

<b>APPLICATION NO.</b>	<a href="#">P15/V1074/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	6.5.2015
<b>PARISH</b>	HARWELL
<b>WARD MEMBER(S)</b>	Janet Shelley Reg Waite
<b>APPLICANT</b>	Manor Oak Homes Limited
<b>SITE</b>	Land at Reading Road Harwell, OX11 0LW
<b>PROPOSAL</b>	Outline application for residential development (access only) consisting of 16 dwellings and open space. (Re-submission of previously withdrawn application P14/V2130/O) (amended illustrative layout, and revised Landscape and Visual Impact Assessment received 15 October 2015).
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	448884/188691
<b>OFFICER</b>	Hanna Zembrzycka-Kisiel

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### SUMMARY

This application is referred to planning committee as Harwell Parish Council recommends refusal, and letters of objection from eighteen residents have been received.

The proposal is for outline planning permission (all matters reserved apart from access) for the erection of 16 houses on land at Reading Road Harwell, with a vehicular access taken from Reading Road.

The main issues are:

- Whether the proposal will have an acceptable impact on the North Wessex Downs Area of Outstanding Natural Beauty (AONB) in which it falls
- Whether the proposal constitutes a major development within the North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Whether the site is a sustainable location for new housing submitted in response to the five-year housing supply shortfall
- Whether the proposal will impact on highway safety
- Whether the proposal will impact on the foul drainage network
- Whether the proposal will impact on the residential amenities of the neighbouring properties and the character of the village.

The application is recommended for approval.

### 1.0 INTRODUCTION

1.1 The site is located within the built up area of Harwell village. The site is roughly square in shape, with defined boundaries. The site currently consists of two horse paddocks with stables and access track. The application site is adjacent to Reading Road to the north, and is bounded by the existing residential development to the east and west. The existing vehicular access to the site is gained from Reading Road to the north-west corner of the site. A location plan is **attached** at appendix 1.

- 1.2 The site lies on the southern boundary of North Wessex Vale AONB. The application site is classified as Landscape Character Area 5C Hendred Plain, which is within the ‘Downs Plain and Scarp’ Landscape Character Type as defined in the North Wessex Downs AONB: Integrated Landscape Character Assessment. The AONB area has a high scenic quality which has statutory protection in order to conserve and enhance the natural beauty of its landscape.
- 1.3 The topography where the site is located initially rises steeply from Reading Road creating an earth bank, and then rises further forming a gentle slope towards the south. The character of the area along Reading Road is residential, and the immediate surroundings comprise a mixture of bungalows and two storey houses. The character of the surroundings also varies in terms of plots sizes, shapes and the location of the dwellings within their plots. The density of development in this part of Harwell is low and reflects the rural setting of the village, which falls within the North Wessex Downs AONB.

2.0 **PROPOSAL**

- 2.1 This application seeks outline consent for the erection of 16 houses on the site. As this is an outline application with only access to be considered. The details concerning layout and external appearance of the dwellings are reserved matters and would be considered should a detailed application be submitted; they are not part of the consideration of this outline application.
- 2.2 Access is proposed from Reading Road, where there is an existing field access.
- 2.3 An amended illustrative site layout has been provided, with 16 dwellings set in spacious grounds. Within this the proposed public open space has been re-allocated further towards the centre of the application site. However, it must be noted that the provided layout plan is to be treated as illustrative only, therefore the appearance, detailed scale and landscape are reserved matters.
- 2.4 The proposed housing mix will consist of 4 two-bed units, 4 three-bed units, 3 four-bed units, 3 five-bed units and 2 six-bed units, 40% (six dwellings) of which is proposed to be affordable.
- 2.5 An indicative layout plan is **attached** at Appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

<p>Harwell Parish Council</p>	<p>The main objections to the submitted scheme can be summarised as:</p> <ul style="list-style-type: none"> <li>• Proposal represents major development in the AONB, with no exceptional circumstances demonstrated</li> <li>• Proposal would cause substantial harm to the existing landscape and will erode the character of the settlement</li> <li>• Lack of school capacity for further increase in local population</li> <li>• There will be light and noise pollution</li> <li>• Market houses are “enormous” in scale</li> <li>• No details have been provided in terms of the proposed design and heights of the new properties</li> </ul>
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Vale of White Horse District Council – Committee Report– 13 April 2016

<p>Neighbours</p>	<p>Letters of objection from 18 local residents have been received. The concerns raised have been in response to the original and amended schemes and may be <u>summarised</u> as follows:</p> <ul style="list-style-type: none"> <li>• Harm to landscape and character of the AONB</li> <li>• Major development in the AONB with no exceptional circumstances demonstrated</li> <li>• Development is out of keeping with the character of the village</li> <li>• It is located within the open countryside and it is separated from the village (by A417)</li> <li>• It will set up a precedence for the future proposals along Reading Road</li> <li>• The previous appeal on the application site from 1989 still stand</li> <li>• The proposal will cause loss of view towards the AONB</li> <li>• Due to the land level rising towards the southern part of the application site, the proposal will be very prominent, and overbearing</li> <li>• There will be harmful impact upon the existing eco system within the site</li> <li>• Lack of capacity in local primary school</li> <li>• Increased traffic in local area</li> <li>• Lack of safe pedestrian route into the main part of village</li> </ul>
<p>Oxfordshire County Council One Voice</p>	<p><u>Highways</u>  <i>“The amendment to the layout improves upon the original scheme and is acceptable in principle, subject to detailed plans demonstrating appropriate width, and geometry to accommodate circulation, turning and parking. The conditions and obligations recommended for the original application have been reviewed to ensure compliance with the NPPF and CIL.”</i></p> <p>Contribution request agreement: improved bus services (services X1 and X32)- £12,720</p> <p><u>Education</u>          No objections, subject to financial contributions.          Contribution request agreement: expansion of Harwell Primary School and secondary- £47,255</p> <p><u>Property</u>          No contributions to local library capital projects, Oxford central library, strategic waste management, county museum resource centre and day care facilities due to CIL regulation pooling restrictions on financial contributions in the area.</p>
<p>Environmental Protection</p>	<p>No objections, subject to the full implementation of the mitigation measures identified in the accompanying acoustic report.</p>
<p>Drainage Engineer</p>	<p>No objections subject to standard pre-commencement conditions covering surface and foul water drainage from the</p>

	site.
Environment Agency	No longer statutory consultee for developments of this size so no comments to make.
Thames Water	No objection, subject to Grampian Style condition.
Countryside Officer	No objection subject to condition requiring biodiversity enhancement measures to be agreed prior to work commencing on site.
North Wessex Downs AONB unit	<p>Object. The objection can be summarised as follows:</p> <p><i>“On the basis of the information currently provided, the North Wessex Downs AONB Unit raises an objection to the proposed development.</i></p> <p><i>Reasons: As paragraph 14 (footnote 9) of the NPPF confirms the presumption in favour of sustainable development does not apply in AONB s because of the restrictions applied by paragraphs 115 and 116 of the NPPF.</i></p> <p>Full comments can be viewed online at <a href="http://www.whitehorsedc.gov.uk">www.whitehorsedc.gov.uk</a>.</p>
Landscape Officer	<p>No Objections</p> <p><i>“This would have a moderate impact on the local landscape character of the village but less of an impact on the wider AONB character area.”</i></p>
Urban Design Officer	No objections, subject to amendments to the proposed illustrative layout.
Waste Management	No objections, subject to financial contributions and relevant conditions
Housing	No objections subject to S 106 Agreement
Forestry Team	No objections, subject to conditions.

#### 4.0 RELEVANT PLANNING HISTORY

##### 4.1 [P14/V2130/O](#) - Other Outcome (11/12/2014)

Outline application for residential development consisting for up to 44 dwellings and open space. (Additional Flood Risk Assessment submitted)

##### [P00/V0193](#) - Approved (31/07/2000)

Retrospective application for hay barn and stables together with the change of use of the land from agricultural to domestic use to graze, exercise, jump and school horses.

##### [P88/V5092](#) - Refused (18/07/1988)

Erection of 10 detached houses and 4 detached chalet bungalows. Site area approx. 1.6 hectares. For: Finlan New Homes

[P86/V5168](#) - Refused (04/08/1986)

Residential development. Site area 1.8 hectare. Land between New Haven, Lassen, previously known as Treetops For: Finlan Group plc

[P80/V5182](#) - Refused (03/11/1980)

Residential development - Maximum of 12 houses Site area approx.4 1/2 acres For: Mrs PS Woodall

## 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
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
NE6	North Wessex Downs AONB

### 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. 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 29	Change of use of existing employment land and premises
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 40	Sustainable Design and Construction
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
Core Policy 47	Delivery and Contingency

### 5.3 **Supplementary Planning Guidance**

- Design Guide – March 2015

The following sections of the Design Guide are particularly relevant to this application:-

#### *Responding to Site and Setting*

- *Character Study (DG6) and Site appraisal (DG9)*

#### *Establishing the Framework*

- *Existing natural resources, sustainability and heritage (DG10-13, 15, 19)*
- *Landscape and SUDS (DG14, 16-18, 20)*
- *Movement Framework and street hierarchy (DG21-24)*
- *Density (DG26)*
- *Urban Structure (blocks, frontages, nodes etc.) DG27-30*

#### *Layout*

- *Streets and Spaces (DG31-43)*
- *Parking (DG44-50)*

#### *Built Form*

- *Scale, form, massing and position (DG51-54)*
- *Boundary treatments (DG55)*
- *Building Design (DG56-62)*
- *Amenity, privacy and overlooking (DG63-64)*
- *Refuse and services (DG67-68)*

- Open space, sport and recreation future provision – July 2008
- Affordable Housing – July 2006
- Flood Maps and Flood Risk – July 2006
- Planning and Public Art – July 2006
- Oxfordshire Local Transport Plan 2011 to 2030
- Draft Local Transport Plan 4 – 2015
- S106 interim guidance – 2014

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

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

### 5.6 **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. No neighbourhood plan has been submitted for Harwell parish.

### 5.7 Environmental Impact

Given the AONB location of the site there is a need to screen the application to assess the need for an Environmental Statement, even though it sits below the indicative thresholds of 150 dwellings and 5 hectare site area set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. The main issues to be considered are highway safety, landscape impact and drainage. The application has been supported by a Landscape and Visual Impact Appraisal that offers a comprehensive assessment of the site's value to the AONB and the impact of the proposal upon the special character of the area. It is considered that the LVIA offers sufficient consideration of the impacts of this development and represents an appropriate level of detail for the scheme. Similarly, the supporting documentation covering highways and drainage are sufficient for these aspects of the scheme. Thus, it is considered an Environmental Statement isn't required for this proposal and the development is not EIA development. This recommendation holds when considering the impact of this development cumulatively with the permitted sites in the village and area.

### 5.8 Other Relevant Legislation & Guidance

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- 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)
- S85 and S89 of the Countryside Rights of Way Act 2000
- North Wessex Downs AONB Management plan 2014 – 2019
- North Wessex Downs AONB Position Statement on Housing – October 2012
- North Wessex Downs AONB Integrated landscape character assessment – March 2012

### 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

- Whether the proposal will have an acceptable impact on the North Wessex Downs Area of Outstanding Natural Beauty (AONB) in which it falls
- Whether the proposal constitutes a major development within the North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Whether the site is a sustainable location for new housing submitted in response to the five-year housing supply shortfall
- Whether the proposal will impact on highway safety
- Whether the proposal will impact on the foul drainage network
- Whether the proposal will impact on the residential amenities of the neighbouring properties and the character of the village.

### *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, the emerging Vale of White Horse Local Plan 2031 Part 1-Strategic Sites and Policies and its supporting evidence base, and S85 of the Countryside Rights of Way Act 2000.
- 6.3 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 a presumption in favour of sustainable development.
- 6.4 The emerging Local Plan 2031 Part 1 (Core Policy 3) confirms Harwell is a larger village within the South Eastern Vale sub-area. It confirms that the larger villages have an adequate level of services and facilities to meet the local needs.
- 6.5 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. 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.*"
- 6.6 Paragraph 47 of the NPPF expects local planning authorities to boost significantly the supply of housing and 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 2031 part 1 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.
- 6.7 Paragraph 49 of the NPPF states *"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*.

**AONB**

- 6.8 Notwithstanding the above comments, it is important to note that, given the AONB location of the site the presumption in favour of sustainable development within the NPPF is not engaged and paragraph 14 in effect, transfers assessment of the application to paragraphs 115 and (if appropriate) 116 of the NPPF.
- 6.9 Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving and enhancing the character and qualities of the AONB *"which have the highest status*

*of protection*". This reinforces the statutory duty placed on the council under S85 of the Countryside Rights of Way Act 2000 to conserve and enhance the natural beauty of its landscape.

- 6.10 Paragraph 116 confirms that planning permission for major developments within such designated areas should be refused unless there are exceptional circumstances and where it is in the public interest to grant planning permission.

***Does the development constitute "major development" in the AONB?***

- 6.11 The NPPF does not necessarily preclude all built development in an AONB. When addressing the question of whether the development in this particular location should be treated as a "major development" for the purposes of paragraph 116 of the NPPF is context-specific and dependent on the particular application.
- 6.12 In assessing whether paragraph 116 is engaged it needs to be established whether the development constitutes major development in the AONB. In this context, the NPPF definition of "major" development is not the same as the definition used for classifying application types in the *Development Management Procedure Order* (i.e. "ten houses or more"). The use of the word "major" in the NPPF is a more relative term and it is through case law that what constitutes major development in the AONB has been determined. The available case law to date indicates that factors such as the size of the development relative to the existing settlement and the severity of the development's impact on the landscape are all factors in the assessment of what represents "major" development in the AONB.
- 6.13 The Policy NE6 of the Vale of White Horse District Council seeks to resist all development which would fail to conserve the quality of the landscape of the AONB. Having regard to the relevant sections of the NPPF the government's policy acknowledges that some development could take place in the AONB, subject to an assessment of the degree of harm to the landscape and the balance of other considerations of sustainable development, where there is no five-year housing land supply.
- 6.14 Therefore, granting planning permission for residential development in an AONB must be carefully balanced against the harm caused to the AONB. The central assessment at the heart of this proposal, therefore, is the balance between the need to provide additional housing within the district against any harm the proposal will cause to this designated landscape.
- 6.15 The application site is well contained within the envelope of the village with development on three sides, and the built up area of Harwell and will not encroach into the open countryside. Given the position of the application site (between the existing residential properties to the east and west) it is not considered the new dwellings would be significantly more prominent or visually intrusive in the wider views across the AONB than the houses presently along Reading Road.
- 6.16 The density in this part of Harwell is low, and reflects the rural setting of the village. The proposal would be in keeping with that character and would not represent a significant or major change in the established relationship between the built development and the countryside. In addition the visual impact of the proposed development, although not significant, could be mitigated by appropriate landscaping.
- 6.17 The proposed development on this particular site will not have a materially harmful impact on the wider character of the AONB, the local landscape or the surroundings. Consequently, the principle of the proposed residential development in the AONB in

this location is considered to be acceptable.

- 6.18 In conclusion given the scale of the proposal and the context of the existing village as well as its location within the envelope of the village, the Local Planning Authority is of an opinion that the current proposal does not constitute major development in the AONB, therefore paragraph 116 does not apply.

***Cumulative Impact***

- 6.19 It is recognised that the village has been and remains the subject of planning applications for housing development and there are the proposed strategic housing sites allocation in the emerging Local Plan.
- 6.20 Planning permissions for major housing developments have been granted at Blenheim Hill (80 dwellings) and on land south of Grove Road (Greenwood Meadows - 65 dwellings).
- 6.21 There are pending applications for 213 dwellings on land north of Grove Road, Harwell (P15/V1504/FUL) and 60 dwellings on land west of Didcot Road, Harwell (P16/V0553/O).
- 6.22 According to the Parish Council web site there are some 1,000 dwellings in Harwell and the population amounts to approximately 2,400 people. Should this scheme be permitted and added to the Blenheim Hill and Greenwood Meadows proposals the proposals the housing stock would expand by approximately 16.1% (the proposal alone would expand the housing stock by less than 1.4%).
- 6.23 Notwithstanding the above, this proposal must be considered on its own merits. Harwell is confirmed to be one of the larger villages which consequently is considered to be a sustainable location for development. The NPPF, does not seek to restrict development in any settlement in terms of numbers; it expects housing to be boosted significantly.
- 6.24 Cumulatively, these housing developments will place additional pressure on services, increase traffic, have a visual impact and provide potential for increased use of local shops and facilities helping to sustain them. Financial contributions are sought towards enhancing and providing for increased pressure on some services where new legislation allows e.g. education, transport. These contributions help mitigate for the effects.

***Sustainability Credentials***

- 6.25 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).  
There is a good bus service connecting the village with Oxford, Didcot and Abingdon.
- 6.26 The village has an adequate level of services and facilities to meet the local needs, therefore local residents and the occupier of the proposed development, which is well related to the facilities of the village would not be reliant upon car use, to use facilities in the village to satisfy the majority of their day-to-day needs.
- 6.27 A desirable distance according to the Institution of Highways Transportation guidelines for providing for journeys on foot (2000) is 400m. The key facilities in the village are at the walking distances and the bus stops are located reasonably close to the site, inter alia: the village hall is approximately 400m away, the recreation grounds are approximately 200m away; the bus stops are approximately 300m. Therefore, the walking distances to key facilities in the village are not greater than the recommended distance.

- 6.28 To conclude, given the demand for additional housing in the district, how the site relates to the existing village, the proximity of the site to local services this site is considered a suitable location for housing development when assessed against the NPPF.

**Affordable housing and housing mix**

- 6.29 The application makes provision for 40% affordable housing which accords with Policy H17 of the adopted local plan. This is 6 units from the 16 proposed. The proposed mix represents: 1-bed 0%, 2-bed 25%, 3-bed 25%, 4-bed 18.75%, 5-bed 18.75% and 6-bed 12.5%.
- 6.30 The Development and Housing Team, was consulted on the proposal and has advised that the requirement for 40% affordable housing is to be split as 75% rented to 25% intermediate as set out in section 5.2 of the Local Plan Policy H17 and the Affordable Housing Supplementary Planning Guidance.
- 6.31 For this proposal this equates to 4 units (2x 2-bed, 2x 3-bed) rented, and 2 units (2x 2-bed) intermediate (shared ownership). These figures are to be secured by S106 Agreement, and will further be illustrated on the layout plan, under the reserved matters application.
- 6.32 Policy H16 of the Adopted Local Plan requires 50% of houses to have two beds or less. However, as stipulated at paragraph 47 of the NPPF this policy is out of date as it is not based on recent assessments of housing need. The Oxfordshire Strategic Housing Market Assessment 2014 (SHMA) is the most recent assessment and estimates the following open market dwelling requirement by number of bedrooms (2011 to 2031) for the District – 1-bed 5.9%, 2-bed 21.7%, 3-bed 42.6% and 4-bed 29.8%.

6.33

	1 bed	2 bed	3 bed	4+ bed	Total
Proposed	0	4	4	8	16
SHMA Expectation	1	3	7	5	16

- 6.34 Although, the Officers are aware that the proposed housing mix does not reflect the SHMA expectations, on balance, as the application site is located in the sensitive location it is considered in the Officers opinion that the proposed mix is acceptable, as it helps to keep the low density nature of the area and will retain the sense of spaciousness, which is a key characteristic of this part of the village.
- 6.35 Overall, it is considered this application could still provide a reasonable mix of housing, despite the lack of one bed properties currently proposed. However this is a matter to be considered at the detailed application stage.

**Density**

- 6.36 It has been argued by the local residents, that the current proposal, although for a smaller number of units than previously proposed (16 rather than 44), represents the “quantum of development” not much different from the previously withdrawn application. In addition, it has been mentioned that the proposal will not make an efficient use of land, as the proposal does not accord with the requirements within the saved Policy H15, where the new residential development should achieve net residential densities of at least 30 dwellings per hectare. These comments are acknowledged, and consideration has been given to whether a deviation from this policy (H15) is acceptable in this instance.

- 6.37 The previous application was proposing 44 dwellings, which was considered to have a harmful impact upon the character of the AONB as well as the character of the surrounding area. The proposed density was considered to be too high. Consequently, the previously proposed urban nature of the development was out of keeping with the existing low density, rural character of that part of Harwell.
- 6.38 Whilst the layout is an illustrative only, the Officers are of an opinion that it demonstrates that the existing site can be developed in a manner that addresses the characteristics of the surrounding area, and would be sympathetic to the setting of the AONB. The application proposes a density of 10 dwellings per hectare, which is a low figure, but reasonable for this edge of settlement location
- 6.39 On balance, for the reasons outlined above, it is considered a deviation from Policy H15 can be justified in this particular instance given the sensitive nature of the site.

***Visual impact – landscape, layout, design and appearance***

- 6.40 The NPPF is explicit in seeking a high quality outcome for good design in terms of layout and building form, seeing as a key aspect of sustainable development.
- 6.41 The application site is located within the existing built up area of the village and does have existing residential development on both, the east and west boundary, and to the northern side of Reading Road. The proposed development would not project into the open countryside, but would be kept within the line of the existing residential developments to the east and west. It is acknowledged by the Officers that the proposal will result in a change to the visual appearance of the local landscape character of this part of the village, however, given the application site will not go beyond the line of the existing built up area of that part of the village, the impact on the wider AONB character area is not considered to be significant.
- 6.42 In addition, due to the rising topography of the application site, the views obtained from Reading Road are limited to the skyline and tree canopy. Therefore views from the open AONB's landscape to the south of the application site, are limited. According to the Landscape Officer's comments "the site is viewed in the context of the existing residential development of the village either side", therefore it is considered acceptable.
- 6.43 Furthermore, the proposed development, when viewed from the Public Right of Way which runs to the south-east of the application site, also will be visible in the context of the existing residential properties to the east and west, and the village to the north of the site. In addition the proposed landscaping will help to soften the appearance of the proposal.
- 6.44 Therefore, whilst the application site is within the AONB, the existing site is not a particularly crucial part of it, and does not play an integral role to the character of the AONB, and the proposed sixteen dwellings in this location are considered appropriate. The new dwellings would not to be significantly more prominent or visually intrusive in the wider views across the AONB, than the houses presently at Reading Road.
- 6.45 On this basis, it is considered in the Local Planning Authority's opinion, whilst the application site is located within the AONB, on balance this particular development can be supported.

***Residential Amenity***

- 6.46 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.

- 6.47 As appearance, layout and scale of development are reserved matters and not for consideration at this stage. The most appropriate stage to do this would be at detailed application stage or submission of reserved matters. The site is large enough to accommodate dwellings whilst being a reasonable distance away from these existing dwellings to avoid unreasonable overlooking or overshadowing. The adopted Design Guide provides guidance on protecting residential amenity and a detailed submission would be expected to comply with the Design Guide.

***Open Space, Landscaping and Trees***

- 6.48 Policy H23 of the adopted Local Plan requires a minimum of 15% of the residential area to be laid out as open space. The proposal indicates open areas within the site, which are in line with the Policy H23.
- 6.49 The site is set at a higher level than the adjoining road and there are a number of trees at the periphery of the site that are visible to residents and users of Reading Road. There is a row of maturing Cherries growing on the rising bank (adjacent to the northern boundary along the road frontage), with field hedgerows and some intermittent trees along the remaining three boundaries. The submitted DAS confirms that these will be retained and enhanced as much as possible. The Forestry Officer consulted on the application has confirmed that the condition of these trees is such that they are generally of poor form, low vigour and have a limited life expectancy. Therefore, their loss could be mitigated in a very short period of time with appropriate replacement planting. This matter could be controlled by appropriate conditions. In addition, there is a landscaping scheme proposed, however this will be assessed in detail under reserved matters application.
- 6.50 It was requested by Harwell Parish Council, that if planning permission is granted, management and the ownership of the public open spaces shall be established. The POS will be managed by a Management Company who also will be responsible for its maintenance in the future.

***Flood Risk and Surface/Foul Drainage***

- 6.51 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). It 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).
- 6.52 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. 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.
- 6.53 Local residents have made reference to the potential harmful impact of the proposal on the drainage. The site is not located within a flood zone. Thames Water and the

Council's drainage engineer have been consulted on the proposal, and there is no objections subject to conditions. The Drainage Officer, also recommends that a Grampian style condition, requested by Thames Water shall be imposed if planning permission is granted. Therefore, a foul water drainage strategy can be secured by planning conditions, thereby ensuring acceptable foul drainage capacity for the development. Conditions are also recommended in relation to surface water drainage details.

6.54 **Traffic and Highway Safety**

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.

6.55 Paragraph 32 goes on to state: *“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

6.56 The application site presently has one access point to Reading Road. It is proposed to form a new access in the location of the existing access point, but it will be upgraded to suit the requirements of a residential development. In addition a pedestrian footway is proposed within the site.

6.57 The highway authority has not raised any concerns in respect of the access arrangements. A Section 106 contribution has been requested by the highways Authority to improvement the Science Vale bus network at £795/dwelling. This contribution is considered necessary, relevant and proportionate to the development should permission be granted.

6.58 As this is an outline planning application, details of on-site parking arrangement for the dwellings is a matter for a detailed submission and that would be the appropriate time to consider this issue

6.59 Overall, there are no objections to this proposal in terms of highway safety, subject to conditions covering the access, visibility splays, parking, manoeuvring and travel plans. The proposal therefore complies with policy DC5 and the NPPF in this regard.

**Ecology/Biodiversity**

6.60 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...”*

6.61 The application has been supported by a habitat survey. The LVIA also identifies opportunities for ecological buffers and corridors, incorporating wildflower areas and new areas of habitat, further details of which could be easily secured by condition. The council's countryside officer has no objections, subject to condition requiring biodiversity enhancement measures to be agreed prior to work commencing on site. The proposal is thus considered to accord with the NPPF in this regard, subject to the

mitigation specified

## **OTHER CONCERNS RAISED**

### **Noise**

- 6.62 The applicant has provided a noise report. The council's environmental health officer has confirmed no objections to the scheme, subject to a condition requiring the mitigation measures outlined in the report to be incorporated into the construction of the housing. This condition is recommended.

### **Overlooking/Overbearing**

- 6.63 A number of local residents have raised concerns about potential for increased overlooking from the new houses, and a loss of outlook. These comments are acknowledged, however, it is important to note there is no right to a view, so the council can only seek to preserve a reasonable level of amenity for existing residents.
- 6.64 In addition, the Officers consider that, whilst the submitted illustrative layout would require further amendments, the proposed dwellings would be still situated at the appropriate distances, and would not cause harmful overlooking to the neighbouring properties.
- 6.65 It was also argued that due to the rising topography of the application site, the proposed houses will be overbearing, and will have a "towering effect", when viewed from Reading Road. In particular the properties located towards the southern corner of the application site, where the land is elevated.
- 6.66 The Officers are aware that land rises upwards towards the south from the Reading Road, however there are existing two storey properties within close proximity to the application site, which are also placed at the most elevated part of this area, such as *Vineland*. This property has a split level design, with a ridge height measuring 8.2m to the front, and 6.9m to the rear of the property (*planning permission reference P03/V0146/FUL*). The design of that dwelling addressed the rising topography to minimise the factual appearance of the two storey property in that location.
- 6.67 It has been stated in the Design and Access Statement that the proposed new houses will vary from 2 to 2½ storey, with the eaves heights ranging between 2.8m and 5.4m in height. Therefore, it is considered in the Officers opinion that the appearance of the proposed properties will be similar to the existing ones, and it is not considered they could create the mentioned "towering effect", when viewed from Reading Road, as the design of the new properties will also address the topography of the application site
- 6.68 The reserved matters application will show in detail the relationship between the new houses the existing properties to the east and west, as well as the details of the scale, massing, exact position and design of the new dwellings.

### **Heritage and Archaeology**

- 6.69 Policy HE10 of the adopted Local Plan states that development will not be permitted if it would cause damage to the site or setting of nationally important archaeological remains, whether scheduled or not.
- 6.70 The site is in the setting of the Harwell Conservation Area and there are number of listed buildings in the vicinity to the north and east. Nearest is Thatched Cottages to the east. The core of the historic village of Harwell is located to the north. There is an

Anglo-Saxon inhumation cemetery to the south east. The Council’s Conservation Officer had no objections to the proposal, subject to the illustrative layout being amended to address the established urban grain. Subsequently, the amended layout has been submitted, however as this is an outline application, and further amendments to the proposed layout are expected by the Officers, this will be addressed and assessed under the reserved matters application.

**Previous Appeal**

6.71 It has been argued by the objectors, that the decision of a previous appeal from 1989 (reference number APP/V320/A/89/112422) still stand. In addition the objectors also referred to other applications which were dismissed at appeal. However it must be noted that each application is assessed on its own merits.

6.72 Further to the mentioned appeal reference number APP/V320/A/89/112422, given that the policy context at both local and national level has changed significantly since 1989, the current proposal is assessed by the Officers against the current local and national policies.

6.73 **Delivery and Contributions**

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.

6.74 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.

6.75 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.

6.76 The following developer contributions have been requested. Officers consider the contributions are fair and proportionate and should be subject to a legal agreement should permission be granted.

<b>Parish Council</b>	<i>Proposed Contributions</i>
Village Hall redevelopment	£24,000
Pavilion Enhancement	£8,000
Bowls Club disabled access	£8,000
BMX/Skate Park Provision	£8,000
Royal British Legion Club enhancement project	£8,000
<b>Total</b>	<b>£56,000</b>
<b>Oxfordshire County Council</b>	<i>Proposed Contributions</i>

Science Vale bus network improvements	£12,720
Harwell Primary school expansion	£47,255
Administration and monitoring fee	£1,500
<b>Total</b>	<b>£61,475</b>
<b>Vale of White Horse District Council</b>	<i>Proposed Contributions</i>
Waste Collection	£2,720
<b>Total</b>	<b>£2,720</b>
<b>Overall Total</b>	<b>£120,195</b>

6.78 Financial contributions requested by OCC towards the Secondary School (£68,212) and SEN (£9,810) cannot be required under S106 obligation, due to Regulation 123 of the Community Infrastructure Regulations 2010 (pooling). This is acknowledged by the County in their response.

## 7.0 CONCLUSION

7.1 It is acknowledged, by the Local Planning Authority that this proposal does not accord with the development plan policies. However, in light of the current shortfall in the council's five year housing supply, and the national guidance in such situations, when balancing all the planning considerations, the proposal is considered acceptable given the following:

### 7.2 Character

The application site is well contained within the envelope of the village, and the built up area of Harwell will not be extended as a result of the proposed development. Therefore, the proposal would not represent a significant or major change in the established relationship between the built development and the countryside. The application site does not encroach into the open countryside. Given the position of the application site (between the existing residential properties to the east and west) it is not considered the new dwellings would to be significantly more prominent or visually intrusive in the wider views across the AONB than the houses presently at Reading Road. The density of development in this part of Harwell is low and reflects the rural setting of the village, and the proposal is in keeping with this characteristic. As such, it will have an acceptable impact on the wider landscape, which falls within the North Wessex Downs Area of Outstanding Natural Beauty

### 7.3 Sustainability

Harwell is classified as one of the larger villages in the district and the application site itself it is well located, to access the available facilities and services. As the Harwell Science Campus is located nearby, this location also give the employment opportunities Harwell is also well connected with Oxford, Didcot and Wantage as it is closely located to the A34. Accordingly, it is a sustainable location for new residential development when assessed against national guidance

### 7.4 Technical Concerns

There are no technical concerns regarding highway safety, flood risk, drainage, ecology, trees and the amenity of existing and future residents.

### 7.5 Deliverability

The proposal, therefore would result in a sustainable development in terms of the relationship and proximity to local facilities and services. Given the demand for additional housing in the district, this makes a measurable contribution to help address the current housing land shortfall. In addition the proposal will provide affordable housing to meet

local requirements, and a condition requiring the commencement of development within eighteen months of the date of the grant of planning permission is recommended.

## 8.0 RECOMMENDATION

It is recommended that authority to grant planning permission is delegated to the head of planning, in consultation with the Chair and Vice Chair of the committee, subject to:

1. A S106 agreement being entered into with both the county council and district council in order to secure contributions towards local infrastructure and to secure affordable housing; and
2. Conditions as follows:
  1. Standard outline condition.
  2. Submission of reserved matters.
  3. Approved plans.
  4. Access (details not shown).
  5. Surface water drainage works (details required).
  6. Foul drainage works (details required).
  7. Construction of method statement.
  8. No drainage to highway.
  9. Surface water drainage
  10. Works within the highway.
  11. Surface water drainage.
  12. Wildlife protection.

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