

APPLICATION NO.	P15/V2933/O
APPLICATION TYPE	OUTLINE
REGISTERED	18.12.2015
PARISH	SUTTON COURTENAY
WARD MEMBER(S)	Gervase Duffield
APPLICANT	O and H Properties
SITE	Land north of Appleford Road, Sutton Courtenay, Abingdon, OX14 4NG
PROPOSAL	Outline planning application (with all matters except access reserved) for the erection of up to 93 dwellings including associated car parking, public open space and landscaping
OFFICER	Adrian Butler

SUMMARY

The application seeks outline planning permission for the erection of up to 93 dwellings. Only the principle of housing on this site and means of access are to be considered as part of this application with all other matters (appearance, landscaping, layout and scale) being reserved matters for future consideration should outline permission be granted.

The main issues are:

- Whether the principle of development is acceptable
- Whether the site is a suitable location for new housing that can contribute to the five-year housing supply shortfall
- Landscape and visual impacts
- The suitability of the access and whether the proposal will impact unreasonably on highway safety or traffic flows.
- Implications for flood risk, foul and surface water drainage.
- Implications for ecology
- Implications for the historic environment including the setting of Sutton Courtenay conservation area and listed buildings
- Site contamination
- Infrastructure improvements through s.106 contributions and compliance with CIL regulations

This report seeks to assess the planning application details against the development plan, national and local planning policy framework where relevant and all other material planning considerations.

This is an open, greenfield site of poor agricultural quality beyond the north eastern edge of Sutton Courtenay being east of dwellings fronting Abingdon Road and north of development on the south side of Appleford Road.

The principle of housing on this site is considered reasonable particularly in light of the lack of a 5-year land supply and Government advice in the NPPF which is considered more up to date and relevant in comparison to the housing policies in the adopted local plan and as the emerging local plan policies can only be given limited weight at this stage.

The site is visually contained by vegetation on the boundaries and housing to the east. Views from public vantage points are limited. There will be some localised landscape

and visual harm with the change in character and appearance of the site. This limited harm is considered outweighed by the benefits of the proposal.

Officers are aware of current peak hour traffic congestion with vehicles queuing to access Culham Bridge with these queues tailing back along Abingdon Road and Appleford Road into the village. This proposal will add further traffic to Appleford Road and Abingdon Road during peak hours and will make the situation worse without mitigation. Signalisation of the Appleford Road/Abingdon Road junction is considered by the highway authority as an appropriate means of ensuring this junction operates satisfactorily including with future growth.

Officers are aware of flooding in the village and on land adjacent to the site. The site is largely flood zone 1 with areas of flood zones 2 and 3 to the north and east of the site. The housing is proposed in flood zone 1 which is the preferred location for housing in flood risk terms. The application is supported by a flood risk assessment and proposals to include a sustainable drainage scheme (SUDS) which are not based on infiltration but attenuation with water gradually released to an adjacent watercourse at greenfield rates including climate change. Thames Water advise that there is inadequate sewer capacity although it considers this can be addressed by planning condition.

Surveys for protected species have not revealed any significant populations that would be impacted by the proposed development. The illustrative masterplan provides wide buffers along the mature hedgerows and would not involve significant impacts on these features. The proposals also illustrate an area of open space in the north and east of the site which would protect the wet ditch and hedgerow habitats as well as providing opportunities for biodiversity enhancements within the site.

The site is not considered to contribute to the setting of any listed building. The benefits of the proposal are considered to outweigh the limited and less than substantial harm to the setting of the conservation area. There are no archaeological constraints.

The site has been used for landfill. Risks of contamination from this previous use for future occupants of the dwellings are considered limited. Planning conditions can secure remediation.

Overall the proposal is considered sustainable development meeting the three roles (economic, social and environmental) referenced in the NPPF. The limited harm this proposal would cause is not considered so adverse as to significantly or demonstrably outweigh the benefits of the proposal.

1.0 INTRODUCTION

- 1.1 Sutton Courtenay is defined as a large village by policy H11 of the adopted Local Plan. The village provides a range of services including shops, community facilities, a primary school, some employment opportunities and access to public transport serving larger towns and other employment areas such as Milton Park. Employment opportunities at Culham and Milton Park are a short drive away or could be cycled.
- 1.2 This application relates to a greenfield site at the north eastern edge of the village being east of dwellings that front Abingdon Road and north of Appleford Road opposite Amey Close, the Amey site and 2morrrows Court. The land has been worked for minerals in the past and then filled with inert material before being returned to agricultural use (pasture). The site levels fall to the north towards the River Thames with this fall across the site being some 2m. Levels also fall from west to east by some 1m. At the eastern boundary is a watercourse and pond that are at a markedly lower level to the site. The land is generally open in character.

- 1.3 The northern boundary is defined by a row of trees and gappy hedge beyond this being an open field separating the site from the River Thames. The eastern boundary is defined by trees and a water course and pond. Beyond are open fields, mineral workings and waste disposal sites. Trees and a gappy hedge define the southern boundary to Appleford Road. There are three access points in the frontage although that closest to the eastern boundary is blocked by the raised verge and planting. South of Appleford Road is housing in Amey Close, the Amey site that has permission to be developed for 195 dwellings and 2morrrows Court which is an employment use. Houses in Abingdon Road back on to the western and north western boundary of the site. This boundary is generally open with the rear of these dwellings and their gardens apparent from within the site.
- 1.4 The site location plan is **attached** at Appendix 1.
- 1.5 The application is presented to committee as the Parish Council object and as 61 letters of objection have been received from local residents.

2.0 **PROPOSAL**

- 2.1 This is an outline application for up to 93 dwellings. Access is to be considered at this stage with appearance, landscaping, layout and scale reserved for future consideration.
- 2.2 The proposal includes access from the Appleford Road at a point some 142m from the Abingdon Road junction. There is an existing field access at this point which would need to be widened to 5.5m with a 2m wide footway to its east. Vision splays of 2.4m x 90m are proposed with these being based on the 30mph speed limit being extended to the east as part of the approval for 195 dwellings on the Amey site (south of Appleford Road) or by this proposal, whichever is first. A small group of trees need to be removed to form the access and footway. These trees comprise a purple plum, hawthorn, elder and Lawson cypress.
- 2.3 The application is supported by an illustrative masterplan depicting a possible site layout. This shows a single vehicular access point from Appleford Road. This serves groups of dwellings east and west of the access road with the roads circling the development with the exception of some cul-de-sacs/private drives. Development is shown set back from Appleford Road allowing a green swathe behind the road side trees. A footway connects to Appleford Road in the south western corner of the site. A 5 to 10m landscaped space is suggested behind the Abingdon Road dwellings.
- 2.4 Land to the north and east of the site is retained as open space and includes attenuation ponds and retention of the water course and pond on the eastern boundary. A further area of open space is illustrated immediately east of the site access.
- 2.5 Three groups of trees would be lost. These include the group to form the access, and two small groups of willow and sycamore relatively centrally located within the site. The remainder of the trees within the site and on the boundaries are shown as retained.
- 2.6 This illustrative masterplan is **attached** at Appendix 2.
- 2.7 The application is supported by:
- A design and access statement

- Planning statement
- Landscape and visual appraisal
- Flood risk assessment
- Transport assessment
- Ecological appraisal
- Utilities report
- Statement of community involvement
- Arboricultural assessment
- Archaeological assessment
- Draft heads of terms
- Ground investigation report
- Phase 1 ground conditions (geotechnical and contamination) report
- Factual report – ground conditions investigation

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Below is a summary of the responses received. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

Parish Council	<p>Strongly objects. The Parish Council objections may be summarised as follows:</p> <ul style="list-style-type: none"> • The submitted transport assessment admits Sutton Bridge and the Abingdon Road/Appleford Road junctions are at capacity. Furthermore, it does not reference all development in the area and incorrectly refers to 156 dwellings on the Amey site whereas 195 have been permitted • Queuing over Sutton Bridge which can tail back for 1km will be exacerbated and also add to pollution problems • New traffic signals will not prevent congestion • Village is doubling in size without infrastructure improvements and resulting in disproportionate growth • No bus service serving the site with the nearest bust stop 1km away • Inadequate footways to High Street • Inadequate sewerage system barely adequate for the village. Request a feasibility study is undertaken • Flooding regular affects the site. There is a high water table in the area and it is difficult to see how flooding can be mitigated • Former landfill use may make the site unsuited to development • Unsustainable site due to inadequate roads, sewers, water supply, public transport, shops and facilities • Not allocated in the draft local plan • Account not taken of cumulative impacts <p>Their full comments are available on the web site</p>
Neighbours	<p>61 letters of objection have been received. Their objections may be summarised as follows:</p> <ul style="list-style-type: none"> • Increased traffic on extremely busy roads already over capacity. Cause significant delays with further tailbacks from Culham bridge through the village. Traffic controls from the Amey development and traffic from other planned developments will make this worse. Will double the time it takes to queue over the bridge

	<ul style="list-style-type: none">• Increase in traffic will be severe in NPPF terms and permission should be refused• The applicant's traffic counts bear no resemblance to the current situation• Increased traffic on the Abingdon Road junction is dangerous, as is the triangle at Halls garage• Increased traffic through the village to access Culham and Milton Park• Increased traffic is a danger to children walking to school. Children walking to Culham school would need to cross busy roads 4 times at peak hours• Already conflict between pedestrians, cyclists and motorists using the bridge; this will be exacerbated• Proposal does not encourage walking or cycling; footways are too narrow and the roads too busy for cycling safely• Contrary to the NPPF as the proposal does not give priority to pedestrian and cycle movements• Increased flood risk; the village is already subject to flooding• No mention in the application of flooding in 2007, 2012 and 2014• The site floods regularly• No provision made to prevent the proposed dwellings from flooding• Increased flood risk for existing homes• Existing fields, houses on Abingdon Road and Abingdon Road flood and often close roads making travel almost impossible (3 times in the last 10 years)• Constructing homes at a higher ground level than existing homes that are prone to flooding will increase flood risks• A land survey was undertaken using the wrong equipment and no samples were taken from the middle of the field where the problems are.• Ground contains asbestos and waste from AEA Harwell was disposed of here• Further expansion will lead to the village becoming a suburb of Didcot• Inadequate school places• Enough housing permitted in the village• Further erosion of greenfield land. Some 60% of agricultural land around the village has been lost• Not a logical extension to or rounding-off of the village• Contrary to policies GS1 and GS2 of the adopted local plan• Development on the south side of Appleford Road was brownfield land. This site is greenfield. The two sites are not comparable• Detrimental landscape impact• Harmful to historic character of the village• Site floods. Building on this land and the high water table will make the village more susceptible to flooding which happened in 2007, 2012 and 2014 and are ignored in the flood risk assessment.• Ground water levels were especially low at the time of the studies being undertaken (August and September 2015).
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	<p>Levels are far higher in the winter months and new tests should be undertaken</p> <ul style="list-style-type: none"> • Cumulative impact of development in the village and the continuing expansion at Milton Park needs to be considered. It will make flooding worse, increase the pressure on foul drainage that cannot currently cope, increase traffic through the village and queuing to use Culham Bridge. • The Oxford flood alleviation scheme will put more pressure on downstream areas such as Sutton Courtenay • Sewerage system is overloaded. Thames Water confirms the system does not have capacity (there was a blockage on 4 February with sewage spilling over High Street) • Grampian conditions can be flouted as is the case at Milton Road where development has connected to the existing system without improvement • Demands on local infrastructure are detrimental to village life and its residents • Inadequate facilities within walking distance e.g. bus stop 1km away (contrary to the applicant's claims there is no bus service on a Sunday) and nearest shop is 1.5km away; not a sustainable site. No cycle parking at Appleford station and no paths or cycle ways to the station (PROW 373/12 has been closed at the Appleford end) • Residents will be reliant on cars • No community provision proposed other than open space. There is no play area proposed or within walking distance • Devastate views from the Thames and its footpaths • Water pressure is already low and the proposal does not include plans to address this • Unsustainable growth • Conflicts with the NPPF and the emerging Oxfordshire Local Transport Plan • Too many dwellings proposed# • Too close to existing houses • The Environment Agency has not taken account of a flood risk assessment provided by local residents. The applicants FRA has inaccurate groundwater levels which will have a significant impact on the drainage strategy and the EA condition that infiltration SuDS require a minimum of 1m clearance between base and peak seasonal groundwater levels • Local residents have found ground water to be 27cm below ground level in February 2016 in borehole no. 4
<p>Oxfordshire County Council One Voice</p>	<p><u>Highways</u> No objection Seek signalisation of the Appleford Road/Abingdon Road junction and to include a pedestrian crossing, extension of the 30mph speed limit eastwards, financial contributions towards improvements to bus services and new bus infrastructure on Abingdon Road. (Their full comments are available on the web site)</p> <p><u>Archaeology</u> No objection</p> <p><u>Education</u></p>

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	<p>No objection Seek a financial contribution towards primary school expansion</p> <p><u>Property</u> No objection</p> <p><u>Minerals and Waste</u> No objection Open areas to the east and north of the site provide adequate buffers to adjacent land should those adjacent areas be worked for minerals</p>
Conservation officer	<p>No objection. This site does contribute to the rural and open nature of the landscape which characterises the setting of the Conservation Area and settlement of Sutton Courtenay. However, over the years, development has extended the village boundaries along the main roads which reduces the impact that this development site would have on the main historic core of the village. The impact on designated assets is limited. There are no direct impacts on designated heritage assets as a result of development on this site. The rural setting of the settlement and wider Conservation Area would be altered as a result of development on this site, which constitutes some negative change to the current open landscape character of the setting. However, the harm is certainly less than substantial. If minded to approve this application, you should be satisfied that appropriate detailing can be secured at reserved matters stage which ensure public benefits of this site demonstrably outweigh harm and any other planning considerations. When considered with regard to the approved development of the brownfield site to the immediate south, the development should be considered with regard to how opportunities to interact and enhance movement between these sites can be secured at reserved matters stage.</p>
Environmental Protection Team	<p>No objection</p>
Health & housing – contaminated land	<p>No objection Has now reviewed the additional information provided in respect of the contaminated land investigation for the above application.</p> <p>The site is partly occupied by the former Appleford Road North landfill. The site investigation provided has utilised a mixture of boreholes and trial pits to provide a general coverage across the site and attempt to delineate the edge of the former quarry. From the results of the testing no significant sources of soil contamination have been identified at the site with the majority of the measured soil concentrations below the relevant screening values. Furthermore, the investigation has not identified the presence of any putrescible or non-inert waste within the former landfill. The Ground Investigation suggests that a simple cover system could be utilised within gardens and landscaped areas to reduce the risk to human health from the underlying made ground. Furthermore given the age of the landfill there is the potential that non-inert waste has been</p>

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	<p>landfilled which has not been identified by the investigation undertaken.</p> <p>To date the applicants ground gas assessment has identified some elevated concentrations of ground gas and suggested gas mitigation measures could be incorporated into the design of the buildings on site. However, the monitoring undertaken to date does not currently comply with the suggested minimum periods and frequency of monitoring within C665/Ground Gas Handbook. Further gas monitoring should be carried out at the site to improve confidence in the gas assessment and to confirm the requirements for gas protection measures for the proposed development.</p> <p>Should planning permission be granted I would recommend that three conditions are applied to ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the development and to ensure the site is suitable for the proposed use.</p>
Health & housing – air quality	<p>No objection.</p> <p>Air quality in the area is generally good. Would welcome the inclusion of charging points for electric vehicles.</p>
Leisure Team	<p>No objection</p> <p>Seeks contributions towards community, recreation and sporting facilities in the village</p>
Thames Water	<p>No objection.</p> <p>Identified an inability of the existing waste water infrastructure to accommodate the development. Propose a Grampian condition requiring a drainage strategy to be approved prior to development commencing.</p> <p>In terms of water supply Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.</p>
Urban Design Officer	<p>No objection</p> <p>Recommend a condition requiring a landscape strategy and raise matters that should be considered as part of a detailed scheme. (The full comments are available on the web site)</p>
Drainage engineer	<p>No objection.</p> <p>The submitted Flood Risk Assessment (FRA) is sufficient in demonstrating that a sustainable surface water drainage system is feasible. He adds that the results of further groundwater monitoring should be included in the FRA to capture any seasonal variations and also during flood conditions. Recommends a condition requiring a sustainable drainage scheme in accordance with the submitted flood risk assessment.</p>
Environment Agency	<p>No objection</p> <p>We have reviewed photographic evidence submitted by local residents, which correlates with our historic flood outlines for the site. The photographic evidence does not show any greater flooding than the current Flood Zone 2 extent. We believe the flooding of winter 2013/ 14 did not exceed 49.5m AOD, which correlates with our historic flood outline, and shows fluvial flooding does not significantly encroach on the site. Paragraph 101 of the NPPF states that development in areas of flood risk must demonstrate that there are no reasonably available sites suitable for the development</p>

	<p>at a lower risk of flooding. This is otherwise known as the Sequential Test. Paragraph 1.3.4 of the FRA confirms that all development will be located within Flood Zone 1, and therefore the Sequential Test has been passed.</p> <p>Recommend a condition preventing development within flood zones 2 and 3 (excluding the area of depression in the south east corner of the site).</p>
Waste Management	<p>No objection.</p> <p>Request a contribution towards bin provision for this site at a cost of £170 per dwelling.</p>
Countryside officer	<p>No objection</p> <p>Recommends two conditions to secure a method statement for biodiversity enhancements and a mitigation strategy for badgers</p>
Housing officer	<p>No objection</p> <p>Suggests there should be more smaller units compared to the housing mix set out in the application form</p>

4.0 RELEVANT PLANNING HISTORY

4.1 P15/V1189/PEJ – pre-application advice request – officer advice:

- Question accessibility of the site. Applicant needs to convince the authority the site is accessible or could be made accessible
- Need to convince the authority that the loss of the site would not unreasonably erode the rural and open character of the village edge
- Housing mix to comply with the SHMA
- Neighbourliness best considered at detailed application stage
- Transport assessment needed and should consider cumulative impacts with other developments in the village
- Impact on heritage assets needs to be addressed in any application
- An application needs to address ecology and seek to protect, mitigate and enhance biodiversity
- A tree survey will be needed and seek to ensure retention and protection of existing trees and include additional tree planting to break up, soften and screen the development
- Flood risk concerns. Applicant needs to work closely with the Environment Agency and need to demonstrate the proposal will not pose an unacceptable risk to flooding off site
- Thames Water request an impact study assessing the capability of the existing foul water system and need for any upgrade. This study should accompany an application
- Potential heads of terms for a s.106
- Relevant reports to support an application
- Need to consider whether benefits outweigh any harm identified

4.2 P15/V0088/SCR – request for a screening opinion under the EIA Regulations 2011 for approximately 100 dwellings. This authority opined the proposal was not EIA development.

4.3 P90/V1594/O - Refused (19/02/1990) - Development to provide cricket pitch and pavilion, landscaping including children's play area and pond, parking and construction of 32 units of mixed residential development (Site approx.6.66 hectares) (Land to the North of B1406 Appleford Road, Sutton Courtenay).

4.4 P86/V1542 - Approved (16/10/1986) - Change of use of former gravel pit to playing

fields. Erection of a clubhouse changing rooms and formation of a car park (Land at Appleford Road, Sutton Courtenay).

- 4.5 P79/V1447/O - Other Outcome (15/02/1979) - Erection of new administrative office block. New sports and social facilities. Car parking and associated external works (land opposite A.R.C. Headquarters, Appleford Road, Sutton Courtenay).

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse District Council Local Plan 2011**

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were ‘saved’ by direction on 1 July 2009.

Policy No.	Policy Title
GS1	Developments in Existing Settlements
GS2	Development in the Countryside
DC1	Design
DC3	Design against crime
DC5	Access
DC6	Landscaping
DC7	Waste Collection and Recycling
DC8	The Provision of Infrastructure and Services
DC9	The Impact of Development on Neighbouring Uses
DC12	Water quality and resources
DC13	Flood Risk and Water Run-off
DC14	Flood Risk and Water Run-off
H11	Development in the Larger Villages
H13	Development Elsewhere
H15	Housing Densities
H16	Size of Dwelling and Lifetime Homes
H17	Affordable Housing
H23	Open Space in New Housing Development
HE9	Archaeology
NE9	Lowland Vale
NE11	Areas for landscape enhancement
HE1	Conservation Areas
HE4	Listed buildings

5.2 **Emerging Local Plan 2031 – Part 1**

The draft local plan part 1 is not currently adopted policy. 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. The draft local plan has been subject to 2 stages of Examination. The Inspectors report has yet to be received and there remain unresolved objections. At present it is officers’ opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

Policy No.	Policy Title
Core Policy 1	Presumption in favour of sustainable development
Core Policy 2	Co-operation on unmet housing need for Oxfordshire
Core Policy 3	Settlement hierarchy

Core Policy 4	Meeting our housing needs
Core Policy 5	Housing supply ring-fence
Core Policy 7	Providing supporting infrastructure and services
Core Policy 15	Spatial Strategy for South East Vale sub-area
Core Policy 22	Housing mix
Core Policy 23	Housing density
Core Policy 24	Affordable housing
Core Policy 33	Promoting sustainable transport and accessibility
Core Policy 35	Promoting public transport, cycling and walking
Core Policy 36	Electronic communications
Core Policy 37	Design and local distinctiveness
Core Policy 38	Design strategies for strategic and major development sites
Core Policy 39	The historic environment
Core Policy 42	Flood risk
Core Policy 43	Natural resources
Core Policy 44	Landscape
Core Policy 45	Green infrastructure
Core Policy 46	Conservation and improvement of biodiversity

Note. Policy 8 of the draft local plan 2031 references Sutton Courtenay as a large village within the Abingdon-on-Thames and Oxford Fringe sub area whereas Core Policy 15 suggests the village is part of the South East Vale sub area. The draft local plan 2031 submission documents seeks to correct this error allocating the village to the South East sub area.

5.3 **Supplementary Planning Guidance**

- Design Guide – March 2015
- Open space, sport and recreation future provision – July 2008
- Sustainable Design and Construction – December 2009
- Affordable Housing – July 2006
- Flood Maps and Flood Risk – July 2006
- Planning and Public Art – July 2006

5.4 **National Planning Policy Framework (NPPF) – March 2012**

5.5 **National Planning Practice Guidance 2014 (NPPG)**

5.6 **Neighbourhood Plan**

There is no neighbourhood plan for Sutton Courtenay and there has not been an application for neighbourhood plan designation.

5.7 **Environmental Impact**

This proposal is for up to 93 dwellings and the site area exceeds 5ha in size and is therefore, above the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. A screening opinion provided on 6 February 2015 opined a development for approximately 100 dwellings was not EIA development. Taking into account government guidance in paragraph 58 of the NPPG on thresholds that may trigger the need for EIA this opinion remains relevant.

5.8 **Other Relevant Legislation**

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation Human Rights Act 1998
- Equality Act 2010

- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)

5.9 Human Rights Act

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

5.10 Equalities

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

6.0 PLANNING CONSIDERATIONS

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

1. Principle of the development
2. Cumulative Impact
3. Use of Land
4. Locational Credentials
5. Affordable Housing and Housing Mix
6. Design and Layout
7. Residential Amenity
8. Landscape and Visual Impact
9. Open Space and Landscaping
10. Flood Risk and Surface/Foul Drainage
11. Traffic and Highway Safety
12. Protected Species and Biodiversity
13. Historic environment
14. Viability and Developer Contributions

The Principle of Development

- 6.1 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. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 6.2 Other material planning considerations include national planning guidance within the NPPF and NPPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies and its supporting evidence base.
- 6.3 Paragraph 47 of the NPPF expects local planning authorities to *"use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area"*... The authority has undertaken this assessment through the April 2014 SHMA which is the most up to date objectively assessed need for housing. In agreeing to submit the emerging Local Plan for examination, the Council has agreed a housing target of at least 20,560 dwellings for the plan period to 2031. Set against this target the Council does not have a five year housing land supply.

- 6.4 Paragraph 49 of the NPPF states *"Housing applications should be considered in the context of the presumption in favour of sustainable development. 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"*. This means that the relevant housing policies in the adopted Local Plan are not considered up to date and the adverse impacts of a development would need to significantly and demonstrably outweigh the benefits if the proposal is refused. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles.
- 6.5 Policy GS1 of the adopted Local Plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that important areas of open land and their rural character are protected. In terms of a hierarchy for allocating development this strategy is consistent with the NPPF, as is the intention to protect the character of villages. This site is not allocated for development. Policy GS2 of the adopted local plan prevents development outside settlements unless the land is allocated in the local plan. This policy is not based on up to date objectively assessed housing need and is not considered NPPF compliant and therefore, little weight is given to it.
- 6.6 Policy H11 of the adopted local plan and emerging policy 3 of the draft local plan 2031 allocate Sutton Courtenay as a large village. Policy H11 is out of date being based on south east plan housing figures and emerging policy 3 is subject to unresolved objections. I give both policies limited weight.
- 6.7 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a 5 year housing supply. Consequently the proposal should be assessed under the NPPF where there is an expectation to significantly boost housing and a presumption in favour of sustainable development. Sustainable development is seen as the golden thread running through the decision making process. Having a deliverable 5 year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a 5 year housing supply, the proposal is acceptable in principle unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.

Cumulative Impact

- 6.8 Sutton Courtenay has been subject to a number of planning applications for housing development that have been permitted or remain undecided. These applications include a pending application for up to 200 dwellings off Hobby Horse Lane (P15/V2353/0), 195 dwellings permitted on the Amey site (P14/V2061/RM), 124 dwellings permitted at the rear of Milton Road (application no's P13/V0233/FUL, P14/V2362/FUL and P13/V2321/RM). Permission exists for at least 319 dwellings. With this proposal and the Hobby Horse Lane proposal adding up to 293 more dwellings should they be permitted. Application no. P16/0646/O is a more recent application for land at the south eastern edge of the village and proposing up to 360 residential units, a medical centre of up to 650m² and a community hub/shop/business and retail facility of up to 325m².
- 6.9 According to the 2011 census summary the Parish population was 2,421 people. Based on an average household size of 2.4 people this application if permitted could add up to a further 223 residents increasing the parish population by 9%. The aforementioned permitted schemes could add 766 people to the village, the Hobby Horse Lane scheme a further 480 people if permitted and application no. P16/V0646/O a further 864 people if permitted. The combined total if all schemes are approved is a further 2,293 residents which would almost double the Parish population.

- 6.10 A considerable amount of housing has been permitted or is pending determination in the Parish. 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. Expansion of the village and population growth is not a justifiable objection in principle.
- 6.11 Cumulative impacts are considered where relevant in the topics below.

Use of Land

- 6.12 The NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value (paragraph 17). This is not a brownfield site; it is greenfield. With the lack of available previously developed land in the District there is a need for new development to be on agricultural land. The site is agricultural land given over to pasture. According to Natural England's agricultural land classification map it is grade 4 and therefore, of poor quality. It is not the best and most versatile land referenced in paragraph 112 of the NPPF and which in turn seeks to direct development to poorer quality land. The present land use and its classification as poor quality should not preclude planning permission from being granted.

Locational Credentials

- 6.13 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).
- 6.14 The site adjoins the edge of Sutton Courtenay with development to its south and west. A footway is proposed through the site emerging onto the side of Appleford Road in the south west corner of the site. There is no pavement on either side of Appleford Road at this point. One is planned on the south side of the road as part of the housing scheme permitted on the Amey site (that development has yet to commence). A pavement could be required on the south side of the road as part of this proposal allowing future residents to cross Appleford Road and walk the pavement to the westwards into the village.
- 6.15 There are a reasonable range of services within Sutton Courtenay. Officers agree with local residents that most facilities are some distance from the site and this may deter future residents from walking to them. Using distances measured by road and from the centre of the site Sutton Courtenay primary school is approximately 2.4km from the site. Culham primary school is closer at approximately 990m with the European school a little further beyond. Few people would be likely to walk their children to Sutton Courtenay primary school. Some people may walk to Culham school with the need to cross Appleford Road twice and Abingdon Road once. The post office is approximately 1.9km away and the shop at Barrett's Way 2.6km distant. A petrol station and hairdressers are closer but still some 2km away. The village hall and recreation ground are approximately 2.2km and 1.5km away respectively. The Parish church is about 750m away. A public house is some 650m walk from the site. Employment opportunities exist at 2morrrows Court and for the time being at the Amey site immediately south of the site. The Amey site has permission for housing. The nearest bus stop is about 1km from the site. The walking distances to most facilities in the village are greater than 400m which is a desirable distance according to the Institution of Highways Transportation guidelines for providing for journeys on foot (2000) but which does also advise distances up to 800m are acceptable and up to 1200m are a preferred maximum. The village primary school, post office and shops are in excess of 1,200m from the site.

- 6.16 The main local employment opportunities can be found at Milton Park some 3km from the site and Culham Science centre about 3.7km from the site. Appleford railway station is approximately 1.7km from the site. These are within cycling distance via roads which are busy at peak hours. It is noted that the highway authority advise that *“A wide range of destinations are available within a reasonable cycling distance by road and National Cycle Route 5”*.
- 6.17 The bus service is an hourly service to Oxford via Abingdon and to Wantage via Milton Park and past the Harwell Campus. Should the scheme be permitted a financial contribution will be sought towards improving the x1 and x2 bus services including increased frequency and a route via Culham Bridge. The highway authority advise that *“The current pattern of service is that the hourly service through Sutton Courtenay (x1) operates along the Drayton Road and then combines with the Wallingford-Didcot-Steventon-Abingdon-Oxford service (x2) to provide a 30 minute frequency north of Drayton towards Abingdon and Oxford. Services x1 and x2 are provided on a fully commercial basis. However, the Council has a strategy to enhance these bus services by collecting developer contributions which would be used to procure additional vehicles and journeys. The Didcot-Abingdon section of this public transport corridor was designated as a ‘Premium Route’ in 2003 and more recently the Science Vale bus strategy proposed four buses per hour between Didcot and Abingdon, two via Steventon and two via Sutton Courtenay”*. The highway authority is seeking to reinstate the Culham Bridge (Abingdon Road) routing for buses passing through Sutton Courtenay and expects this site to provide bus stops on Abingdon Road. The site can be made more accessible.
- 6.18 There are opportunities to access services and employment opportunities using transport methods other than the private motor car. Many people may choose to use their cars, but with the range of services and employment opportunities in reasonable proximity of the site, they do not need to be dependent on the private motor car.

Affordable housing and housing mix

- 6.19 The application makes provision for 40% affordable housing which accords with Policy H17 of the adopted local plan. It will be expected that 75% are secured for rent and 25% for shared ownership. This is an outline application with only access to be considered. A suggested housing mix in the application submission is 10 x 1-bed, 25 x 2-bed, 39 x 3-bed and 26 x 4+ bed dwellings. This mix is not broken down to affordable and market dwellings. Any scheme submitted for reserved matters approval will be expected to follow guidance in the SHMA for the market housing and advice offered by the council’s housing officer on affordable housing who presently suggests a need for a higher proportion of two bedroom properties to meet the needs of younger people and homeless families, and a lower number of one and three bedroom properties than indicated in the SHMA guidance. This is a matter to be addressed at reserved matters stage.

Design and Layout

- 6.20 The NPPF provides that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 60). It gives considerable weight to good design and acknowledges it is a key component of sustainable development.
- 6.21 A number of local plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, and DC9). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district.

- 6.22 This is an outline application with only access to be considered. The urban design officer has no objection although comments on the illustrative layout plan are made relating to a landscape strategy, open spaces and layout and house types. The details concerning layout, scale, external appearance of the dwellings and landscaping are reserved matters and will be considered at reserved matters stage; they are not part of the consideration of this outline application. It is not therefore, intended to address design and layout in any detail in this report. The urban design officer's comments can be used to inform the detailed scheme at reserved matters stage.
- 6.23 Principle DG26 of the design guide states that density should be appropriate to the location, and it requires a range of densities for larger development proposals. Policy H15 of the adopted local plan requires densities of at least 30 dwellings per hectare and this is also reflected by policy 23 of the draft local plan 2031. Based on 93 dwellings on a site of 7.28ha the density equates to 12.7 dwellings per hectare (dph). 3.47ha of the site are depicted on the illustrative masterplan as open spaces with parts of these areas being flood zones 2 and 3 or set aside for attenuation ponds. Deducting these spaces from the overall site area results in a density of 24.4dph. Development on the southern side of Appleford Road at Amey Close and permitted on the Amey site amounts to some 31 dph.
- 6.24 This is an edge of village location which justifies a lower density to ensure a residential development knits into the semi-rural character of the area. The proposal illustrates wide areas of open space at the site edges which can be planted to soften the development edges, further reduce public views of the development and help assimilate it with the open countryside beyond. The illustrative masterplan suggests a hierarchy of streets with dwellings facing on to them and turning corners and dwellings facing the open spaces. A mix of terraced, semi-detached and detached dwellings are shown. The proposal demonstrates that up to 93 dwellings might be accommodated on site. The final number of dwellings accommodated will depend on a satisfactory scheme being presented at reserved matters stage.

Residential Amenity

- 6.25 Adopted local plan policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Protecting amenity is a core principle of the NPPF. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking.
- 6.26 As no firm details of housing layout or house types accompany this outline application, as they are reserved matters, it is not possible to consider the impact on existing residential amenity. The most appropriate stage to do this would be at detailed application stage or submission of reserved matters. Dwellings in Abingdon Road and back on to the site with 5 Appleford Road side on to the site. These dwellings have limited screening to their boundaries with the site. It will be important that privacy is protected. The design and access statement references providing a 5m – 10m privacy strip of shrub and tree planting against the western boundary which would assist, as would distance between proposed and existing dwellings.

Landscape and Visual Impact

- 6.27 The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109). Policy NE9 of the adopted Local Plan designates the site as part of the wider Lowland Vale which is a distinctive landscape and valued for its own quality. Paragraph 7.67 of the adopted local plan explains that *"the long views over the patchwork quilt of fields, farms and villages in the Vale are an*

essential part of the landscape quality of the District”.

- 6.28 Policy NE11 of the adopted local plan includes this site in the wider areas for landscape enhancement. This policy does not promote or preclude development (paragraph 7.23 of the adopted local plan), it seeks proposals to provide landscaping which enhances the appearance of the area and seeks to prevent development that further erodes or damages the character of the landscape. Considering the status of this part of the Lowland Vale as an area for landscape enhancement officers conclude it is not a valued landscape in NPPF terms.
- 6.29 Many local residents and the Parish Council consider the proposal will have a major change on the landscape, adversely affect and change the character of the village extending it into open countryside and the proposal will be visually detrimental.
- 6.30 This is a relatively flat site that is well contained in the wider landscape with the housing to the west and tree screening on the other boundaries. Whilst the site is open it is influenced by adjoining housing and previously developed land to the south and minerals and waste disposal sites further to the east. The applicant has supported its application with a Landscape and Visual Appraisal which considers the local landscape character has a low overall sensitivity. Officers concur with this conclusion and consider the loss of this edge of village site to housing would have a limited landscape impact that would not be adverse. Opportunity exists to provide a landscape strategy that can enhance the boundaries and open parts of the site.
- 6.31 Distant public views of the site are limited due to the relatively flat topography, existing vegetation and developments. Visual effects are therefore, localised. Where there are gaps in vegetation beside the River Thames there are glimpses of the site from a short section of the Thames Path. In these limited views the backdrop to the site includes Didcot power station and the Amey site (the power station chimneys are due for demolition this year). There are also trees on the site boundary that filter these glimpsed views and opportunities within the site for additional planting. The applicant’s landscape consultant advises the magnitude of effect would be major/moderate due to the high sensitivity of users of the Thames Path. Officers agree but conclude the effect is not adverse.
- 6.32 Housing fronts parts of Abingdon Road preventing views to the site. From the Culham bridge views are screened by trees on the southern bank of the river and against the bridge. Views across the field between housing towards the southern section of Abingdon Road and the houses by the traffic lights at the bridge, are filtered by existing trees on the road side. In the glimpses between trees the site is visible behind trees on its southern boundary and in a context of houses and outbuildings extending to the site, of electricity lines crossing the field in the foreground and pylons in the background. The magnitude of effect is considered negligible.
- 6.33 Views from Appleford Road are largely contained to those views as a receptor passes the site. Views from further west are screened by existing dwellings and vegetation, and from the east by boundary vegetation. The site frontage includes trees and hedge vegetation that provide a screen and this can be supplemented by additional planting. Views of the development will be filtered and opportunity exists as illustrated on the submitted plans to set housing back from the road frontage and provide additional planting. The magnitude of change is considered minor.
- 6.34 These limited and localised landscape and visual impacts need to be balanced against the benefits of the proposal which include providing housing including affordable housing. Consideration has been given to cumulative landscape impacts taking account

of the housing permitted at the edges of Sutton Courtenay including the 195 dwellings on the Amey site. This district lacks a five-year land supply and the need for more housing and its benefits should be given significant weight. I am also mindful of a February 2016 appeal decision (APP/V3120/W/15/3129361, application no. P13/V1514/O) allowing housing at the edge of Shrivenham which is another village that is subject to increased housing and pressure for further housing. Like that situation it is concluded the benefits outweigh the limited harm.

Open Space, Landscaping and Trees

- 6.35 Excluding the areas outside flood zone 1 and the attenuation ponds depicted, 3.58ha of public open space is proposed. This is in excess of the 15% expected by policy H23 of the adopted local plan. Space on site can be reserved for a children's play area.
- 6.36 There are no protected trees on site. Three small groups of trees are proposed for removal to facilitate access and to accommodate dwellings. These groups make a limited contribution to public amenity. Opportunity exists to retain trees around the site boundaries and supplement them with additional planting including hedging to further strengthen the boundaries and visually contain the development.

Flood Risk and Surface/Foul Drainage

- 6.37 The NPPF provides a sequential test to steer new development to areas with the least probability of flooding (paragraph 101). The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103).
- 6.38 Policy DC12 provides that development will not be permitted if it would adversely affect the quality of water resources as a result of, amongst other things, waste water discharge. Policies DC13 and 14 are not considered to be consistent with the NPPF, because they do not comply with paragraphs 100 to 104 which require a sequential approach to locating development and provide that flood risk should not be increased elsewhere.
- 6.39 All representations from local residents and the Parish Council express concerns that the proposal could increase flooding and flood risk in the village. Some objectors suggest the site floods and is therefore, unsuitable for housing. Some refer to the proposed Oxford Flood Alleviation Scheme potentially exacerbating flood risks. I give this concern little weight as a planning application for a flood alleviation scheme has not been submitted or permitted and should a planning application for the scheme be submitted it will need to address flood risk.
- 6.40 The Environment Agency categorises all land in to three flood zones being zones 1, 2 and 3. The majority of the site is in flood zone 1 which is least susceptible to flooding and appropriate in flood risk terms for housing development. Parts of the site to the north and east boundary are in flood zones 2 and 3 these areas being sequentially less preferable for housing and should only be developed for housing if a sequential test has been passed or in exceptional circumstances.
- 6.41 The areas on which housing is illustrated is within flood zone 1 and is therefore, sequentially preferable for housing; the proposal accords with paragraph 101 of the NPPF. I am mindful of advice from local residents that the site floods and their photographs of flooding (including photographs sent to the Environment Agency) of flooding elsewhere in the village including on Abingdon Road that has led to the road to being closed, flooding of fields adjacent to the site and at the northern edge of the site.
- 6.42 The northern and eastern parts of the site in flood zones 2 and 3 do flood. This

authority's Strategic Flood Risk Assessment dated 2013 and its addendum dated October 2014 indicate the extent of flooding is the northern extremity of the site with surface water flooding to the eastern boundary. The Environment Agency flood maps suggest a similar extent of fluvial flooding but no surface water flooding of the site. Housing is not illustrated in the areas shown on these maps as land susceptible to flooding. Photographs provided by local residents including those sent to the Environment Agency do not show that those parts of the site on which housing is proposed flood

- 6.43 The concerns of local residents, including those relating to ground water levels and past flooding events, advise that the site flooded in 2007, and the report of a consultant with a critique of the applicant's flood risk assessment on behalf of local residents have been passed to the Environment Agency and County Council as lead drainage authority with a request that these concerns be taken into account. Neither body has raised any objections with the Environment Agency explaining that photographic evidence does not show any greater flooding than the current Flood Zone 2 extent and that the flooding of winter 2013/14 did not exceed 49.5m AOD, which correlates with their historic flood outline, and shows fluvial flooding does not significantly encroach on the site.
- 6.44 The applicant has submitted a flood risk assessment (FRA) as required by the NPPF, as the site area exceeds 1ha. It provides flood risk mitigation measures to be implemented. These measures are not based on infiltration. Amongst these measures are setting floor levels 300mm above the modelled 1 in 100 annual probability (plus allowance for climate change) flood level, and locating housing on the flood zone 1 parts of the site. A sustainable drainage scheme is to be provided designed to the 1 in 100 annual probability plus 30% allowance for climate change storm event and providing on-site SuDS measures. These measures include attenuation ponds with controlled discharge to the adjacent water courses including conveying surface water run-off to attenuation basins outside the 1% Annual Exceedance Probability event plus 30% climate change and limiting outflows to greenfield run-off rates.
- 6.45 I have raised with the council's drainage engineer, the county council and the Environment Agency the concerns of local residents that ground water level testing by the applicant was in August and September 2015 when levels could be expected to be lower being typically drier months in comparison to winter months when ground water levels would be higher (local residents have measured ground water levels at one point at 27cm in February 2016 which compares to the applicant's measurements of 2m to 3m).
- 6.46 The council's drainage engineer advises ground water levels may impact on the design of swales and attenuation ponds determining whether they be lined or unlined. As infiltration systems are not being proposed ground water will not affect the principle of the surface water drainage strategy. No objection is raised subject to a condition requiring a fully detailed scheme to be submitted and approved. It is also noted that the Environment Agency and Oxfordshire County Council as lead drainage authority, have no objection. A sustainable drainage scheme can be agreed and secured by planning condition thereby minimising the risks of flooding to and from this development.
- 6.47 Local residents and the Parish Council have drawn attention to issues of foul water flooding with local sewers unable to cope and sewage spilling out in to local streets and backing up into dwellings. Thames Water has identified a lack of capacity in the waste water infrastructure to accommodate the development. However, it does not object to this proposal. It recommends a condition securing a drainage scheme prior to development commencing and for the approved scheme to be implemented prior to any

discharge being accepted into the public system.

- 6.48 Paragraph 004 Reference ID: 34-004-20140306 of the NPPG refers to funding wastewater infrastructure. It advises that companies such as Thames Water “are subject to a statutory duty to ‘effectually drain’ their area. This requires them to invest in infrastructure suitable to meet the demands of projected population growth. There is also statutory provision for developers to fund additional sewerage infrastructure required to accommodate flows from a proposed development”. Funding is a matter for Thames Water and the developer.
- 6.49 Thames Water, have a legal obligation under Section 94 of the Water Industries Act 1991 (WIA 1991) to provide developers with the right to connect to a public sewer regardless of capacity issues. This, when read in conjunction with Section 91(1) of the Act in effect makes it impossible for Thames Water to object or for the Council to refuse to grant planning permission for development on the grounds that no improvement works are planned for a particular area. In this case, a condition can secure appropriate sewage disposal.

Traffic, Parking and Highway Safety

- 6.50 Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. The NPPF (Paragraph 32) requires plans and decisions to take account of whether:-
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- 6.51 Paragraph 32 of the NPPF goes on to state: “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”
- 6.52 Local residents and the Parish Council are concerned that the proposal will increase traffic through the village including traffic crossing Culham bridge. They advise and provide evidence that each work day there are lengthy (in time and distance) traffic queues along Appleford Road and Abingdon Road to cross the bridge at peaks hours. I am aware of this situation and I have drawn the concerns of interested parties to the attention of the highway authority asking that they be taken into account. There are also suggestions that the Appleford Road/Abingdon Road junction is at capacity and that it cannot cope with increased traffic, and that traffic lights on this junction which the highway authority suggest are a requirement in developing the Amey site will exacerbate the situation.
- 6.53 Oxfordshire County Council as highway authority does not object. They advise that the proposed vehicular access is acceptable providing appropriate visibility and geometry for vehicles to manoeuvre safely to and from the highway. They require the existing 30mph speed limit to be extended further to the east. If this extension has not been carried out in association with the development permitted south of Appleford Road then the obligation will fall upon this proposal.
- 6.54 Pedestrian access is proposed at two points, at the vehicular access and further west along Appleford Road. Pedestrian crossings are necessary to aid pedestrian accessibility to local shops services and transport links (consideration should be given to a controlled crossing at the western most pedestrian access point). A controlled

pedestrian phase within the required signalisation of Appleford Road/Abingdon Road junction will also be required if an alternative controlled crossing is not provided.

- 6.55 The County Council suggest signalisation of the Appleford Road/Abingdon Road junction is a requirement of the housing development south of Appleford Road on the Amey site, although this proposal will become responsible for providing the signalisation if undertaken first.
- 6.56 The County Council advise that the submitted transport assessment provides a fair appraisal of the likely trip generation of the development and the derived impact upon the local highway network. It is clear that pressures on the existing junction of Abingdon Road and Appleford Road will worsen with expected future traffic growth and be further exacerbated by traffic generated from this development. The submitted traffic assessment has demonstrated that with the provision of signals, the junction would operate satisfactorily with future growth and the development in place. The development must not be occupied until an agreed improvement is in place and whilst the County Council suggest this obligation is upon the development south of Appleford Road, should this development come forward first then the obligation would fall upon this development.
- 6.57 Beyond the access and adjacent junction, development traffic would dissipate such that any impact the capacity of the local highway network would be negligible. Traffic generation is not considered to be severe given the mitigation that can be secured.

Ecology and Biodiversity

- 6.58 Paragraph 117 of the NPPF refers to the preservation, restoration and re-creation of priority habitats, whilst Paragraph 118 sets out the basis for determination of planning applications. Paragraph 118 states that “...if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...”
- 6.59 The site is not designated for its ecology or biodiversity interest and there are no designated sites likely to be affected by the proposal. Surveys for protected species have not revealed any significant populations that would be impacted by the proposed development layout. Bat activity surveys have shown that parts of the site (specifically the northern boundary hedgerow) are well used by foraging bats, these habitats would be protected and buffered from the proposed development.
- 6.60 The illustrative masterplan provides wide buffers along the mature hedgerows and would not involve significant impacts on these features. The proposals also illustrate an area of open space in the north and east of the site which would protect the wet ditch and hedgerow habitats as well as providing opportunities for biodiversity enhancements within the site.
- 6.61 Paragraphs 109 and 117 of the NPPF call for all new development proposals to ensure that they do not lead to a net loss in biodiversity and that wherever possible to contribute to provide a net gain. There is scope within this proposal to retain the most significant of the existing habitats (hedgerows, trees and ditches) and to provide enhancements within the open space area. The proposal is consistent with NPPF guidance.

Historic Environment and Archaeology

- 6.62 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of

preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.

- 6.63 Paragraph 132 of the NPPF confirms that *“When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be”*. The NPPF adds at paragraph 133 that proposals causing substantial harm to or total loss of significance of a designated heritage asset should be refused unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Paragraph 134 of the NPPF explains that less than substantial harm to the significance of the heritage asset should be weighed against the public benefits of the proposal.
- 6.64 Policy HE4 of the adopted local plan seeks to protect the setting of listed buildings. In this case it is important to consider the impact on the settings of listed buildings.
- 6.65 There are no listed buildings on site and the site is separated visually from Culham Bridge and the nearest listed buildings in the village by housing and screening vegetation. The site is not considered to contribute to the setting of any listed building.
- 6.66 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In this case considerable importance and weight is given to the desirability of protecting or enhancing the character or appearance of the conservation area. Policy HE1 of the adopted local plan seeks to preserve or enhance the character or appearance of the conservation area.
- 6.67 The site is not within or adjoining a conservation area. The Sutton Courtenay conservation area extends to Abingdon Road at its eastern extremity. The site is divorced from the conservation area visually by housing in Abingdon Road and tree screening. The rural setting of the settlement and wider conservation area would be slightly altered as a result of this development, which constitutes some limited negative change to the current open landscape character of the setting. The limited harm is certainly less than substantial with regard to the tests of paragraph 134 of the NPPF.
- 6.68 The site has been worked in the past for minerals and infilled with waste materials. There is no impact for archaeology.

Contamination

- 6.69 The NPPF states that the planning system should contribute to and enhance the natural and local environment by, amongst other things, preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution (Paragraph 109). Adopted local plan policy DC9 provides that new development will not be permitted if it would unacceptably harm the amenities of neighbouring properties or the wider environment in terms of, amongst other things, pollution and contamination.
- 6.70 The site has been used for landfill with this activity seemingly completed in the 1970’s and the land now restored to grassland. Concern have been expressed by local residents that waste from AEA Harwell and asbestos were part of the landfill and that sampling undertaken by the applicant is inadequate as it has not addressed the middle of the site. The application submission includes a ground investigation report and this demonstrates that boreholes, trial pits and trial trenches have been excavated across

the site particularly the more central locations. I have raised the issue of contamination and materials in the landfill with the council's health & housing team and this has also been addressed by the applicant's advisor.

- 6.71 The landfill was for inert waste and there is no evidence that contaminated waste or asbestos has been deposited at the site. The council's health & housing team has provided a second response to clarification provided by the applicant. The health & housing team advise that the site investigation has provided general coverage across the site and attempt to delineate the edge of the former quarry. From the results of the testing no significant sources of soil contamination have been identified at the site with the majority of the measured soil concentrations being below the relevant screening values. Furthermore, the investigation has not identified the presence of any putrescible or non-inert waste within the former landfill. The ground investigation suggests that a simple cover system could be utilised within gardens and landscaped areas to reduce the risk to human health from the underlying made ground. Furthermore, given the age of the landfill there is the potential that non-inert waste has been landfilled which has not been identified by the investigation undertaken. The health & housing team recommend two planning conditions to address potential contamination and gas emission impacts.
- 6.72 With regard to gas emissions from the landfill the health & housing team advise that the ground gas assessment has identified some elevated concentrations of ground gas (methane and CO₂) and suggested gas mitigation measures could be incorporated into the design of the buildings on site. (The applicant suggests that in these circumstances NHBC guidelines recommend a clear ventilated underfloor void). However, the monitoring undertaken to date does not currently comply with the suggested minimum periods and frequency of monitoring within C665/Ground Gas Handbook. Further gas monitoring should be carried out at the site to improve confidence in the gas assessment and to confirm the requirements for gas protection measures for the proposed development. The gas emission levels monitored to date are not sufficient to justify refusal and based on current findings it is not considered emissions are likely to worsen. Again a condition is recommended to secure the additional monitoring and a mitigation scheme.

Viability, affordable housing and Section 106 contributions

- 6.73 The NPPF advises that planning obligations should only be sought where they meet all of the following tests (paragraph 204):
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.
- Policy DC8 of the Adopted Local Plan provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured.
- 6.74 The NPPG provides further guidance on how to apply the tests mentioned above and notes the following:
1. Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure.
 2. Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms.
 3. Planning obligations must be fully justified and evidenced. Where affordable housing contributions are being sought, planning obligations should not prevent development from going forward.

Recreation/sports Provision

- 6.75 No community or sports facilities are proposed on site. The leisure department in discussion with the Parish Council recognise this proposal will increase pressure for use of existing village facilities including the village hall, sports pitches and pavilions and play areas for younger people. Contributions are therefore, sought to improve local facilities including the village hall, sports pitches at the recreation ground, pavilion at the recreation ground and youth facilities. The sums sought are reasonable, necessary and proportionate to this development. Public open space on site is expected to be maintained by the developer or through a management company.

Education

- 6.76 The proposal will place increased pressure on places available at the Sutton Courtenay primary school. The County Council has explained that the proposal will generate 30 primary school age pupils and therefore, it seeks a proportionate contribution to allow the primary school to expand to cover this increase.
- 6.77 Contributions towards secondary schools and special education needs are not requested by the County Council due to pooling restrictions.

Transport

- 6.78 The County Council has a strategy to enhance the x1 and x2 bus services by collecting developer contributions which would be used to procure additional vehicles and journeys. The Didcot-Abingdon section of this public transport corridor was designated as a 'Premium Route' in 2003 and more recently the Science Vale bus strategy proposed four buses per hour between Didcot and Abingdon, two via Steventon and two via Sutton Courtenay. Developer contributions from this, and other residential development sites in the Sutton Courtenay, Drayton and Steventon areas will be used to enhance bus services towards the four-bus per hour Didcot-Abingdon level of service, and a two-buses per hour level of service through Sutton Courtenay. This would result in the de-coupling of the current x1 and x2 services north of Drayton, and the ability to reinstate the Culham Bridge (Abingdon Road) routing for buses passing through Sutton Courtenay. A contribution towards these improvements is considered justified and necessary and the amount sought is proportionate to the proposal.
- 6.79 The application provides for 40% affordable dwellings. The signalisation at the Appleford Road/Abingdon Road junction, pedestrian crossing, 30mph speed limit and bus stop provision on Abingdon Road can be secured by entering into a s278 agreement which in turn can be a requirement of a s106 agreement.
- 6.80 The following developer contributions have been requested based on 93 dwellings. These contributions are considered fair and proportionate:-

Vale of White Horse District Council	<i>Proposed Contributions</i>
Sutton Courtenay community hall	£117,700
Outdoor tennis in Sutton Courtenay	£19,560
Youth/MUGA in Sutton Courtenay	£5,201
Football & cricket pitches in Sutton Courtenay	£22,080
Football & cricket pavilion in Sutton Courtenay	£26,355
Play equipment maintenance (LEAP)	£11,736
Bin collection and provision on site	£15,810
Monitoring	£2,695

Total	£221,137
Oxfordshire County Council	<i>Proposed Contributions</i>
Sutton Courtenay primary school expansion	£380,640
Bus services through Sutton Courtenay	£79,422
Travel plan monitoring	£1,240
Monitoring	£1,500
Total	£462,802
Overall Total	£683,939
Total contribution per unit	£7,354

7.0 CONCLUSION

- 7.1 In view of the council's housing land supply shortfall, the presumption in favour of sustainable development applies and 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 Framework taken as a whole"* (NPPF paragraph 14). Paragraph 7 of NPPF identifies three mutually dependant dimensions to sustainable development; it should fulfil an economic role, a social role and an environmental role.
- 7.2 The proposed development would perform an economic role, at least in the short term, in that it would provide employment during the construction phase. It would also create investment in the local and wider economy through the construction stage and new residents and their spending. This could help secure local facilities or make them more robust. Through increasing the housing stock, it would contribute to an expansion of the local housing market and could potentially improve the affordability of open market housing. In the Highworth Road, Faringdon appeal case (proposed up to 94 dwellings) it is noted that the Secretary of State considered that the *"benefits of the scheme would include the provision of much needed market and affordable housing to contribute towards acknowledged substantial shortfalls, and would generate considerable economic benefits of the type arising from housing development"* and that he gave these benefits significant weight (application no. P13/V1366/O, appeal reference APP/V3120/A/13/2210891).
- 7.3 The scheme would have a social role as it will provide additional housing that the District needs together with much needed affordable housing. The proposal can provide infrastructure improvements such as an improved bus service, enhanced recreation and sporting facilities which in turn could benefit existing residents of Sutton Courtenay.
- 7.4 The proposal has an environmental role including providing housing in a reasonably accessible location, biodiversity enhancements, new tree planting, meadow land creation and publicly accessible open areas. Housing can be contained to the flood zone 1 areas and a sustainable drainage scheme implemented thereby minimising flood risks for the development and elsewhere.
- 7.5 The Council does not have a 5-year land supply. It is in the public interest that housing is provided to meet need acknowledged in the District. The economic and social roles of this development are in the public interest and these wider benefits are considered to outweigh the limited and localised landscape and visual harm identified. Considerable weight is given to the slight and less than substantial harm to heritage assets including

the setting of the conservation area. I consider this slight harm is outweighed by the public benefits of this proposal which include economic investment and provision of housing needed in the district including affordable housing.

- 7.6 The impacts of the proposal are not considered unreasonably adverse and it is considered the limited harm does not significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. Consequently, the application is recommended for approval subject to conditions and a legal agreement to secure affordable housing and developer contributions.

8.0 RECOMMENDATION

It is recommended that authority to grant planning permission is delegated to the head of planning subject to:

1. A S106 agreement being entered into to secure contributions towards local infrastructure and to secure affordable housing; and
2. Conditions as follows:
 1. Commencement of development – 12 months after reserved matters approval.
 2. Reserved matters to be submitted within 18 months of the outline consent.
 3. Layout based on principles in the design and access statement.
 4. Tree protection to be provided.
 5. On site open space provision.
 6. On site open space management.
 7. Sustainable drainage scheme to be agreed and implemented.
 8. Foul drainage strategy to be agreed and implemented.
 9. No development in Flood Zones 2 or 3.
 10. Vehicular access details and vision splays.
 11. Pavement connection to south side of Appleford Road.
 12. Construction method statement and construction traffic management plan to be agreed.
 13. Travel information pack to be agreed.
 14. Method statement for biodiversity enhancements.
 15. Mitigation strategy for badgers.
 16. Slab levels to be agreed.
 17. Contamination remediation scheme.
 18. Confirmation of any contamination encountered during construction and remediation.
 19. Ground gas monitoring and remediation.

Informatives

1. Market housing mix to complement the SHMA.
2. Bird nesting.

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