
WARD MEMBERS	Will Hall Paul Harrison
APPLICANT	Mrs Claire Engbers
SITE	Thames Farm, Reading Road, Shiplake, RG9 3PH
PROPOSAL	Outline Planning Application for up to 95 dwellings and associated public open space and landscaping. Means of access and strategic landscaping not reserved
AMENDMENTS	As amended by drawings and information received 27 April 2016 and 13 June 2016.
GRID REFERENCE	476843/179925
OFFICER	Emma Bowerman

1.0 INTRODUCTION

- 1.1 This application is referred to the Planning Committee as the officer's recommendation conflicts with the views of Harpsden Parish Council.
- 1.2 The application site (which is shown on the OS extract **attached** as Appendix A) is a 5.65 hectare field. There are strips of woodland along sections of the eastern and northern boundaries which are protected by a Tree Preservation Order. The site is not within any areas of special landscape designation.
- 1.3 The application site lies to the west of the A4155 (Reading Road) and there is an existing vehicular access off this road. The built up area of Lower Shiplake lies to the east of Reading Road. There are some homes to the south, west and north of the site. For the most part, these occupy substantial grounds resulting in a low density and sporadic pattern of development immediately surrounding the site. The former Wyevale Garden Centre is to the north of the site.
- 1.4 The site is within the parish of Harpsden, with the eastern boundary of the site positioned up to the parish boundary with Shiplake. It is also within the designated Joint Henley and Harpsden Neighbourhood Development Plan area.

2.0 PROPOSAL

- 2.1 This application seeks outline planning permission for up to 95 homes, including 40% affordable homes. The application seeks detailed consent for the access and strategic landscaping. Appearance, layout, scale and general landscaping are reserved for consideration later.
- 2.2 An illustrative masterplan was submitted with the application to show how the site could accommodate up to 95 dwellings and associated public open space and green infrastructure. Access would be from the Reading Road. Given that the application is in outline, the masterplan is for indicative purposes only.
- 2.3 The masterplan and documents accompanying the application have been amended during the application process. These amendments have involved relatively small scale changes to seek to address comments from consultees or have provided updates to the

documents. The amendments have not materially altered the overall scale or character of the development.

- 2.4 A single vehicular access is proposed onto the Reading Road. The application documents show footpaths leading out of the site with pavements provided to access Lower Shiplake and to provide a pedestrian link to the nearest bus stop. The highways infrastructure would include pedestrian crossings across the Reading Road and a traffic ghost island, with right lane turn into the site.
- 2.5 The indicative housing mix outlined in the application is as follows:

	Market	Affordable	TOTAL
1 bed	0	4	4
2 bed	0	23	23
3 bed	28	11	39
4 bed	20	0	20
5 bed	9	0	9
TOTAL	57	38	95

- 2.6 The indicative masterplan and is **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.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Harpsden Parish Council** – Object for the following reasons:

- traffic congestion,
- loss of rural character at southern end of Parish,
- contrary to Henley/Harpsden Neighbourhood Plan.

3.2 **Shiplake Parish Council** – Object for the following reasons:

- very similar to earlier application, dismissed at appeal
- conflict with Neighbourhood Plan and SODC Core Strategy
- urbanising effect of roadway development works and street lighting,
- destruction of visual appearance and countryside character on approach to village,
- dangerous pedestrian and cyclist access,
- no realistic proposals for sustainable travel,
- development would be isolated from village and amenities,
- parking around village and at station already inadequate,
- schools are at capacity,
- precedent for further development.

3.3 **Henley-on-Thames Town Council** – Object as the site is not part of joint Henley and Harpsden Neighbourhood Plan.

3.4 **Henley Society** – Object for the following reasons:

- not in Neighbourhood Plan and in excess of housing required under plan
- increase in traffic and pollution
- additional pressure on infrastructure – health, schools and parking

3.5 **Chiltern Society** – Object for the following reasons:

- conflicts with up to date development plan so should be refused

- greenfield site
- unacceptable strain on infrastructure
- impact on air quality
- detrimental impact on landscape, on flora and fauna and enjoyment of walkers

3.6 **Campaign for the Preservation of Rural England (Planning)** – Object for the following reasons:

- site has been unanimously judged as unsuitable for housing
- brownfield land elsewhere more suitable
- infrastructure already stretched
- suburban nature of application is extremely damaging to landscape

3.7 **Campaign for the Preservation of Rural England (Rights of Way)** – Object for the following reasons:

- undesirable urbanising effect on bridleway in a rural location,
- residents would be reliant on private car to access facilities
- detrimental to footpath users when crossing road due to increase in traffic

3.8 **Thames Water** – No objection with regard to sewerage infrastructure capacity.

3.9 **Environment Agency**- No comments received.

3.10 **Southern Gas Networks Gas Transporter** – No objection. Provided guidance on safe practice around gas pipe.

3.11 **Oxfordshire County Council Highways** – No objection subject to conditions and completion of a legal agreement, with the following summary:

Addition of 95 dwellings at this location within the Parish of Shiplake is considered significant by this Authority. The A4155 is a busy key route within the County and both highway safety and functionality are key. Mitigation for both access to the development site and for pedestrian connectivity are shown by the applicant. In terms of access to the development site, the proposed vehicular highway mitigation is deemed adequate to maintain safety and functionality of the network subject to acceptance of final design details. Pedestrian connectivity is shown to be achieved through new footway link and uncontrolled crossing of A4155, note is made that 'alternative' option is preferred.

3.12 **Oxfordshire County Council Education** – Object in relation to school capacity and provided the following comments:

Education provision within Shiplake is at capacity and there is not sufficient land within curtilage of existing school site to permit expansion. This fact will force pupils to have to be transported by other means and thus renders development compromised from a sustainability perspective.

3.13 **Oxfordshire County Council Archaeology** – No objection subject to conditions requiring an archaeological written scheme of investigation and programme of archaeological evaluation.

- 3.14 **Oxfordshire County Council Property** – No objection subject to Community Infrastructure Levy funding to mitigate the impact on County Council related infrastructure.
- 3.15 **Landscape Consultant** – Initial consultation concluded that that the density of development in this countryside location would have an adverse impact on the character and appearance of the area. Recommended an assessment of the impact of the highway works. Following a response from the applicant the landscape consultant recommended that further work be carried out in the form of a tree survey to consider the potential loss of trees on the highway.
- 3.16 **Forestry Officer**– The council’s forestry officer has considered the impact on trees within the site and on the highway. No objection subject to securing mitigation planting, future management and funding through a legal agreement and a tree protection condition.
- 3.17 **Countryside Officer** – No objection subject to conditions requiring a Construction Environment Management Plan for Biodiversity, a lighting strategy to reduce the impact of lighting on bats and a method statement for biodiversity enhancements.
- 3.18 **Urban Design Officer** – Provided guidance on how to improve the layout under a reserved matters application.
- 3.19 **Drainage Consultant (Monson)** – No objection subject to conditions requiring details of foul and surface water drainage.
- 3.20 **Air Quality Officer**– No objection subject to a condition requiring the agreement of measures to mitigate the impact on air quality.
- 3.21 **Contaminated Land Officer** – No objection subject to a condition requiring an assessment, investigation, and if necessary, remediation of any contamination.
- 3.22 **Environmental Protection Officer** – No observations or comments.
- 3.23 **Housing Development Officer**– Affordable housing provision acceptable.
- 3.24 **Local residents**

241 responses in objection to the application – objections received in relation to the following matters:

Traffic:

- no suitable/safe travel plans
- no proper traffic assessment
- most vehicles exceed speed limit on Reading Road
- highway safety concerns for pedestrians and cyclists - no pavements, unlit
- poor visibility at site access
- major traffic bottleneck at Henley Bridge
- increase in traffic / parking / rail congestion

Environment:

- loss of green field site and wildlife habitat
- loss of quality agricultural / horticultural land
- high density housing conflicts with rural character
- serious loss of amenity including trees – setting is part of Henley’s attractiveness
- will lead to amalgamation of villages
- impact on air quality
- overdevelopment of the area

Sustainability:

- site marooned on wrong side of very busy road
- remote from village amenities – not sustainable – residents will drive

Infrastructure:

- no infrastructure capacity to support the new residents
- infrastructure should be upgraded prior to development
- local village road infrastructure inadequate
- school oversubscribed and cannot expand– impact on spaces for existing residents
- health services already at capacity
- trains already overcrowded
- flooding issues need to be resolved

Planning:

- conflict with Neighbourhood Plan and SODC Core Strategy
- similar to previous application which was unanimously rejected
- 20% increase in village size excessive
- plenty of brownfield / more suitable sites in other parts of Henley / District
- unnecessary application – provision until 2027 already identified

Other

- not enough affordable housing
- will create precedent for other sites along A4155
- impact on village too great in a negative way
- support generated by landowner
- most objections are from those most affected - support from areas little affected and with similar format
- application seeks to circumvent planning process
- disregard of democracy – localism supported by government and should prevail

231 responses received in support of the application – Comments include:

Housing:

- high demand for appropriate housing
- Harpsden would have preferred some houses at Thames Farm and less than 170 at Highlands Farm, which will cause destruction of rural roads
- reducing housing numbers has led to improved green space
- Henley / Shiplake need affordable housing including for local / young people

Environment:

- ideal site not in AONB or flood zone
- well thought out, attentive to surrounding environment and transport facilities
- extensive landscaping shields roads and surrounding housing

- less congestion and pollution in Henley as residents have necessary amenities to hand
- will ensure Henley / Shiplake remain desirable places to live

Infrastructure:

- development will not have impact on station parking
- supermarket and pharmacy nearby, PO, butcher, pub and station within walking distance

Other:

- area is in desperate need of accommodation
- development will help reduce pressure for new homes in Henley
- all communities need to help meet demand
- will attract young professionals and graduates into area
- need Community Infrastructure Levy funding for education improvements
- only obstacle is politics

4.0 **RELEVANT PLANNING HISTORY**

4.1 Planning permission was refused for application [P13/S2184/O](#) in October 2013. This was an outline application for up to 110 dwellings with all matters reserved except for access. The application was refused for the following seven reasons:

1. The application site lies on the edge of the settlement of Shiplake, it is not a site allocated for development in a Development Plan, including a Neighbourhood Plan and is not considered an infill site within the built up limits of the settlement. The proposed development is therefore contrary to policies CSS1 and CSR1 of the adopted Core Strategy. The development would extend into and encroach upon the adjacent countryside contrary to policies G2, G4 and C4 of the adopted South Oxfordshire Local Plan 2011.
2. Insufficient information accompanies the application to demonstrate that matters of highway safety and access meet the required standards, namely the provision of an adequate swept path route for a refuse vehicle and the provision of an emergency vehicular access onto Bolney Lane. Furthermore, the Harpsden 2 public Right of Way upgrade measures have not been agreed in principle and remain an outstanding matter. The proposal therefore contravenes policy T1 of the adopted South Oxfordshire Local Plan 2011.
3. The proposed new vehicular access and associated carriageway widening will result in the loss of and a future threat to a number of trees that are considered to have high amenity value and as such are covered by a Tree Preservation Order. The proposal conflicts with policy C9 of the adopted South Oxfordshire Local Plan 2011 and to guidance contained within paragraph 118 of the NPPF.
4. Inadequate information accompanies the application to demonstrate that the proposed development will not adversely impact upon habitats that have the potential to be used by a number of protected species as such, the proposal contravenes policies C6, C8 and C9 of the adopted South Oxfordshire Local Plan 2011, policy CSB1 of the adopted Core Strategy and guidance contained within the NPPF and accompanying Circular (ODPM 06/2005).
5. Inadequate information accompanies the application to demonstrate that the proposed development will have adequate waste water infrastructure to serve

the development and will not adversely impact upon the Harpsden public water supply abstraction. The development is therefore contrary to policies EP4, EP6 and EP7 and to advice contained within paragraph 109 of the NPPF.

6. That the proposal fails to secure affordable housing and provide a housing mix to meet the needs of the District contrary to policies CSH3 and CSH4 of the adopted Core Strategy and wider guidance contained within the NPPF.
 7. The proposal fails to provide adequate services and facilities to meet the needs of the development contrary to policies C6, R2, R3, R6 and D12 of the saved policies of the adopted South Oxfordshire Plan 2011 and policies CSG1, CSI1 of the adopted Core Strategy.
- 4.2 The applicant appealed to the Planning Inspectorate against the refusal of planning permission. The appeal was heard at a seven day public inquiry in December 2014. The applicant submitted additional information prior to the appeal and agreement was reached with the council in relation to the objections raised under refusal reasons 2, 3, 4 and 5 (highways, trees, ecology and drainage).
- 4.3 The Planning Inspectorate dismissed the appeal in May 2015. The Inspector was of the opinion that the proposal would be likely to have a severe adverse residual cumulative effect on the safety and convenience of highway users. He also considered that the proposal would cause significant harm to the character and appearance of the area. The Inspector concluded that the benefits of adding to the supply of housing would be diminished by a degree as the accessibility of facilities and services from the site by sustainable modes of transport would be moderate at best. The appeal decision is **attached** as Appendix C. This was the first of a number of appeal decisions where the Inspector considered that we could not demonstrate a five year supply of deliverable housing sites.
- 4.4 The applicant challenged the appeal decision in the High Court on two grounds of procedural unfairness by the Planning Inspectorate regarding the highway issues raised by the Inspector. The appeal decision was quashed by the High Court, with a requirement that the appeal be re-determined. The decision to quash the appeal has been challenged by the Secretary of State for Communities (the Secretary of State appoints the Inspector). A hearing will take place to consider the Secretary of State's application for leave to appeal the High Court's decision. This hearing is scheduled for November 2016.
- 4.5 The current proposal differs from the previous application in the following way:
- reduction in homes from 110 to 95,
 - reduction in hard surfacing,
 - additional landscaping,
 - additional public open space,
 - two additional local areas of play (LAPs),
 - provision of allotments,
 - additional public footway on the A4155.

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework (NPPF)

5.2 NPPF 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
- CSG1 - Green infrastructure
- CSH1 - Amount and distribution of housing
- CSH2 - Housing density
- CSH3 - Affordable housing
- CSH4 - Meeting housing needs
- CSHEN1 - The Strategy for Henley-on-Thames
- CSQ4 - Design briefs for greenfield neighbourhoods and major development sites
- CSI1 - Infrastructure provision
- CSM1 - Transport
- CSM2 - Transport 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
- 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
- D6 - Community safety
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP7 - Impact on ground water resources
- EP8 - Contaminated land
- CON13 - Archaeological field evaluation
- H4 - Housing sites in towns and larger villages outside Green Belt
- G2 - Protect district from adverse development
- G3 - Development well served by facilities and transport
- 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 Joint Henley and Harpsden Neighbourhood Development Plan (JHHNP) 2027

- H1 – Allocate land for 500 new homes
- H3 – Type and size of new housing
- T1 – Impact of development on the transport network
- EN1 – Biodiversity
- DQS1 – Local Character

5.6 **Emerging South Oxfordshire Local Plan 2032**

The consultation on the 'Preferred Options' for the Local Plan closed 19 August 2016. The Preferred Options does not allocate sites for development and instead devolves delivery of houses in villages to the Neighbourhood Plan process.

5.7 **South Oxfordshire Design Guide (SODG) 2008**

Sections 3, 4 and 5

5.8 **Environmental Impact Assessment (EIA)**

The site is over 5 hectares and therefore exceeds the 'exclusion thresholds' in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Although in excess of the size criteria, the physical scale of the development would be significantly below the guideline in the PPG of a development that would have a significant urbanising effect (more than 1,000 dwellings).

5.9 The development is not within a sensitive area. Taking into account the nature, scale and location of the proposal, the effects from this proposal are likely to be of local importance but not significant within the context of the EIA regulations and guidance. As such, the proposal is not EIA development and a full Environmental Statement is not required.

6.0 **PLANNING CONSIDERATIONS**

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

- The principle of the development, including:
 - the council's housing land supply position,
 - conflict with the Neighbourhood Plan,
 - how the development of the site fits with the council's spatial strategy,
 - the accessibility of the site to services and facilities.

- Matters of detail / technical issues, including:
 - affordable housing and housing mix,
 - highway safety and traffic impact,
 - landscape impact,
 - trees and ecology,
 - design and layout,
 - neighbour amenity and amenity of future residents,
 - flood risk and surface / foul drainage,
 - archaeology,
 - environmental matters (air quality, contamination and noise).

- Infrastructure requirements, including:
 - on-site infrastructure to be secured under a legal agreement,
 - contributions pooled under the Community Infrastructure Levy.

The principle of the development

The council's housing land supply position

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. One such material consideration, of notable importance, is the National Planning Policy Framework (NPPF).

- 6.3 To significantly boost the supply of housing, 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. This supply should include an additional buffer of 5% to ensure choice and competition in the market for land. Alternatively, where there has been persistent under delivery of housing, the buffer should increase to 20% to provide a realistic prospect of achieving the planned supply.
- 6.4 The most recent evidence base that informs the council’s housing requirements is the 2014 Strategic Housing Market Assessment (SHMA). To meet the identified housing need for the district, the SHMA committed economic growth housing forecast is 750 homes per annum. This is a sizable uplift from the requirement for 547 homes per annum set out in the South Oxfordshire Core Strategy (SOCS).
- 6.5 Based on the evidence in the SHMA and past delivery, the council has a housing land supply in the region of 3.8 years (including the 20% buffer for under delivery). The council cannot therefore currently demonstrate a five-year supply of deliverable housing sites. Of relevance to this position are a number of appeal decisions that have been allowed recently¹. In each case, the council’s housing land supply was discussed in detail at public inquiries and the Inspectors concluded that the council cannot demonstrate a five year supply of deliverable housing sites.
- 6.6 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 Framework indicate development should be restricted.*
- 6.7 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.

Conflict with the Neighbourhood Plan

- 6.8 As the council cannot currently demonstrate a five year supply of deliverable housing sites, the policies for the supply of housing within the Joint Henley Harpsden Neighbourhood Plan (JHHNP) are also out-of-date. This is a matter that is made clear under the NPPF Planning Practice Guidance (PPG), which was updated in February 2016 and has a section titled “*How should planning applications be decided where there is a made neighbourhood plan but the local planning authority cannot demonstrate a five-year supply of deliverable housing sites?*”
- 6.9 The PPG guidance states:
In such instances paragraph 49 of the Framework is clear 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.” Paragraph 49 applies to policies in the statutory development plan

¹ Land at Winterbrook, Wallingford (P15/S0191/FUL), Land North of Lower Icknield Way, Chinnor (P15/S0154/O), Land to the east of Newington Road, Stadhampton (P14/S4105/O) and High Street, Tetsworth (P14/S3524/O).

documents which have been adopted or approved in relation to a local planning authority area. It also applies to policies in made neighbourhood plans.

Where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the Framework states that the presumption in favour of sustainable development requires the granting of planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

In this situation, when assessing the adverse impacts of the proposal against the policies in the Framework as a whole, decision makers should include within their assessment those policies in the Framework that deal with neighbourhood planning.

This includes paragraphs 183–185 of the Framework; and paragraph 198 which states that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

- 6.10 It is for the decision maker to determine how much weight should be attributed to out-of-date policies. I am of the opinion that the weight that can be applied to the JHHNP policies is different to the weight that can be applied to the housing policies in the SOCS. This is due to how recently the JHHNP was adopted (April 2016), its degree of consistency with the NPPF as a whole and the policies of the NPPF that relate to neighbourhood plans.
- 6.11 The key housing policy in the JHHNP is policy H1, which identifies land for 500 new homes across 11 sites, of which the majority are previously developed. To ensure a sustainable and balanced approach to development, the JHHNP identifies housing on a limited number of greenfield sites. This approach enables some distribution of development and the resulting traffic impact. Thames Farm is not one of the 11 sites allocated for housing development in the JHHNP.
- 6.12 I am mindful that the JHHNP allocation of 500 homes within the plan area exceeds the requirement in that SOCS to identify land for 450 homes in Henley-on-Thames. This is acknowledged in the preferred options consultation for the Local Plan 2032. The preferred options adds that due to the constraints to further development of the town, primarily the Area of Outstanding Natural Beauty (AONB) and flood risk, that we do not propose to allocate further homes in Henley in the emerging Local Plan 2032.
- 6.13 The JHHNP has sought to maintain a supply of housing land through allocating housing land above the level set out in the SOCS. In my opinion substantial weight can be afforded to policy H1 of the JHHNP in the planning balance as it is clear that it is making a meaningful contribution to addressing the housing shortfall in the district.
- 6.14 Although making a meaningful contribution to address the housing shortfall in the district, it does not follow that the JHHNP area has provided its “fair share” of housing sites and should be protected from speculative developments in response to the five year land supply shortfall. This argument would be tantamount to claiming that Neighbourhood Plans are given enhanced or elevated status as compared to other statutory development plans.

- 6.15 It also does not follow, that in attributing substantial weight to the allocations under Policy H1 of the JHHNP that the conflict with the neighbourhood plan would be sufficient in itself to withhold planning permission. A number of matters need to be taken into consideration in order to make a judgement on how the planning balance should fall in assessing the policy conflict between the JHHNP and the council's current housing land supply position. These matters include:
- the extent of the housing land supply deficit,
 - the steps the Council are taking to address that shortfall, and the length of time over which it is likely to persist,
 - the scale of the contribution from the proposal itself to addressing that shortfall,
 - the implications of permitting the application for the development strategy of the Neighbourhood Plan – for example, would it frustrate, inhibit or delay any of its proposals,
 - the consideration given to the application site within the neighbourhood plan making process and the reasons for preferring the alternatives.
- 6.16 At the current time, the council has a housing land supply in the region of 3.8 years. This is a significant deficit to which very substantial weight should be attached in the planning balance. The council is working on the new Local Plan 2032 and the current timetable for adoption is the end of 2017 / early 2018. It is estimated that the council will not be able to demonstrate a five year supply of deliverable housing sites until the new Local Plan is adopted.
- 6.17 The applicant has indicated that this is a site that can be delivered in a timely manner. On this basis, I have recommended that the time frame for implementation is reduced, with a requirement to submit a reserved matters application within two years and for development to commence not later than one year from the approval of the last reserved matters. This reduces the timeframe by two years from the standard condition. The applicant has a housebuilder to take the development forward and I am not aware of any reason why this site would not be delivered in a timely manner. The provision of 95 homes would make a notable contribution to the council's housing shortfall.
- 6.18 In terms of the implications for the JHHNP, the development of Thames Farm would not inhibit or delay any of the other sites that are allocated for housing within the Plan. Planning applications have been submitted on a number of the JHHNP sites, with planning permission already granted on one site.
- 6.19 As the site is neither within an AONB nor an area at risk of flooding, the development of Thames Farm would not undermine the reason why further allocations are not proposed in Henley under the emerging Local Plan 2032. The JHHNP seeks to provide the majority of housing on previously developed land but does allocate some housing on greenfield sites. The application proposal would not conflict with this strategy and, as with the greenfield allocations in the JHHNP, would distribute development around the neighbourhood plan area. In my opinion, the overall strategy of the JHHNP would not be significantly undermined by this development.
- 6.20 I acknowledge that there were sound reasons why the site was not allocated for housing through the JHHNP process. The sustainability appraisal, which provided the evidence base for the JHHNP allocations, advises that Thames Farm was rejected as an allocated site as it is a greenfield site with a number of negative outcomes in relation to ecology, biodiversity and landscape impacts. It adds that, although within the JHHNP area, Thames Farm is not within or on the edge of Henley and this would be contrary to the strategy to focus new housing growth within

or on the edge of Henley.

- 6.21 The impacts of the development in terms of ecology, biodiversity and landscape are explored under the relevant sections of this report and an assessment made against the current policy position. The separation from Henley was a negative factor when assessing the sites for inclusion in the JHHNP and I agree that it would be preferable from a sustainability perspective for sites to be within or close to Henley. Although not on the edge of Henley, the site is positioned on the edge of Lower Shiplake. The relationship of the site to a village that is outside of the neighbourhood plan area is a matter that can be taken into consideration when assessing the sustainability of the site as a speculative development to address the council's housing land supply shortfall.
- 6.22 At paragraphs 183 – 185, the NPPF sets out the importance of neighbourhood planning in enabling communities to shape their local area. I attach significant weight to these policies and appreciate the level of work that the local community have put into developing their plan. I acknowledge that the grant of planning permission would have a negative impact on the local perception of neighbourhood planning.
- 6.23 The NPPF advises that where a planning application conflicts with a neighbourhood plan, planning permission should not normally be granted. If it were not for the fact that the JHHNP policies relating to housing are out-of-date planning permission would not be granted. I acknowledge that the JHHNP policies make a meaningful contribution towards addressing the housing shortfall in the district. However, the housing shortfall is significant and so in the overall planning balance, I afford greater weight to the contribution that this development would make towards addressing that shortfall.
- 6.24 As such, the critical balance remains as to whether the harm significantly and demonstrably outweighs the benefits and whether the proposal would represent a sustainable form of development when considered against the development plan as a whole. The site is positioned adjacent to the built up limits of Lower Shiplake and this is an important factor in assessing whether the proposal would amount to a sustainable development. In making this assessment, it is necessary to consider how Lower Shiplake fits with the council's spatial strategy.

How the development of the site fits with the council's spatial strategy

- 6.25 Although the policies for the supply of housing in the SOCS and JHHNP have less weight in the decision making process, I consider that weight should still be attributed to the over-arching spatial strategy in the SOCS. The spatial strategy in the SOCS seeks to focus development in locations which are, or can be, made accessible and is consistent with the core planning principle of the NPPF. This is particularly important given that South Oxfordshire is a predominantly rural district.
- 6.26 Policy CSS1 of the SOCS sets out the overall distribution strategy for the district. This strategy:
- (i) focuses major new development in Didcot;
 - (ii) supports the roles of Henley, Thame and Wallingford by regenerating town centres and providing new housing, services, employment and infrastructure;
 - (iii) supports larger villages as local service centres;
 - (iv) supports other villages by allowing for limited amounts of housing;
 - (v) outside of the above areas, any change needs to relate to very specific

needs.

- 6.27 The application site is within the parish of Harpsden but is separated from the main part of the village of Harpsden by open countryside. The development would instead appear as an extension to the built up area of Lower Shiplake. The SOCS categorises Lower Shiplake as a ‘smaller village’.
- 6.28 Policy CSR1 expands upon the distribution strategy in policy CSS1 and outlines the scale and nature of housing that will be allowed within different categories of village. It identifies that housing in ‘smaller villages’ should be limited to infill development on sites up to 0.2ha (equivalent 5-6 houses). Given the scale of the development proposed, and the location of the site outside of the built up limits of Lower Shiplake, the development would clearly be significantly in excess of an infill development.
- 6.29 The conflict with the spatial strategy is a matter to be weighed up in the planning balance against the benefits of providing much needed new homes. In making this assessment, it is necessary to consider the sustainability of the site and this is a matter that was raised and considered by the Inspector who recently allowed an application for 65 dwellings in Stadhampton (P14/S4105/O). At para.32 of this decision, the Inspector states:

However, in light of the need to significantly boost the supply of housing it is clear that the weight to be given to the spatial strategy should be reduced. However, the weight should not be reduced to such an extent that there should be an inevitability that a wide number of smaller settlements would have a notable role to play in delivering the housing need. Each settlement would need to be considered within the context of ensuring that housing would be sustainably delivered in a network of settlements that are broadly consistent with the NPPF compliant spatial strategy for the District. Therefore, some settlements that were ‘close to the cut’ in terms of the appraisal undertaken in 2011 to inform the Core Strategy should now come into focus for their suitability for some additional housing based on an up-to-date assessment of their sustainability.

The accessibility of the site to services and facilities

- 6.30 The Settlement Assessment that informed the categorisation of villages in the SOCS scored settlements against a number of indicators including the types of services and facilities they contain. Lower Shiplake scored seven. Of the 58 ‘smaller villages’ in the district only 10 scored more than Lower Shiplake. Lower Shiplake sits towards the top of this tier and is closer to the threshold deemed appropriate for larger villages compared to the significant majority of smaller villages.
- 6.31 In terms of the emerging Local Plan 2032, I note that at this time, it is proposed that the settlement hierarchy will remain unchanged. However, it does recognise that there is considerable variance between the level of services and facilities available in the ‘smaller villages’ category. The Preferred Options document asks whether a “Medium Sized Village” category should be created.
- 6.32 Lower Shiplake’s services and facilities include a convenience store with a post office counter, a pub and a butchers. These are within a 10 – 15 minute walk from the site. Although Lower Shiplake does not contain a high number of facilities, the shop provides for basic day-to-day needs and is open seven days a week.

- 6.33 Lower Shiplake does not have any schools. Shiplake C of E Primary School is located within Shiplake Cross, some 2km from the site. The County Council have objected to the application on the basis that this school is full and regularly oversubscribed. It does not have available land to expand. The closest secondary school and alternative primary schools are within Henley.
- 6.34 The lack of primary school provision weighs against the development. However, I do not consider this issue alone would warrant refusal of the application. I have discussed the lack of nearby school provision with the County school organisation officer, who agrees that this issue in isolation would not be sufficient to refuse the application. The issue was discussed under the previous appeal and consideration was given to the fact that there is capacity on the existing school buses to transport pupils to schools in Henley.
- 6.35 The limited number of services within Lower Shiplake is counter balanced by the geographical position of Lower Shiplake and how it links to the overall network of settlements in the area. Lower Shiplake is approx. 2km from Henley and 8km from Reading. These towns provide a very wide range of services and employment opportunities. Bus stops close to the site would provide future residents with access to a bus service between Reading-Henley-High Wycombe. The site is positioned approx. 800m from the train station in Lower Shiplake, which provides regular links to Henley as well as Twyford, where the line connects to the London Paddington main line.
- 6.36 I note that relative to other settlements within our district, that Lower Shiplake has very good public transport connections. This is evidenced in the Settlement Assessment Background paper that accompanies the Preferred Options of the Local Plan 2032. This document provides a specific assessment of the public transport options that serve our towns and villages. Lower Shiplake scored a maximum of 100 as it has a good frequency of buses and also a railway station. In terms of public transport provision, this puts Lower Shiplake in the top six of the 118 settlements in our district.
- 6.37 The County Council have requested a financial contribution towards public transport provision and I consider that this is reasonable. The scheme would generate in the region of £95,000, which would assist with the long term aim to improve the Reading-Henley-High Wycombe bus route to enable it to operate twice per hour on weekdays and hourly on Sundays and evenings. This would provide a credible level of service for future residents and an improved service for existing residents.
- 6.38 Given the level of public transport provision in Lower Shiplake and the limited distances to larger service centres, I consider that public transport would provide a viable alternative to the use of the private car. This opinion conflicts with the view taken by the Inspector who dismissed the previous appeal on the site and concluded that the degree to which facilities and services would be accessible from the site by sustainable modes of transport would be poor to moderate.
- 6.39 Since the previous appeal decision on the site in May 2015 (which has subsequently been quashed), a number of other appeals have been considered by the Planning Inspectorate. Two of these appeal decisions relate to villages that are categorised as ‘smaller villages’ in the SOCS. Both appeals were allowed.
- 6.40 One of these recent appeals was for a site in Stadhampton, which has a total score of eight in the Settlement Assessment. The other was a site in Tetsworth, which has a score of five. Both of these settlements have a public transport score of just 10 in

the Settlement Assessment Background Paper that accompanied the Preferred Options consultation of the Local Plan 2032. In comparison to Lower Shiplake, these two settlements have poor public transport links and are greater distances from service centres.

- 6.41 Overall, given the sustainable transport options available within a short distance of the site, I do not consider that the development would be significantly at odds with the spatial strategy of the SOCS. The proposal would also generally accord with the NPPF requirement to maximise the use of sustainable transport modes.
- 6.42 I therefore conclude that Lower Shiplake would be a sustainable location for the proposed scale of development of up to 95 dwellings. In coming to this conclusion, I have taken into account the evidence available and the improvements to the local bus service. I have also been mindful of the conclusions that Inspectors came to on housing developments in other ‘smaller villages’ in our district.

Matters of detail / technical issues

Affordable housing and housing mix

- 6.43 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. Given that the application is on outline, the mix is currently indicative. The indicative mix would include 38 affordable units and this amounts to 40 per cent. In terms of the tenure split, 28 homes (74%) would be for affordable rent and 10 homes (26%) shared ownership.
- 6.44 The SHMA is the most up to date evidence base for considering housing mix. The affordable housing mix from the SHMA and the application proposal are summarised in the table below.

Affordable homes	1 bed	2 bed	3 bed	4+ bed
SHMA	32.6%	35.5%	29.3%	2.7%
Application proposal	10.5%	60.5%	29%	0%

- 6.45 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.
- 6.46 The highest demand for shared ownership properties is also for two bedroom homes. The proposed mix reflects this significant demand for two bedroom units and our housing development officer has confirmed that the mix would meet local demand. As such, I consider that the affordable mix is acceptable.
- 6.47 The affordable units would be distributed throughout the development and a legal agreement would require the units to be built “tenure blind” in respect of external design and features so they are materially indistinguishable from the general market housing. Subject to the completion of a legal agreement to secure the affordable housing provision, I consider that the scheme is acceptable in this respect and complies with the above policy.

- 6.48 In terms of the market housing, 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 market housing mix from the SHMA and the application proposal are summarised in the table below.

Market homes	1 bed	2 bed	3 bed	4+ bed
SHMA	6%	27%	43%	24%
Application proposal	0%	0%	49%	51%

- 6.49 The indicative mix outlined in the application documents is clearly weighted heavily towards larger homes, with all 57 market units containing three bedrooms or above. The scheme provides no smaller market homes and therefore does not technically accord with the relevant policies that seek to deliver a wide choice of homes. Although not strictly in accordance with the SHMA mix, the SHMA comments that “...we do not strongly believe that such prescriptive figures should be included in the plan making process and that the ‘market’ is to some degree a better judge of what is the most appropriate profile of homes to deliver at any point in time.”
- 6.50 The market, in this case the developer, has an important role to play in determining what type of property is likely to sell, and what the overall scheme can support. The actual provision on any site must also pay heed to the context in which the development is proposed. In this case the surrounding area is characterised by larger properties. It is also likely that brownfield sites in Henley town centre would deliver a higher proportion of smaller units. The final mix in a reserved matters application should be justified through a dwelling statement, as required by policy H3 of the JHHNP and this should provide a robust justification for the mix.

Highway safety and traffic impact

- 6.51 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*. Policies D1, D2, T1 and T2 of the South Oxfordshire Local Plan (SOLP) also require an appropriate parking layout and that there would be no adverse impact on highway safety.
- 6.52 The application documents show that the new vehicular access would include a ghost right hand turn arrangement and the existing access would be permanently stopped up. Pedestrian and cycle access would be created to Bolney Lane. Sections of footpath would be provided to both the eastern and western sides of Reading Road. A pedestrian refuge island would provide access to the existing Public Right of Way (footpath 242/26) which leads to the village centre. The plans show two options for pedestrian crossings to provide access to the village centre via Station Road. Plans showing the works within the highway are **attached** as Appendix D.
- 6.53 The impact on highway safety is the matter that proved to be most controversial under the previous appeal at the site. The County Council, as Highway Authority, did not object to the scheme at the public inquiry. However, on hearing representations from other interested parties, including the Parish Council, the Inspector choose to dismiss the appeal primarily on concerns surrounding highway safety.
- 6.54 The appeal decision was subsequently quashed. The High Court judge who considered the applicant’s challenge concluded that the Inspector was unfair in not

raising the issue at the inquiry and therefore not allowing the relevant parties time to address it. This matter has not yet been fully resolved as the Secretary of State has requested a hearing to determine whether the High Court judgement can be challenged in the Court of Appeal.

- 6.55 Although the previous appeal decision has been quashed, given the importance of highway safety matters, I consider that it is necessary to outline the Inspector's concerns and consider whether they have been fully addressed under this submission. The main issue identified by the Inspector related to the proposed pedestrian crossing point on the Reading Road in the vicinity of the war memorial island (from para.26 of Appendix C).
- 6.56 The Inspector raised concerns that the relevant stopping sight distance could not be achieved at the proposed crossing and was not satisfied that a more suitable crossing point could be found. The Inspector concluded that the extent of visibility presented on the drawings accompanying the application did not reflect the true speed of traffic passing on the Reading Road and therefore the proposed crossing point would present a risk to highway safety.
- 6.57 The revised transport assessment submitted with the current application presents the results of a comprehensive series of supplementary speed surveys commissioned by the applicant to justify the position of the proposed crossing points. The accompanying drawings also now utilise a topographical survey as their base, rather than an OS base that was used previously, and this aids the robustness of the assessment.
- 6.58 Having plotted the required intervisibility splays onto the topographical survey base, the applicant has been able to demonstrate that appropriate intervisibility can be achieved from both the original proposed crossing point adjacent to the war memorial traffic island and also from an alternative, newly proposed crossing point further north.
- 6.59 The applicant has therefore been able to present two possible engineering solutions to the highways officer at the County Council. The highways officer has expressed a preference for the alternative crossing point, to the north of the war memorial island. As this option would involve less clearance of vegetation, I also consider the alternative crossing point to be preferable.
- 6.60 Discussions were held under the previous application regarding the re-surfacing of footpath 242/26, which links the western side of Reading Road to Northfield Avenue and subsequently the village centre. The Inspector acknowledged that the scheme would make a contribution towards surfacing this footpath but commented that the fact that it would not be lit and is relatively narrow would discourage future residents from using it.
- 6.61 In my opinion, the illumination and widening of footpath 242/26 is not fundamental to making the scheme acceptable in planning terms as in all likelihood, application site residents would access the centre of Lower Shiplake via Station Road. In addition, the provision of lighting on a footpath across a field would have an urbanising impact. The route would remain a viable alternative in the hours of daylight and the absence of widening and illumination would not warrant refusal of the application.
- 6.62 The highways officer has recommended a number of conditions to mitigate the impact of the development and his full response is **attached** as Appendix E. Works within the highway would be subject to a legal agreement, which the applicant would

need to enter into with the County Council. Detailed design issues, such as parking layout, would be considered at reserved matters stage and I am satisfied the sufficient parking could be accommodated on the site.

- 6.63 I am of the opinion that the information accompanying the application is sound and presents a reasoned and robust response to the Planning Inspector's concerns. As such, I recommend that planning permission is not withheld on the basis of highway safety. Shiplake Parish Council commissioned a Road Safety Assessment and have shared this report with us. The applicant and highways officer have had an opportunity to comment on the report and this Assessment does not change their views on the acceptability of the scheme.

Landscape impact

- 6.64 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.
- 6.65 The Inspector who considered the previous appeal also concluded that the proposal would have an adverse effect on the character of the area. However, I note that the weight the Inspector attributed to the landscape impact was not as great as the weight he attributed to the highway safety concerns that he raised. The applicant has sought to address a number of the issues that the Inspector raised through the amendments made under this application.
- 6.66 The additional landscape mitigation measures and enhancements that are provided for this proposal include additional open space threading through the development and strategic planting. This includes a 5m deep landscaping buffer around the western and southern boundaries to screen / soften views of the development. These measures are in addition to the significant planting on the eastern side of the site outlined in the submitted Woodland Planting and Management Plan. This Plan was agreed with the council's forestry officer during the appeal process for the previous application.
- 6.67 The current application also reduces the number of homes by 15 as a response to the comments made by the Inspector (para.39 of Appendix C) that a detailed design with fewer dwellings may have the potential to be mitigated to a greater extent. The council's landscape consultant has recommended reducing the quantum and density of development even further. However, at 16.8 dwellings per hectare the development would be very low density and I do not consider that reducing the numbers further would be necessary to make the scheme acceptable. A further reduction would result in an inefficient use of land and would subsequently require more land to be provided to meet housing need.
- 6.68 The reduction in housing numbers and subsequent looser form of development shown on the indicative plans would allow for more landscaping around the site boundaries. This would reduce the visual impact of the development. The Inspector commented that highway passengers on the Reading Road, including those on busses, would be likely to take an interest in their surroundings and would have clear views of the development. The indicative plans show that a curve in the access road, with additional planting along the curve, would screen the development and reduce the visual impact of the proposed housing in views from the Reading Road.

- 6.69 As a consequence of the vehicular and pedestrian routes proposed, the development would result in the loss of much of the tree belt across the Reading Road frontage of the site. The Inspector weighed up the loss of this existing landscape feature against the establishment of a new managed woodland area that would be secured by condition and the provisions set out in a legal agreement. He considered that in the longer term that this would establish a more extensive, diverse and sustainable woodland and that the harm caused by the initial loss of the trees would not be sufficient to withhold planning permission.
- 6.70 Concern has been raised by the landscape consultant that the highway works to the eastern side of Reading Road would impact on trees and detract from the character of the area. I have discussed the impact on these trees with the council's forestry officer who is of the opinion that most are of poor arboricultural quality and should not be viewed as a constraint to development. Although the trees / vegetation on the eastern side of Reading Road are collectively of value and have some landscape merit, the impact of the highway works on these features would not be so significant to withhold planning permission, especially given the extent of woodland planting that would be secured as mitigation for the development.
- 6.71 The Inspector also commented that, at night, site lighting would be likely to be visible and that the development would remain dominant when viewed from a number of public viewpoints along Upper Bolney Lane (para.42 of Appendix C). There would be visual impacts as a result of the development and it is therefore necessary to secure a high quality development and ensure that details of lighting are acceptable, which can be agreed through a condition.
- 6.72 I agree with the Inspector who considered the previous appeal that the development would urbanise a section of countryside around Lower Shiplake. However, this is often the case with greenfield housing development on the edge of a village. I do not agree that the development of this field would result in an impact that is significant or demonstrable when weighed up against the benefits of providing much needed new housing.
- 6.73 The highway works would also have an urbanising impact on this stretch of the A4155 and would result in a more heavily engineered road layout. This is a matter that has to be weighed in the balance against the need to provide suitable pedestrian links for future residents. The works within the highway are necessary for the safety and convenience of highway users and this includes the provision of street lighting.
- 6.74 The development would clearly result in a very different situation to the existing and this would be the case for any development where the baseline situation is a green field. The loss of some green fields is inevitable in order to secure the delivery of the levels of housing required in the district. In addition, given the very substantial area of our district that is covered by protected landscapes or Green Belt, I consider that the opportunity to provide new homes on a suitable site that is unaffected by these designations weighs in favour of the proposal.
- 6.75 The strategic landscaping and woodland planting would act as a buffer, enclosing the built development and mitigating the visual impact of the housing. Subject to this mitigation, I do not consider that the impact on the landscape would significantly or demonstrably outweigh the benefits of the development, as outlined in the overall planning balance at the end of this report.

Trees and ecology

- 6.76 The council's forestry officer has considered the impact of the development against the relevant development plan policies and this includes policy C9 of the SOLP, which seeks to retain landscape features that make an important contribution to the local scene.
- 6.77 The proposals would result in the loss of a significant proportion of woodland tree belt adjacent to the Reading Road. To mitigate against this loss, the applicant has submitted a Woodland Planting and Management Plan. The council's forestry officer has confirmed that the long term gain in woodland cover that can be secured under this plan would outweigh the initial negative arboricultural impact caused by the tree losses.
- 6.78 Whilst the proposals would require the removal of 41 protected trees, it also proposes the planting of some 500 trees. The planting plan also includes planting 25 semi-mature trees to provide immediate mitigation against the loss of 21 high category trees. The proposals would essentially double the area of woodland despite the loss of land resulting from the encroachment of the widened access into the site.
- 6.79 The proposals would result in a significant positive net gain in terms of tree and woodland cover. I therefore have no objection to the proposals providing the planting, its future management and funding are secured through a legal agreement. As required by the council's forestry officer, a tree protection condition is also necessary to protect those trees that will be retained.
- 6.80 The previous scheme was subject to a number of ecological surveys which eventually provided sufficient information for the council's countryside officer to support the application. The current scheme includes updated ecological information based on surveys conducted during 2015, which ensures that the current scheme is being assessed against up to date information on the site.
- 6.81 The council's countryside officer has commented that the updated survey works have revealed a similar level of constraint to the previous survey works. The only significant differences relate to the detection of a small population of grass snakes, the addition of two previously unrecorded species of bats and evidence of recent badger activity. None of these findings significantly alter the mitigation required.
- 6.82 I am satisfied that the proposals provide sufficient information on habitats and species to comply with policies C6, C7 and C8 of the SOLP, policy CSB1 of the SOCS and policy EN1 of the JHHNP. Subject to the imposition of conditions requiring a Construction Environment Management Plan for Biodiversity, a lighting strategy to reduce the impact of lighting on bats and a method statement for biodiversity enhancements, the development would have an acceptable impact on ecology.

Design and layout

- 6.83 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) SOLP

policies (particularly D1-D4) and JHHNP policy DQS1 echo these requirements.

- 6.84 The application is in outline only, with layout, appearance and scale to be considered later at reserved matters stage. The council's urban design officer has considered the indicative masterplan that accompanies the application and has recommended a number of improvements that should be incorporated into the final layout. These points should be addressed prior to the submission of a reserved matters application and this could be achieved through discussions with the council's urban design officer under the council's pre-application advice service.
- 6.85 At 16.8 dwellings per hectare, the development would be low density, which is appropriate given the surroundings of the site. I am satisfied that an appropriate layout could be provided which would take account of the strategic landscaping, provide a mix of homes and adequate green space, meeting the NPPF objectives.

Neighbour amenity and amenity of future residents

- 6.86 Policy D4 of the SOLP requires new development to secure an appropriate level of privacy for existing residents. The layout may change at reserved matters stage and the impact on neighbouring properties will be carefully assessed under a future application. Based on the indicative layout, proposed strategic landscaping and the separation that can be achieved between the proposed dwellings and neighbouring properties, I am of the opinion that the development could be achieved without any adverse impacts on neighbours in terms of light, outlook and privacy.
- 6.87 Policy D3 of the SOLP requires all new homes to benefit from either a private garden, outdoor amenity space or a shared amenity area. I am satisfied that a suitable layout could be achieved that would provide an appropriate level of amenity space for all of the plots. It would also be possible to secure an appropriate layout within the site to ensure that there would be no adverse overlooking, or loss of light and outlook, between plots.

Flood risk and surface / foul drainage

- 6.88 The application site is within Flood Zone 1 (least probability of flooding) and as such, there are no objections to the development in relation to flood risk.
- 6.89 As is now standard practice, a detailed scheme for the site would need to incorporate a Sustainable Urban Drainage (SUDS) compliant strategy to ensure that all surface water run-off is accommodated within the confines of the site and discharged in a controlled manner. As required by the council's drainage consultant, the details of this can be secured by condition.
- 6.90 The site is within the inner source protection zone for the public water supply abstraction at Harpsden. The Environment Agency initially objected to the previous application as the previous submission did not provide sufficient detail to demonstrate that the development would be able to provide adequate waste water infrastructure to serve the development and not adversely impact upon the Harpsden public water supply abstraction. This matter had been addressed by the time of the appeal as the applicant had, in discussion with Thames Water, found a solution to connect to the public foul sewer.
- 6.91 Thames Water have confirmed that they have no objection with regard to sewerage infrastructure capacity. They commented that the impact study carried out for this

site identified that the proposed development would cause detriment to the existing sewerage network. A solution has been identified and this requires further development as part of a detailed design process. Subject to conditions requiring foul sewage to be disposed of to the Thames Water Foul Sewer and approval of any on and off site drainage works, the development would secure appropriate provision for the disposal of waste water. This would accord with policy EP7 of the SOLP, which seeks to protect groundwater resources.

Archaeology

- 6.92 Policy CON13 of the SOLP requires appropriate archaeological investigation for developments that affect sites of archaeological importance. The site is located within an area of some archaeological interest and the County archaeologist has recommended a staged programme of archaeological investigation ahead of any development. This can be achieved through conditions.

Environmental matters (air quality, contamination, noise)

- 6.93 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.
- 6.94 I have recommended a condition requiring air quality mitigation measures to be agreed. 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.
- 6.95 Due to traffic pollution, there are areas of poor air quality in the centre of Henley-on-Thames and there is an Air Quality Management Area (AQMA) in place in the town. I have discussed the impact of the development on the AQMA with the council's air quality officer. She has confirmed that the traffic from the site of approximately 240 vehicles spread over any given day will see an imperceptible increase in air pollution within the AQMA and as such, the development would not result in any detectable change in pollution readings.
- 6.96 The council's air quality officer has also considered the cumulative impact of developments in the locality. She has commented that the mitigation required under the suggested condition would serve to reduce the impact of the development on the AQMA and surrounding area.
- 6.97 Policy EP6 of the SOLP sets out the council's approach to development on contaminated land. The council's contaminated land officer has considered the details submitted with the application and has recommended that adequate contaminated land investigations are carried out to ensure that the land is safe and suitable for its intended use. This can be achieved through condition.
- 6.98 Noise arising from construction is an unfortunate consequence of any development. In order to ensure that the development works are carried out within appropriate times, I have recommended a construction hours condition to ensure that noisy construction activities are carried out at reasonable hours.

Infrastructure requirements

On-site infrastructure to be secured under a legal agreement

- 6.99 On-site infrastructure can be secured through a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended). The indicative plans show that sufficient public open space could be provided to meet policy R6 of the SOLP, which requires 10% of the gross site area to be provided as informal open space. The plans show that three play spaces would be accommodated on the site and the S106 legal agreement could secure an appropriate amount of equipped play to meet policy R2 of the SOLP.
- 6.100 The provision and maintenance of the woodland would also be secured under the provisions of a S106. This would include reviewing the Woodland Management Plan at five year intervals. The council's current policy is to require a management company to manage any on-site infrastructure. The long term management of the public open space, play areas and woodland can be secured through the provisions of the S106. The delivery and management of the allotments and infiltration basins can also be secured through the provision of the legal agreement.
- 6.101 As required by the County highways officer and agreed under the appeal process for the previous application, the following site specific highways contributions would also need to be secured under the S106:
- Improvements (including drainage improvements) to existing public rights of way in the vicinity of the site - £30,000
 - Bus stop infrastructure improvements - £15,000
 - Public transport contribution - £1,000 per dwelling
- 6.102 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would be required:
- Street naming and numbering - £107.80 per 10 houses
 - Provision of cycle bins - £170 per property
 - Monitoring fee - £2327.29
- 6.103 I consider that these contributions / obligations accord with policy CSI1 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. They accord with the relevant tests in the NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development and are fair and reasonably related in scale and kind to the development.

Contributions pooled under the Community Infrastructure Levy

- 6.104 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.
- 6.105 Under the CIL regulations, the Parish Council receive a proportion of CIL money. This can be spent on infrastructure projects that are priorities for the community.

- 6.106 The precise CIL liable floor area will not be calculated until details are submitted under a reserved matters application. The applicant has highlighted that the development would generate £1.4 million in CIL. I note that this is subject to change with a different house mix. The current calculation indicates that Harpsden Parish Council would receive in the region of £350,000. They could chose to spend it on local projects or contribute towards strategic infrastructure.

7.0 PLANNING BALANCE AND CONCLUSION

- 7.1 In this case, there are material considerations which indicate that the application should be decided otherwise in respect of the development plan. As we cannot demonstrate evidence of a five year supply of deliverable housing sites the relevant development plan policies for the supply of housing are out-of-date. The housing supply policies in the JHHNP are also out of date and that is a material consideration that can justify a departure from the plan and the grant of planning permission.
- 7.2 Where policies for the supply of housing are out of date, para.14 of the NPPF requires a presumption in favour of sustainable development and that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In order to judge whether a development is sustainable it must be assessed against the three dimensions of sustainable development set out in the NPPF: the economic, social and environmental planning roles.
- 7.3 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 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.
- 7.4 The development would deliver significant social benefits. 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 and the proposal would contribute towards this at a time of serious housing need. I attach very substantial weight to this social benefit. Other social benefits include the provision of play areas and the allotments.
- 7.5 The very substantial weight attributed to the provision of housing, is diminished to a degree by the lack of school provision within Lower Shiplake and capacity issues at Shiplake C of E Primary School. This in result will have some negative environmental impact in terms of the need to transport pupils to school.
- 7.6 In terms of other environmental matters, officers acknowledge that the proposal would result in some harm to the rural character of the site and surrounding area. The loss of trees and necessary highway works would have a further urbanising impact on the stretch of highway on which the site is positioned. Although this weighs against the scheme, the environmental harm can be mitigated to a certain extent through the strategic landscaping and proposed woodland planting. The long term gain in woodland cover would outweigh the initial negative arboricultural impact caused by the tree losses. In time, there will also be ecological gains from the woodland provision.
- 7.7 Other mitigation measures can be secured to reduce the highway safety impact of the development. This includes the provision of a pedestrian crossing point to the north of the war memorial island, which is preferable to the crossing point proposed under the previous application. Footpaths can be provided to integrate the site with the village and a financial contribution towards the bus service would improve the accessibility of the site by sustainable modes of transport.

7.8 The planning balance in this case is not a flat balance of the benefits against the harm. Due to the presumption in favour of sustainable development that applies, it is not enough for the harm to outweigh the benefits. That harm must *significantly and demonstrably* outweigh the benefits. Given the importance of neighbourhood planning, this is a finely balanced decision.

7.9 Overall, I am satisfied that there are no adverse impacts which, either individually or together, are of sufficient weight to indicate that the development should be restricted. Placing all of the relevant material considerations in the balance, I consider that the adverse impacts would not significantly and demonstrably outweigh the very substantial benefits which would result from the provision of new housing and affordable housing to boost supply as required by the NPPF. 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 other obligations stated above; and

ii) The following conditions:

- 1. Approval of reserved matters prior to commencement.**
- 2. Reserved matters to be submitted within two years and commencement within one year from approval of last reserved matters.**
- 3. Approved plans.**
- 4. Sample materials to be agreed.**
- 5. Lighting study for lighting on highway.**
- 6. New vehicular access prior to occupation.**
- 7. Existing access to be closed.**
- 8. Vision splays to be provided.**
- 9. Accesses, driveways and turning areas to be provided.**
- 10. Parking to be retained.**
- 11. Cycle parking to be provided.**
- 12. Construction traffic management plan to be agreed.**
- 13. Travel plan to be approved.**
- 14. Safe routes to school study.**
- 15. Off site highway works to be agreed and a timetable for their implementation.**
- 16. Footpath to Bolney Road to be provided prior to 60th occupation.**
- 17. No surface water onto highway.**
- 18. Hard landscaping to be agreed.**
- 19. Details of lighting within site to be agreed.**
- 20. Specification and implementation plan for soft landscaping to be agreed.**
- 21. Landscape management plan to be agreed.**
- 22. Arboricultural method statement (tree protection) to be agreed.**
- 23. Phasing of development (access and drainage ponds first followed by woodland planting).**
- 24. Construction environment management plan for biodiversity to be agreed.**
- 25. Lighting strategy to reduce the impact of lighting on bats to be agreed.**
- 26. Method statement for biodiversity enhancements to be agreed.**
- 27. Surface water drainage to be agreed.**
- 28. Foul drainage to be disposed to Thames Water foul sewer.**

29. Strategy for any on and off site foul drainage works to be agreed.
30. Air quality mitigation to be agreed.
31. Contaminated land investigation / remediation to be agreed.
32. Construction hours restriction.
33. Preparation of an archaeological written scheme of investigation.
34. Staged programme of archaeological evaluation and mitigation
35. Play space / equipment to be approved.
36. Boundary treatments to be agreed.

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