

APPLICATION NO.	P16/S3441/O
APPLICATION TYPE	OUTLINE
REGISTERED	2.11.2016
PARISH	BENSON
WARD MEMBER(S)	Richard Pullen Felix Bloomfield
APPLICANT	Mr R J & S Styles
SITE	Land South of Watlington Road, Benson OX10 6NP
PROPOSAL	Outline application (with all matters reserved except access) for the erection of up to 120 dwellings (40% of which will be affordable) with associated access, public open space, landscaping and play space.
AMENDMENTS	As amended and clarified by drawing nos 38409/5502/001 and 002 dated Oct 2016, Archaeological evaluation and Transport and Noise addendum reports accompanying Agent's letter dated 2 February 2016 and Framework Plan PL03 Rev C and agents e-mail dated 6 April 2017.
GRID REFERENCE	462267/192220
OFFICER	Sharon Crawford

1.0 INTRODUCTION

1.1 The application has been referred to the Planning Committee because the recommendation conflicts with the recommendation of the Benson Parish Council who object to the application.

1.2 This is a greenfield site of around 7.9 hectares located on the northern eastern edge of Benson. The site fronts onto Watlington Road and is a large field in arable production. Existing residential properties abut the site on its western and southern boundaries on Blacklands Road and Brook Street. The boundaries with residential properties are visually enclosed by mature hedging and fencing. The Watlington Road boundary is marked by a mature field hedge. The eastern boundary of the site is currently open.

The site has no special designation and is some distance from the conservation area, flood zones, AONB or listed buildings. However a small part of the site is known to be susceptible to surface water flooding.

1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

2.1 The application seeks outline planning permission for a residential development of up to 120 dwellings. Access is to be determined at this stage with matters of appearance, layout, scale and landscaping reserved for subsequent approval.

2.2 The application submission includes the following documents;

- Design and Access Statement
- Agricultural Land Classification Report
- Arboricultural Report

- Heritage Statement
- LVIA
- Statement of Community Involvement and Sustainability
- Habitat Survey
- Reptile survey
- Transport Assessment and Travel Plan
- Flood Risk Assessment
- Utilities report, and
- Topographical survey
- Additional information has also been submitted in respect of archaeology, noise and landscape impact.

Amended plans have been submitted to overcome the highway concerns and those of the landscape consultant. The amendments are.

- Reduction in the proposed developable area from 5.72ha to 5.42ha.
- Lowering of the density across the site to a maximum of 30 dwellings per hectare within centre parcels with lower densities on the perimeter of the site.
- Amendment of the description of the development to reflect a reduction in the capacity of the site from ‘up to 180 dwellings’ down to ‘up to 120 dwellings’
- Inclusion of an increased landscape buffer and additional public open space to the eastern portion of the site.
- The addition of a ghost right turn into the site and the introduction of a new chicane to the north east of the site. To accommodate the ghost right turn lane, along with the appropriate visibility splays, the proposed site access has been relocated further to the north east.

2.3 Reduced copies of the plans accompanying the application are **attached** at Appendix 2. Full copies of the plans and consultation responses are available for inspection on the Council’s website at www.southoxon.gov.uk

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full responses can be found on the Council’s website but are summarised below.

3.1 Benson Parish Council **Original plans.** Key Objections:

- The development will have a major impact on the visual amenity of houses in Blacklands Road and Brook Street. Their own landscape assessment report states “the impact is significant and should be considered in the planning balance”. The site being located on higher ground, it will overlook existing properties in Brook St and Blacklands Road.
- The impact of additional vehicles generated by this development. The figures quoted for the anticipated growth at Littleworth Road do not agree with the latest figures in P16/3611
- The development is not sustainable due to its distance from village facilities (school, doctors etc.)

Amended plans.

Members unanimously resolved to object to the amendment on the following grounds:

It is contrary to the emerging Neighbourhood Plan Provides no benefit to the village The development will have an adverse cumulative impact on the existing village infrastructure

Previous Key Objections also still apply:

Berrick

The Parish Council of Berrick Salome are extremely concerned about

Salome Parish Council the effect that the several proposed developments in Benson will have in the roads through the villages of Rokemarsh, Roke and Berrick Salome. If these proposed developments are consented, then there will inevitably be a very significant and damaging increase of traffic through the villages on roads which are totally unsuitable and unable to sustain that increase in traffic without seriously impacting on the quality of life of our parishioners. The road will become the route of choice and convenience for those on our side of Benson to reach Stadhampton, South Oxford, and, most worryingly, the M40 going north. For this reason (amongst others) we object to the currently proposed Applications in Benson. If they are consented then we see it as being paramountly important that there is appropriate work undertaken to the road network so as to avoid the Parish of Berrick Salome being ruined by becoming a "rat run".

OCC (highways) The original highway objection has been addressed

OCC (Archaeology) Following on from the submission of the archaeological evaluation, no objection subject to conditions.

OCC (Minerals) The proposed development would directly sterilise deposits of sand and gravel within the site and would indirectly sterilise sand and gravel deposits within adjoining land. Constraints imposed by existing adjacent housing would be likely to preclude mineral working within much, if not all, of the proposed development site; and additional indirect sterilisation of mineral resources within adjoining land would be likely to be of limited extent. There is not a sufficiently strong reason to justify the safeguarding of mineral deposits against sterilisation by the proposed development.

Countryside Officer I have no in principle objections to this proposal. The habitats on site are common and widespread and of generally low ecological value. Surveys for protected species have not revealed the presence of any significant population on site. The proposals have been subject to an initial assessment using the Biodiversity Impact Calculator which was developed by Defra and the Environment Bank to determine if it has the potential to avoid a net loss in biodiversity. As very little information has been provided on which to base this calculation the calculation has been based mainly on the Landscape Framework Plan. Overall the balance between loss and gain is very close and I am of the opinion that it would be possible to achieve a no net loss for biodiversity if sufficient high quality landscaping and wildlife habitat is designed into the detailed proposals. Add condition if planning permission is granted.

Forestry Officer There are no trees of any arboricultural significance on this site and very few growing on adjacent land. To create the proposed new highway access into the site from Watlington Rd, it will require the removal of a section of the existing field hedgerow. I have no objection to this. If permission is to be granted the issues below will need to be addressed at the Reserved Matters stage. Due to the scale of the proposed development a well-designed landscaping scheme and strategy will be essential to enable many new trees to be introduced into the site. The site layout should allow space for tree lined highways

along all main routes through the development to soften its appearance, using trees as focal points. The scheme will need to include larger long lived trees and be made up of a wide variety of species (suited to the sites soil type) to insure a diverse and robust tree scape. All landscaping plans need to be designed in unison with housing layouts as well as all other drainage, service routes, highway layouts, vision splays and lighting layouts to avoid conflicts that would prevent the planting from being implemented or becoming established in the future. Evidence of this must be provided.

Health and Housing – Environmental Protection	There are concerns that the noise from the nearby RAF Benson airbase will have a detrimental impact on the amenity of the proposed housing projects in Benson. However, planning permission already exists on the adjacent site for new residential development and the impacts on this proposal are no worse. In light of the additional noise report, conditions should be applied to the development seeking further mitigation measures.
Defence Infrastructure Organisation	The application site falls within the statutory birdstrike safeguarding zone surrounding RAF Benson. Therefore, DIO Safeguarding maintains no objection to this application to a conditional requirement for the management of trees being included in any planning permission granted.
Monson (drainage)	Thames Water advice should be sought in respect of foul drainage. Surface water drainage should also be submitted for approval.
Community Infrastructure Officer	Standing advice on S106 and CIL contributions.
Waste Management Officer	Standing advice on waste and bins.
CPRE	There is currently a slight dogleg along the B4009 between the points where the southern section of FP 12 meets the road and its continuation northwards. It seems desirable to make a slight diversion of FP12 on the south side of the B4009 in order to eliminate the dogleg along the road.
Neighbours Objections (49)	<p>Lack of up to date Local Plan. We are very concerned with the large number of applications now being submitted for additional housing at Benson (over and above existing commitments). This is entirely down to the failure of SODC to prepare an up to date Local Plan, the latest draft of which simply compounds the problem by devolving powers to make allocations in villages to Neighbourhood Plans (that may still take years to prepare). In the meantime the Council may not be able to demonstrate a 5 year supply of housing land giving it little control over speculative housing applications in villages.</p> <p>Landscape impact. We are concerned there is inconsistency between statements made in the Landscape and Visual Impact Assessment (LVIA) about retaining the boundary hedge on Watlington Road (paragraphs 8.2.7, 8.2.11 & 9.2.35 refer) and the Transport</p>

Assessment that suggests that the majority of the hedge will either have to be removed or severely cut back to create visibility splays (see drawing 38409/5501/002A in the TA). As the root stock of the hedge is within approximately 1 metre of the carriageway edge it is difficult to see that any of the hedge north east of the proposed access point (for a considerable distance) can be retained. This matter needs clarification and if our assumption proves correct the LVIA will need to be re-considered accordingly. On landscape impacts some recognition also needs to be given to the Landscape Assessment for Sites on the edge of the Larger Villages produced on behalf of the Council in May 2014. This suggested that only about 50% of this site (BEN5) had potential for development in order to safeguard the intervisibility of the site with the North Wessex Downs AONB with access being taken from Blacklands Road. At a density of 25 dph this suggested that 85 dwellings only may be accommodated on the southern part of the site. A density of up to 180 dwellings covering the entirety of the site is at variance with this earlier guidance and suggests that a major landscape impact may arise.

Education There is presently no spare capacity at the village primary school over and above that required to meet the needs of the future residents of Littleworth Road Phase 1. In fact the County Education Officer has already stipulated (in the context of both Littleworth Road Phase 2 (P/16/S1139/O) and the Gladman application on St Helen's Avenue (P/16/S1301/O) that the County Council will maintain an objection to both developments until the school's site constraints have been resolved. At present the only solution to this appears to be to provide a remote playing field for the school as part of Littleworth Road Phase 2 that will free up land at the existing school site to expand. However the land needed for the expansion at the existing school is held by a Church Trust (not the County Council) and it is unclear whether it will sanction any expansion onto the land it controls. We also note that the land in question is to be designated as a Local Green Space in the Benson Neighbourhood Plan making its potential for any form of future development questionable.

Scale of development and the Benson Neighbourhood Plan The housing stock at the time of the 2011 Census stood at 1719 dwellings. Completions since that time stand at 8 dwellings and there are commitments for 168 dwellings. Therefore the total stock as at March 2016 stood at 1895 dwellings. The combination of this application (for up to 180 dwellings), the Gladman application at St Helen's Avenue (for up to 130 dwellings), the current scheme for 11 dwellings on land r/o 22/24 Blacklands Road (net 10), the resolution to grant permission for a further 241 dwellings at Littleworth Road Phase 2 and the revised scheme for 187 dwellings at Littleworth Road Phase 1 (net increase of 28 dwellings) will add 589 dwellings to the housing stock of the village over and above the March 2016 base date. In addition a screening opinion has now been issued on land off Hale Road for 84 dwellings (P16/S3736/SCR) and we are aware that David Wilson Homes are shortly to submit an application on sites referred to as BEN3 and BEN4 for between 250-280 dwellings. This takes the potential number of additional dwellings to 953 which would represent more than a 50% increase in housing stock over and above the base date. This is significantly higher than the 10% increase earlier suggested in the Local Plan Preferred Options (June 2016) which would have represented only 190 dwellings. This figure has already been

exceeded through the approval of Littleworth Road Phase 2 alone. However we understand that the Benson Neighbourhood Plan is to suggest another 60 - 100 dwellings in addition to the 190 taking the total to between 250 - 290 dwellings. Even this figure is already largely achieved through Littleworth Road Phase 2 (i.e. 241 dwellings) and the 28 additional units now proposed for Phase 1 (i.e. a total of 269 dwellings). If the housing off Blacklands Road is also approved this will increase the figure to 279. This leaves insufficient headroom to justify approving either this application, the 84 dwellings at Hale Road or the 250-280 suggested at sites BEN 3 & 4. Surely if the Neighbourhood Plan is to have any control on the future level of housing in the village no further applications above those mentioned above should now be approved. We have read from the Minutes of the Benson **Neighbourhood Plan Steering Group** that there is some suggestion of a Relief Road being provided for the village that will be financed (at least in part) by HCA funding associated with the Chalgrove Airfield development. There is currently no protected route for a Relief Road around Benson and any opportunity to provide it could be severely prejudiced by the current and proposed developments around the village (in particular on sites BEN 2, 3 & 4). There needs to be some proper strategic planning around this issue to ensure that all potential routes are adequately safeguarded and land reserved accordingly. In addition, if the Relief Road is a serious suggestion it is unlikely it would be fully funded through the Chalgrove development and contributions from other sources may be needed (including the present site off Watlington Road). To date the Council has approved (or resolved to approve) 400 additional dwellings in the village but no contributions towards a possible relief road have been sought. This needs further consideration now as well as protecting a preferred route.

Social Cohesion Finally, there is the matter of “social cohesion” to consider where significant additional housing is proposed in a village. In similar situations which have been tested at appeal Inspectors have accepted (in considering the social dimension of sustainable development) that it would take an existing community some time to adapt to a significant increase in housing and this may have adverse consequences for the social and cultural wellbeing of existing residents e.g. combined appeals at Feniton, Devon - see APP/U1105/A/13/2191905 (paragraphs 86 – 88 in particular). In that case the Inspector recognised that substantially increasing the number of residences in a settlement (potentially representing more than a 12.2% increase in housing stock) without proportionate increases in the provision of local shops, infrastructure, employment opportunities and other local services risks eroding community cohesion and was a consideration to be weighed in the overall balance when considering whether the proposal constitutes sustainable development. In this case any further development over and above the additional 250-290 dwellings considered appropriate by the Neighbourhood Plan (which represents up to a 15% increase in housing stock over the March 2016 base date) may have the effect of negatively impacting on social cohesion to the detriment of the village and its overall sustainability.

4.0 RELEVANT PLANNING HISTORY

- 4.1 P16/S3315/SCR - Screening opinion request for the erection of up to 180 dwellings and associated works and infrastructure.

[P78/W0081/O](#) - Refused (27/06/1978)

Proposed erection of houses.

[P74/M0008](#) - Refused (11/07/1974)

Erection of houses. Access.

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy policies

CS1 - Presumption in favour of sustainable development

CSB1 - Conservation and improvement of biodiversity

CSEM1 - Supporting a successful economy

CSH1 - Amount and distribution of housing

CSH2 - Housing density

CSH3 - Affordable housing

CSH4 - Meeting housing needs

CSI1 - Infrastructure provision

CSR1 - Housing in villages

CSS1 - The Overall Strategy

5.2 South Oxfordshire Local Plan 2011 policies;

C10 - Landscape Features

C4 - Landscape setting of settlements

C6 - Maintain & enhance biodiversity

C8 - Adverse affect on protected species

C9 - Loss of landscape features

CON13 - Archaeological investigation recording & publication

D1 - Principles of good design

D10 - Waste Management

D2 - Safe and secure parking for vehicles and cycles

D3 - Outdoor amenity area

D4 - Reasonable level of privacy for occupiers

D7 - Access for all

EP1 - Adverse affect on people and environment

EP2 - Adverse affect by noise or vibration

EP3 - Adverse affect by external lighting

EP6 - Sustainable drainage

G2 - Protect district from adverse development

G3 - Development well served by facilities and transport

H4 - Housing sites in towns and larger villages outside Green Belt

T1 - Safe, convenient and adequate highway network for all users

T2 - Unloading, turning and parking for all highway users

South Oxfordshire Design Guide 2016

Sections 3,4 and 5

5.3 **National Planning Policy Framework**

National Planning Policy Framework Planning Practice Guidance

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in

emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

Emerging South Oxfordshire Local Plan 2033

The council has just completed the Second Preferred Options consultation of the Local Plan 2032. The Second Preferred Options seeks to build upon the existing settlement hierarchy and actively create a pattern of development central to the area. It identifies strategic levels of growth at three locations connecting through this central area of the District which includes Benson. The larger villages such as Benson are expected to deliver an additional 15% growth. Although it is acknowledged that due to a number of appeal decisions this 15% figure has already been reached for Benson. Benson is encouraged to consider safeguarding sites that have been given permission to benefit from the full weight of their NDP and to provide them with a robust baseline for monitoring. In addition Benson is unconstrained by AONB or green belt designations and could plan for more than 15% growth. The level of growth proposed should be evidenced within the Neighbourhood Development Plan with local communities helping to shape the development of their village. We intend to publish the final version of the local plan before the end of 2017.

Emerging Benson Neighbourhood Plan.

Benson are working towards the adoption of a neighbourhood plan (BNP). Benson Parish Council recently consulted on the draft version of its neighbourhood plan. The Parish Council is currently reviewing the responses and will submit a revised plan to the council for a further period of consultation shortly. The BNP carries limited weight at this stage.

South Oxfordshire Section 106 Supplementary Planning Document 2016

5.4 Environmental Impact.

The proposal constitutes Schedule 2 (category 10(b) urban development projects) and exceeds the indicative threshold criteria (5ha). However the site is not within a sensitive area. Having regard to the characteristics of the development, it is not considered that there is potential for significant environmental effects. The cumulative impact has also been assessed taking into account other development proposals in the area. This scheme proposes 120 dwellings. The application has been supported by sufficient documents for these aspects of the scheme to be considered in full. Thus, it is considered an Environmental Statement is not required for this proposal. This recommendation holds when considering the impact of this development cumulatively with the permitted sites in the village and area. A formal screening opinion was issued on 20 October 2016.

Other Relevant Legislation

- Environmental Impact Regulations, as amended 2015
- Community & Infrastructure Levy Legislation Human Rights Act 1998
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Human Rights Act 1998
- Equality Act 2010 section 149
- CIL Regulations 2010 (as amended)

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to consider in this case are;

- The principle of the development, including:
 - Development Plan
 - 5 year housing supply
 - Neighbourhood Plan
 - Accessibility of site and facilities.

- Matters of detail / technical issues, including:
 - Landscape impact,
 - Agricultural land
 - Trees and ecology
 - Design and layout,
 - Highway safety and traffic impact,
 - Affordable housing,
 - Housing mix
 - Neighbour amenity and amenity of future residents,
 - flood risk and surface / foul drainage,
 - noise, and

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

6.2 **The Principle of 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, the saved policies of the South Oxfordshire Local Plan 2011 and any relevant neighbourhood plans. Development which is not in accordance with an up-to-date development plan should be refused unless material considerations indicate otherwise.

6.3 Benson is designated as a 'larger village' in the Core Strategy. Policy CSS1 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 new development' at Didcot and supporting the roles of Henley, Thame and Wallingford.

6.4 Policy CSH1 identified the distribution of housing within South Oxfordshire including housing in the 12 larger villages. Policy CSR1 indicates that housing provision in the villages will be achieved through allocations, infill development and rural exception sites for affordable housing and that there would be no limit on infill development in these settlements.

6.5 The application site falls beyond the built up limits of the village. It does not represent infill development and is not a site allocated for housing in an adopted / made plan. The development therefore conflicts with the development plan, insofar as it does not meet with the policy CSR1 criteria against which proposals for development beyond the built-up limits of larger villages are assessed.

- 6.6 **5 year housing land supply.** 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.
- 6.7 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 SOCS.
- 6.8 Based on the evidence in the SHMA and past delivery, the council has a housing land supply in the region of 3.9 years (including the 20% buffer for under delivery). Therefore the council cannot currently demonstrate a 5 year housing land supply. In these circumstances, Paragraph 49 of the NPPF states 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 land and the 'presumption in favour of sustainable development' should be applied. Policy CSR1 clearly relates to housing supply and is not up to date.
- 6.9 Paragraph 14 of the NPPF advises that there is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, **granting permission unless:**
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - Specific policies in this Framework indicate development should be restricted.
- 6.10 The NPPF does not suggest that populations of settlements should be limited in some way or not be expanded by any particular figure. It expects housing to be boosted significantly. Additional housing can help support and secure local services and it may be possible to address infrastructure deficiencies through planning conditions or through a legal agreement.
- 6.11 The Core Strategy housing supply policies are out of date and are given less weight in our decision making. In addition, the council's high court challenge of appeal decisions in Chinnor concluded that the council is silent on CSR1 in relation to housing in larger villages due to the lack of the Site Allocations DPD. Therefore, paragraphs 49 and 14 of the NPPF are also applied to CSR1 regardless of the current five year land supply position.
- 6.12 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. It is in this context that the application will be assessed. The impacts of the development are considered below and the planning balance weighed up in the conclusion of this report.
- 6.13 **Benson Neighbourhood Plan.** Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of

unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF.

- 6.14 Benson Parish are working towards the adoption of a neighbourhood plan. The emerging neighbourhood plan is now in its final phase of production. Consultation on the pre-submission version has closed. The parish council is currently reviewing the responses and will submit a revised plan to the council for a further period of consultation shortly. The village proposes the development of approximately 340 dwellings (excluding those already approved on BEN1) across the NP2, NP3, NP4, NP5 (BEN2, BEN3 and BEN4) sites. This figure is above the 15% envisaged in the Local plan 2032. This approach is underpinned by two parallel objectives. The first is to provide an appropriate number of new dwellings to ensure that Benson is a vibrant and sustainable community in the medium and long term. The second is to provide a developer-funded Edge road around the north of the village and which will provide significant traffic relief from the existing issues in the village centre.

The BNP allocates sites for housing adjacent to the proposed edge road to provide the funding for the road. The Benson Neighbourhood Plan does not support residential development on this site (BEN5), the parish council consider that allowing housing on this site will undermine their objective to secure the edge road.

As the BNP is still at pre-submission stage it can only be afforded limited weight because it has not yet been finalised. This is because it is not known yet, having regard to national and local policy, whether it would be appropriate to adopt the NP and whether objections to policies can be resolved in a satisfactory manner.

6.15 **Conclusions on the principle of residential development.**

In view of the above it is clear that the decision-making process for the determination of this application is therefore to assess whether the proposed development constitutes sustainable development and whether the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits.

6.16 **The accessibility of the site to services and facilities.**

Benson is a larger village, which is identified as a sustainable location for housing within the core strategy policy CSS1. Taking a midpoint from the site it is situated some 0.5 kilometre from village centre which contains a range of facilities including doctor's surgery and shops. It is also around 0.8km from the primary school, Benson is relatively well located for public transport. The site is within walking distance of bus stops for the 139 which operates between Wallingford and Henley on Thames operating on an hourly frequency in both directions during the day. In addition, the x39/x40 bus service providing direct services to Oxford, Wallingford and Reading. The site is also well connected via public footpaths to the countryside beyond. I consider this site to be in a sustainable location.

- 6.17 It is acknowledged that the development would increase demands placed on local infrastructure and services. There is insufficient capacity in the area at early years provisions, primary, secondary and special education needs schools to meet the needs of the proposed development unless the specified recommendations of OCC are met through a S106 agreement. However, in your officer's view the location of the site, the proximity to existing services within the village and availability and access to public transport to the wider county and region in conjunction with the social, environmental and economic benefits mean that this proposal does constitute a sustainable form of development. **Therefore unless there are significant and demonstrable adverse impacts from the development the presumption is in favour of granting**

permission for the development and the principle of housing on this site is acceptable.

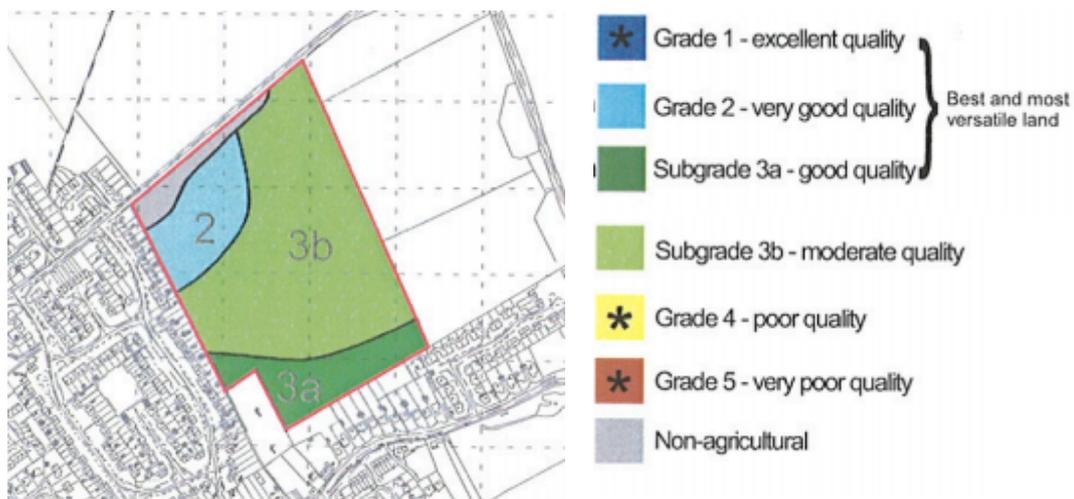
- 6.18 The remaining sections of this report consider the proposal in detail in terms of whether there are adverse impacts generated from the development that would outweigh the benefits that it would bring.
- 6.19 **Matters of detail / technical issues**
Landscape impact. The site lies within South Oxfordshire Landscape Character Assessment Area 3 “The Clay Vale” in an area of undulating open vale (the existing built up area of Benson lies within “The River Thames Corridor area”). The area is a predominantly rural landscape with some local intrusion of main roads, power lines and built development. The Council’s Landscape Capacity Study (by Kirkham 2014) of potential housing sites in the larger villages of the District looked at eight sites in Benson, including the application site (BEN5). The study recommended that only part of the BEN5 site be considered further on landscape and visual grounds. It concluded that the capacity of the site is constrained by the relationship of the northern section of the site with the wider countryside, the existing function of the open fields as an approach to Benson and the intervisibility of the site with the NWD AONB. Despite a medium / high capacity, the recommend reduced area covers approximately half of the site, avoiding impacting on the open countryside to the north and the open approach to the village and relating to a field boundary within adjacent site BEN6.
- 6.20 The adopted Local Plan and the Core Strategy contain policies that seek to protect landscape character and features and set requirements about the quality of development, to ensure that it is appropriate to the site and its surroundings and enhances local distinctiveness. The North Wessex Downs AONB is located some 1 kilometre to the west of the application site, and is separated from the site by the main body of the village. The Chilterns AONB is some 1.5 kilometres to the east of the site and is separated from the site by open fields.
- 6.21 The site is fairly typical of the rural landscape to the east of Benson, although the adjacent built forms (to the west and the south) and the B4009 have an influence on the character of the site, so it has an urban edge appearance. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application which concluded the only impacts of note related to;
- the interaction of the Site with the two AONBs, in that the assessment identified adverse impacts of Moderate/Minor significance upon the very highly sensitive setting of the AONBs and the site’s relationship with this elevated land, and
 - adverse visual impacts to which significant weight should be attributed upon residents and public footpath users within the immediate setting of the site,
- The LVIA concluded that neither of these impacts are considered to be of significant weight within the planning process.
- 6.22 However following on from a number of concerns from the Council’s landscape consultant the application has been amended as follows;
- Reduction in the proposed developable area from 5.72ha to 5.42ha.
 - Lowering of the density across the site to a maximum of 30 dwellings per hectare within centre parcels with lower densities on the perimeter of the site.
 - Amendment to the description of the development to reflect a reduction in the capacity of the site from ‘up to 180 dwellings’ down to ‘up to 120 dwellings’
 - Inclusion of an increased landscape buffer and additional public open space to the eastern portion of the site.

6.23 Notwithstanding the above, the development of an open agricultural field to provide up to 120 dwellings would inevitably have an urbanising effect and would cause some erosion of the rural landscape of the area. However I consider that these effects would be localised in nature, Nevertheless, the proposal would result in the loss of what is currently open agricultural land, and its replacement with housing, streets, lights and associated human activity would clearly have an adverse effect on the rural quality of the landscape. As such the proposal would result in some landscape harm and this is a matter that must be put into the planning balance to weigh against the proposal.

6.24 **Agricultural land.**

Paragraph 112 of NPPF advises that local planning authorities should take into account the economic and other benefits of the best and most versatile land (BMV). Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in Grades 3b, 4 and 5 in preference to higher quality land. Paragraph 109 of the NPPF puts the protection and enhancement of soils as a priority in the conservation and enhancement of the natural environment.

6.25 The site is predominantly within grade 3b, with a pocket of grade 2 and 3a land. The grade 2 and 3a land constitutes BMV land and its loss also weighs against the proposal in the overall planning balance.



6.26 **Trees and Ecology**

The Arboricultural Implications Report concludes that the arboricultural impact of the scheme would be of negligible magnitude, and that the proposed development would not have an adverse arboricultural impact on the character and appearance of the local landscape or on the amenity or biodiversity that the existing trees provide.

6.27 The Forestry Officer has raised no objection to the application but comments that a well-designed landscaping scheme and strategy will be essential to enable many new trees to be introduced into the site. The site layout should allow space for tree lined highways along all main routes through the development to soften its appearance, using trees as focal points. The scheme will need to include larger long lived trees and be made up of a wide variety of species (suited to the sites soil type) to ensure a diverse and robust tree scape. As the application is in outline form, with landscaping reserved for latter consideration, an appropriate landscape scheme could be secured at the reserved matters stage.

6.28 An ecological appraisal has been submitted with the application which concludes that the majority of the site is of low ecological value. The Countryside Officer has commented that overall the balance between loss and gain is very close and he is of the opinion that it would be possible to achieve a no net loss for biodiversity if sufficient high quality landscaping and wildlife habitat is designed into the detailed proposals.

6.29 In light of the above, there is no evidence to suggest that there are any overriding ecological constraints to the development of the site for residential purposes. The proposals would deliver a net benefit for wildlife which could be secured through appropriate planning conditions.

6.30 **Design and layout.**

The NPPF sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also provides that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

6.31 The NPPF goes on to advise that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 61). The design policies of the SOCS (particularly CSQ3) and SOLP policies (particularly D1-D4) echo these requirements.

6.32 The layout of the proposed development is to be the subject of a reserved matters application. However, an amended illustrative framework plan has been provided and this communicates the key design principles that a subsequent reserved matters application will reflect. Namely:

- Reduction in the proposed developable area from 5.72ha to 5.42ha.
- Lowering of the density across the site to a maximum of 30 dwellings per hectare within centre parcels with lower densities on the perimeter of the site.
- Amendment to the description of the development to reflect a reduction in the capacity of the site from 'up to 180 dwellings' down to 'up to 120 dwellings'
- Inclusion of an increased landscape buffer and additional public open space to the eastern portion of the site.

6.33 The indicative plans show that sufficient public open space (POS) 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 scheme would provide 1.2 ha of public open space. The illustrative layout indicates green buffer spaces to the north and eastern boundaries of the site and open spaces within the development. Two areas of play would be provided (0.04 ha) which would comply with policy R2 of the SOLP. The formal and informal POS and play areas could be secured with a S106 legal agreement.

The indicative plan also shows links into the public footpath on the western boundary of the site that links into Blacklands Road. There is also the possibility of a road connection into the recently approved scheme for housing in the south western corner of the site to provide some connectivity with the rest of the village.

Overall, it is considered that the site is capable of accommodating the quantum of development proposed but a note is recommended to ensure that any reserved matters application complies with the Council's design guide.

6.34 **Highway safety and traffic impact.** A Transport Assessment (TA) has been submitted

with the application. Vehicular access is proposed via a new access onto the B4009. The provision of vision splays will involve the removal of a section of the existing road side hedge. A new hedge will be planted to allow for the vision splays. Pedestrian links would be provided into the public footpath that runs along the rear boundary of Blacklands Road properties. There is also potential for a road link into Blacklands Road through the former orchard site which recently gained planning permission for 11 dwellings.

- 6.35 Amended plans have been submitted to address the concerns of the OCC Highways engineer. The amendments to the site access are;
- i) Addition of a ghost island right turn lane to better facilitate right turns into the site access designed to a 30mph design speed in the eastbound direction and 50mph in the westbound direction;
 - ii) Corresponding relocation of the site access to accommodate the required approach lengths of the ghost island;
 - iii) New chicane to the east of the ghost island, providing priority to traffic exiting Benson;
 - iv) Improved visual speed reduction measures at the existing chicane west of the proposed site access (road markings) and upgrade of uncontrolled pedestrian crossing facilities; and
 - v) Demonstration of how an extension to the 30mph speed limit order could be implemented along the site frontage (subject to separate consultation).

The scheme also includes the offer of off-site highway mitigation at the Church Road / A4074 Priority Junction as follows:

- i) Revised PICADY model outputs be submitted demonstrating a 'FLAT' vehicle profile in both AM (07:45-08:45) and PM (17:00-18:00) peak hour periods, in-line with recorded traffic flows at the junction; and
 - ii) Appropriate commitment towards highways mitigation at the junction to improve the Church Road access arm, with County preference for the mitigation proposed as part of the 'Land off St Helen's Avenue' proposals for 130 dwellings (P16/S1301/O). Works would be secured via either combined S106 financial contribution towards the costs of the works, or as necessary via Grampian condition for works to be completed via a Section 278 agreement between the future developer and the County.
- 6.36 The NPPF makes it clear that developments should only be refused on transport grounds where the residual cumulative impacts are severe. Safe and suitable access can be provided to the site as well as a layout that is safe, secure and minimises conflict. In addition mitigation works to improve the church Road/A4074 can be secured in accordance with section 4 of the NPPF. As such I consider that the proposed development would be acceptable in highway safety terms subject to appropriate highway conditions and contributions towards encouraging sustainable modes of transport.
- 6.37 **Affordable housing.** Policy CSH3 of the SOCS specifies that 40% of new homes shall be affordable, with a tenure mix of 75% social rented and 25% shared ownership. 48 affordable units would be provided to meet the 40% requirement. In terms of the tenure split, 26 homes (75%) would be for affordable rent and 12 homes (25%) shared ownership. The affordable housing provision will be secured through a S106 agreement.
- 6.38 **Housing mix.** Policy CSH4 of the Core Strategy requires a mix of housing to be provided to meet current demand. The district currently has two published documents for considering housing mix - the Oxfordshire Strategic Housing Market Assessment

(SHMA) 2014 and the South Oxfordshire Housing Needs Assessment (HNA) 2012.

The **HNA** was a more thorough assessment than the SHMA and is based on original survey data and 2001 census data using the ODPM model and Guide to Good Practice.

The **SHMA** uses secondary data from the 2011 census and GL Hearn demographic projections. It suggests that councils should have regard to other up to date evidence of need and the existing mix and turnover of properties at a local level.

The SHMA is the most up to date evidence base for considering housing mix but the Housing Development Officer has commented that the demand for two-bedroom shared ownership properties is much higher than for one-bedroom properties, therefore the overall affordable housing mix may be more suitably delivered with a higher proportion of two bedroom properties than is indicated in the SHMA guidance. In general, it is anticipated that the mix of affordable housing should reflect the significant demand for two bedroom units for both rented and shared ownership tenures with a reduction in one-bedroom accommodation and an adjustment to the number of larger homes. The table below sets out a suggested mix for 48 affordable housing units across both Affordable Rent and Shared Ownership.

	1 bed	2 bed	3 bed (5 person)	3 bed (6 person)	4 bed
Affordable rented	10	20	4	2	0
Shared Ownership	0	8	4	0	0

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.

- 6.39 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 application proposes to provide a range of housing types ranging from 1 to 4 bed dwellings. The market housing mix would need to reflect the SHMA requirements shown below which could be secured by condition.

Market homes	1 bed	2 bed	3 bed	4+ bed
SHMA	6%	27%	43%	24%

- 6.40 **Neighbour amenity and amenity of future residents.**

Policy D4 of the SOLP requires new development to secure an appropriate level of privacy for existing residents. The application is in outline only 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.

- 6.41 **Flood risk and surface / foul drainage.**

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.

- 6.42 The site is known to be susceptible to surface water flooding in some areas and 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 advised by the council's drainage consultant, the details of this could be secured by condition. Details of foul drainage are also to be secured by condition.
- 6.43 **Noise. Amenity of occupants.** All residential properties in Benson suffer from noise disturbance from aircraft from the Benson RAF airfield. Applications for new residential development in Benson must now include a noise assessment to ensure that there is specific consideration for indoor and outdoor amenity in accordance with BS8233:2014. The noise assessment helps to ensure that an appropriate scheme for protecting the proposed dwellings and future residents is put forward for consideration. In this case a noise assessment was not submitted with the application and given the extant planning permission on the site could not be required.
- 6.44 Future occupants will suffer some loss of amenity in their gardens and varying levels of sleep disturbance from noise produced by the passing helicopters from the nearby RAF Benson airbase. As the number of night time flight movements varies greatly how much sleep disturbance occurs is impossible to quantify precisely. However, this is consistent for most of the existing inhabitants of Benson. It has been accepted that Benson must provide new sites for housing and this site performs no worse than the existing housing stock. Sites which are closer to the RAF base or where noise is worse than for the existing housing stock will not be supported. Sites for housing will need some noise mitigation measures to address noise issues as much as possible.
- 6.45 In this case of noise assessment and a further noise addendum report have been submitted with the application. These propose a number of noise mitigation measures. Three conditions are recommended to ensure appropriate mitigation to address noise concerns.
- 6.46 **Infrastructure requirements**
Education.
Benson CE Primary School is currently 1 form entry. To meet the needs of any growth in the area the school will need to expand. An Options Appraisal has been carried out into how the school could expand which has shown that expansion would result in the school being short of playing field space, and as a consequence, planning application P16/S1139/O on the BEN1 site, which is not yet permitted, will provide a detached playing field for the school on its site. Application P16/S1139/O provides sufficient additional land to enable the school to expand to 1.5 form entry, but this current proposed development south of Watlington Road would require the school to expand further, to 2 form entry. The S106 agreement for P16/S1139/O, if completed will also secure an option for a further 0.093 ha of remediated land to increase the size of the playing field to support a 2FE school, and OCC would be required to pay for the additional land at a rate of £375K per ha being £34,875 for the 0.093 ha option land.
- 6.47 The county council therefore requires a S106 contribution from this proposed development of £34,875. The contribution is required to secure land for primary education provision associated with new development to make the development acceptable in planning terms, and is therefore allowed by SODC's Regulation 123 List. Due to the site constraints at Benson CE Primary School, it is not able to expand sufficiently to meet the projected local population growth without the detached playing field. The county council will therefore require the s106 agreement to provide that the

development cannot be implemented until such time as the county council has confirmed in writing that the means to expand primary capacity to mitigate the impact of the development has been secured (including the transfer of land).

6.48 In addition a condition is recommended to ensure that no development commences until a scheme for the expansion of the primary school has been agreed. The condition will also specify that no dwelling is occupied until the approved expansion works have been carried out.

6.49 **On-site infrastructure to be secured under a legal agreement**

In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would also be required towards on-site infrastructure:

- Affordable housing
- Delivery of the on-site open space and play areas
- a contribution of £170 per dwelling towards wheeled bins for each house
- a contribution of £1,608 towards street naming and numbering
- The sum of £4408 towards the Council's S106 monitoring fee
- Management of public open space

6.50 As advised by the County highways officer, the following site specific highways contributions would also need to be secured under a S106:

- Enhancements to public rights of way
- Bus Service Contribution – The improvement of bus services serving Benson at £1,000 per dwelling = £120,000
- Contribution of £18,990 (Index linked, BCIS November 2016) towards public transport infrastructure improvements on Brook Street.
- a requirement to provide for monies for consultation regarding the relocation of the current 30MPH / 50MPH boundary (£2,500)

A S278 agreement is also required to secure the following:

- Amendments associated with access and speed reducing feature to ensure that the access is safe and designed according to acceptable design standards.
- Amendments to Church Road / A4074 junction to accommodate development traffic

6.51 I consider that these contributions / obligations would accord with policy CS11 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. They would also 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. In the absence of a completed S106 legal agreement, an additional reason for refusal would need to be added to the decision notice as the necessary contributions / obligations have not been secured.

6.52 **Off-site contributions pooled under the Community Infrastructure Levy**

The council adopted a Community Infrastructure Levy (CIL) on 1 April 2016. With the exception of the affordable housing, any additional floor space is usually CIL liable at a rate of £156 per sq.m. The money collected can be pooled with contributions from other development sites to fund a wide range of off-site infrastructure to support growth, including schools, transport, community, leisure and health facilities.

6.53 Under the CIL regulations, the Parish Council would receive a proportion of CIL money.

This could be spent on infrastructure projects that are priorities for the community. If the Neighbourhood Plan is made prior to the commencement of development, it would receive 25 percent of the CIL money collected from the development (as opposed to 15 percent without a Neighbourhood Plan) to spend it on local projects or contribute towards strategic infrastructure.

7.0 CONCLUSION

7.1 Your officers recommend that planning permission is granted because the proposal needs to be assessed against the presumption in favour of sustainable development at paragraph 14 of the NPPF. This is because the Core Strategy Policy CSR1 has been found to be silent on housing in larger villages by the High Court and the district also does not currently have a five year housing land supply. In addition the development accords with the Council's spatial strategy as Benson is identified as a larger village which acts as a local service centre.

7.2 It is recognised that the site is not one of the preferred options in the emerging BNP, however, given the plan's stage of preparation it can only be afforded limited weight.

7.3 The report describes the proposals in full and assesses the proposal against the relevant material planning considerations. 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 and the conclusions against each of the strands is summarised below

7.4 *Economic role*

The Government has made clear its view that house building plays an important role in promoting economic growth. The proposal will provide additional housing where there is an identified requirement to increase housing targets and boost housing supply. This scheme proposes an additional 120 dwellings which will make a contribution to the overall supply of housing. The associated construction jobs and local investment during its build out as well as longer term expenditure in the local economy will be of economic benefit to the local area.

The proposal will also help meet the requirements under Policy CSS1 for larger villages by facilitating growth which supports the provision and retention of local services. The proposal therefore has economic benefits and no significant and demonstrable adverse impacts.

7.5 *Social role*

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. The additional pressure on infrastructure can be addressed through S106, CIL and conditions. I attach very substantial weight to this social benefit.

7.6 *Environmental role*

In terms of the environmental dimension, whilst the proposed development would intrude into open agricultural land, the scale and particular location of the proposal are such that its impact is likely to be limited to the immediate surroundings. Furthermore, the impact of the development could be further mitigated by appropriate landscaping. Nevertheless, there would be a landscape impact which would constitute harm in terms of the environmental sustainability of the proposal. The proposals would also result in the loss of some Grade 2 and 3a (BMV) land. The proposed development would not be at an unacceptable risk of flooding and would not exacerbate flooding problems for third

party property. In terms of ecology and nature conservation, it has been demonstrated that the development would not have a detrimental impact upon biodiversity.

With regard to accessibility, Benson is a large village and provides access to a range of facilities and services including a primary school, convenience stores, public houses and health facilities many of which are within walking and cycling distance from the site.

- 7.7 The site is accessible by sustainable modes of transport with a bus service linking the village to Reading and Oxford with stops close by the site. In addition a school bus provides access to Wallingford and Abingdon schools. Safe and suitable access can be provided to the site as well as a layout that is safe, secure and minimises conflict in accordance with the NPPF.
- 7.8 Although some local residents have identified concerns in terms of highway safety and capacity of facilities there is no evidence of harm that cannot be mitigated. There are no objections from Oxfordshire County Council subject to the delivery of the mitigation measures for highways and CIL contributions for education and no other infrastructure providers have raised objections. There is no demonstrable evidence that there is a cumulative impact of allowing the additional 120 homes on the site. The emerging Local Plan 2033 and the NDP are at an early stage of preparation and can only be given limited weight in accordance with paragraph 216 of the NPPF.
- 7.9 Taking into account the benefits of the development and weighing these against the limited harm, I consider that the proposal represents a sustainable development consistent with Para.14 of the NPPF and Policy CS1 of the South Oxfordshire Core Strategy and the emerging BNP. The proposal would contribute towards the objective to boost the supply of housing, consistent with Para.47 of the NPPF. Therefore, placing all of the relevant material considerations in the balance I conclude that the limited adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal and recommend the application for approval, subject to the prior completion or variation of the relevant S106 Planning Obligation.

8.0 **RECOMMENDATION**

8.1 i) **That the decision to grant outline planning permission be delegated to the Head of Planning subject to the prior completion of a Section 106 agreement and,**

ii) **the following conditions:**

- 1 : Commencement - outline with reserved matters.**
- 2 : Numbers of dwellings not to exceed 120.**
- 3 : Noise.**
- 4 : Surface water drainage works (details required).**
- 5 : Foul drainage works (details required).**
- 6 : Landscaping (including boundary treatment).**
- 7 : Secure expansion to school prior to occupation.**
- 8 : Secured by design.**
- 9 : Travel plan.**
- 10 : Contaminated land.**
- 11 : Market housing mix (outline).**
- 12 : Construction method statement.**
- 13 : Vision splay details.**
- 14 : No surface water drainage to highway.**
- 15 : Biodiversity mitigation and enhancement strategy (outline).**
- 16 : Water supply infrastructure.**

- 17 : Landscape management plan.
- 18 : Archaeology – submission of written scheme of investigation.
- 19: Implementation of archaeological investigation.
- 20 : 10% lifetime homes.
- 21 : New vehicular access.
- 22 : Close existing access.
- 23 : Estate accesses, driveways & turning areas.
- 24 : Public right of way upgrade details.
- 25 : Cycle parking facilities.
- 26 : Construction traffic management.
- 27 Travel information packs.
- 28: No ransom strips.

Any other conditions as deemed appropriate

Author: Sharon Crawford
Contact No: 01235 422600
Email: planning@southoxon.gov.uk

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