

<b>APPLICATION NO.</b>	P16/V1714/O
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	1 July 2016
<b>PARISH</b>	EAST CHALLOW
<b>WARD MEMBER</b>	Yvonne Constance
<b>APPLICANT</b>	Greenlight Developments
<b>SITE</b>	Land at Challow Park (including former Council depot), Challow Road, East Challow
<b>PROPOSAL</b>	Outline Application with all Matters Reserved for a Residential Development of up to 38 Dwellings, including up to 13 Affordable Dwellings, with Associated Car Parking and Amenity Space, and On-Site Public Open Space
<b>OFFICER</b>	Peter Brampton

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### **SUMMARY**

This application comes to Committee as it represents a significant departure from the Local Plan. The application seeks outline planning permission will all matters reserved for the provision of up to 38 dwellings.

The main issues to consider in determining the application are:

- Whether the principle of development is acceptable
- Whether the application is suitable to meet the district's five year housing supply deficit in terms of the sustainability of the proposed scheme relative to its surroundings
- The impact of the development on the character of the area and wider landscape, which forms part of the Lowland Vale and is designated as important open space
- Whether the indicative layout demonstrates a high quality housing scheme
- Whether the scheme will mitigate impacts on highway safety, flood risk and sewer capacity
- Whether the scheme will provide necessary infrastructure contributions

The site is (largely) previously developed land that lies in a relatively isolated rural location between Wantage and East Challow. The principle of housing on this site is considered to be acceptable, subject to consideration of the impacts of the particular proposal, and in light of the lack of a five year housing land supply in the district. Planning permission was granted in May 2016 for a development of up to 36 new homes on the site. (Ref: P15/V2545/O). The difference between the extant permission and this current proposal is the addition of two units through a rearrangement of the central part of the site to allow a higher density of development.

Strong boundary planting means the landscape impact of this scheme is considered acceptable, despite the site forming part of designated Important Open Land between Wantage and East Challow.

Traffic impact is not considered severe, whilst Grampian conditions will be used to mitigate the impacts on flood risk and sewer capacity. The development will provide 35% affordable housing in line with emerging council policy and the indicative site plan demonstrates 38 units can be accommodated on the site.

The limited harm caused by this development does not significantly and demonstrably outweigh its benefits and so the application is recommended for approval.

1.0 **INTRODUCTION**

- 1.1 This application relates to a site of around 1.85 hectares on land to the north of Challow Road (A417). The site splits into two distinct parts, divided by a public footpath. The western part of the site is a former council depot, whilst the eastern part was previously part of the garden curtilage of Challow Park. The remainder of Challow Park is the dwelling itself, now used as a music recording studio, and its garden. Alongside part of the western boundary of the site lies Greenacre, a single residential property.
- 1.2 Agricultural land currently surrounds the depot part of the site to the west and north, although on 8 June this planning committee resolved to grant consent for the erection of up to 88 dwellings on this land, which as known as “Park Farm”. Agricultural land surrounds the Challow Park portion of the site, and there are no applications for development on these fields at this time.
- 1.3 At the meeting of the planning committee on 15 February 2016, this committee resolved to grant outline planning permission with all matters reserved for up to 36 dwellings on this site under reference P15/V2545/O. In determining the previous application, the applicant argued the entirety of the site constitutes previously developed land. A summary of officers’ conclusions on this point is presented in this report.
- 1.4 Both Challow Park and the depot benefits from vehicular access onto the A417, whilst access to the footpath remains possible.
- 1.5 The site falls within the Lowland Vale and within a part of the landscape designated as “Important Open Land” between Wantage and East Challow. This designation is within Local Plan policy.
- 1.6 A location plan is **attached** as Appendix One.

2.0 **PROPOSAL**

- 2.1 This application seeks outline planning permission with all matters reserved for the erection of up to 38 houses on the site, with associated car parking and amenity space, and areas of landscaping and public open space. The application provides 35% affordable housing, which equates to 13.3 units. 13 of the dwellings provided on site will be affordable, with a commuted sum equivalent to 0.3 of a unit taken in line with council policy and secured through the Section 106 agreement.
- 2.2 The illustrative masterplan shows a single vehicular access, re-using the existing council depot entrance in the southwestern corner of the site. The existing footpath will be retained within the layout and an area of public open space sits close to the northern boundary.
- 2.3 The illustrative layout shows the retention of the majority of boundary trees, particularly along the southern boundary with Challow Road and with the northern boundary that is shared with the Park Farm site and open countryside.
- 2.4 The application is supported by a number of parameter plans that will form the basis for any reserved matters application. These are:
- Scale and Density – showing a central area of high density (over 30 dwellings to the hectare), with medium density areas backing onto existing neighbours (15-30 dwellings to the hectare) with low density areas next to open countryside (0-15 dwellings to the hectare). Houses will be 2 or 2 ½ storey in height, with single storey garaging

- Circulation and Architectural Features – showing the main vehicular and pedestrian routes through the site and indicating the feature buildings which will act as “gateway” or “visual stop” properties
- Land Use – showing the “Residential” areas and “Public open space/ Green Infrastructure” areas
- Illustrative Affordable Allocation – showing the 13 affordable units in a single cluster in the central “high density” part of the site.

2.5 The application is also supported by the following main supporting documentation:

- Illustrative Landscape Proposal
- Arboricultural Report and Tree Survey
- Archaeological Geophysical survey
- Design and Access Statement
- Ecological Appraisal
- Flood Risk Assessment
- Geo-Environmental Assessment
- Statement of Community Involvement
- Landscape and Visual Appraisal
- Transport Statement

2.6 Extracts from the current application drawings are **attached** at Appendix Two. All of the above documents can be viewed on our website ([www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)).

2.7 The illustrative masterplan submitted as part of P15/V2545/O is **attached** at Appendix Three for members’ information.

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).

East Challow Parish Council	<p>No objection but wish for the following points to be considered:</p> <ul style="list-style-type: none"> <li>• Residents or people with a connection to East Challow should be allowed first refusal on the affordable units</li> <li>• The relocation of the affordable housing to the rear of the site</li> <li>• A pedestrian crossing across the A417 is essential</li> <li>• The provision of a bus stop on the A417.</li> </ul>
Neighbours	<p>At the time of writing, 4 letters raising objection or general concerns have been received. The concerns raised may be summarised as follows:</p> <ul style="list-style-type: none"> <li>• New access must meet safety standards following a recent accident</li> <li>• Surface water should not discharge into ponds to the north of the site</li> <li>• Lack of local infrastructure to support additional population</li> <li>• Need to maintain footpath through site</li> </ul>

<p>Oxfordshire County Council Highways</p>	<p>No objections.</p> <p>Legal agreement to secure:</p> <ul style="list-style-type: none"> <li>• £5,000 to maintenance of Zebra crossing</li> <li>• £5,000 to public consultation on Zebra crossing</li> <li>• £3,000 to Traffic Regulation Order to reduce speed limit</li> <li>• £32,205 to local bus service improvement</li> <li>• £2,000 to new bus stops</li> </ul> <p>Conditions requested:</p> <ul style="list-style-type: none"> <li>• Access to be agreed</li> <li>• Construction Traffic Management Plan to be agreed</li> <li>• Stage 1 Safety Audit and Technical Audit to be carried out</li> <li>• Travel Information Pack to be agreed</li> </ul> <p>Section 278 agreement requested to cover:</p> <ul style="list-style-type: none"> <li>• Vehicular access and visibility splays</li> <li>• Pedestrian crossing and guard railing</li> <li>• Footway provision along A417</li> <li>• Bus stop works</li> </ul> <p>Main comments:</p> <ul style="list-style-type: none"> <li>• Impact of additional traffic on local highway network would not be severe</li> <li>• New bus stops required that the 67 route will serve, and this route will become a “connector” route between Faringdon and Wantage linking to services to Swindon and Science Vale Enterprise Zone</li> <li>• Vehicle tracking will need to be shown at reserved matters stage</li> <li>• Surface water drainage scheme required</li> <li>• Vegetation removal needed to achieve adequate visibility splays</li> <li>• Increase in dwelling numbers has resulted in modifications to internal layout. Internal access road should be straight for first 15 metres</li> <li>• New footway will need to be 2 metres wide from site access to public footpath. At that point, the new footway and footpath will integrate and link to a Zebra crossing to the east and to new bus stop</li> <li>• New speed limit of 30MPH along A417 needed</li> <li>• Need to widen footway on southern side of A417</li> <li>• Car and cycle parking to be to County Council parking standards</li> </ul>
<p>Oxfordshire County Council Archaeologist</p>	<p>No objections subject to conditions requiring prior agreement to a Written scheme of investigation and a staged programme of archaeological evaluation and mitigation.</p>

Vale of White Horse District Council – Committee Report – 17 August 2016

Oxfordshire County Council Education	<p>No objections</p> <ul style="list-style-type: none"> <li>• Section 106 contributions to expansion of St Nicholas primary school and local nursery education requested</li> <li>• No Section 106 contributions to secondary education and special educational needs education requested due to CIL Regulation pooling restrictions</li> </ul>
Oxfordshire County Council Property	<p>No objections</p> <ul style="list-style-type: none"> <li>• Section 106 contributions to local library improvements, central library improvements, waste management, museum resource centre and adult day care not requested due to CIL Regulation pooling restrictions.</li> </ul>
Thames Water	<p>No objections</p> <ul style="list-style-type: none"> <li>• Requests Grampian style condition relating to foul sewers requiring a drainage strategy to be agreed prior to work commencing and for the agreed strategy to be implemented prior to occupation</li> <li>• No conditions required related to surface water drainage</li> </ul>
Waste Management	<p>No objections</p> <ul style="list-style-type: none"> <li>• General comments on council waste collection contract provided. £170/property requested to provide each new house with wheeled bins.</li> </ul>
Landscape Architect	<p>No objections</p> <ul style="list-style-type: none"> <li>• Proposed changes with this application have very little impact relative to the approved scheme</li> <li>• Site is enclosed and does not read as part of the open countryside</li> <li>• Housing would have a moderate to minor landscape impact on the local landscape character and the Important Open Land between East Challow and Wantage</li> <li>• Main visual impact will be from the footpath passing through the site</li> <li>• From wider footpath network views are restricted by topography and vegetation</li> <li>• Current enclosure of the site by mature vegetation means the proposal would not have a significant impact on open views across the Lowland Vale</li> <li>• Planting principles and species shown on illustrative landscape proposals plan are acceptable</li> <li>• Site boundary treatments will be critical at reserved matters stage</li> </ul>
Environmental Health Officer	<p>A noise assessment is necessary (along with any necessary mitigation measures) to ensure suitable internal noise levels and in outdoor living area.</p>

**Vale of White Horse District Council – Committee Report – 17 August 2016**

Contaminated Land Officer	No objections subject to pre-commencement condition requiring a phased contaminated land risk assessment
Countryside Officer	No objections subject to conditions requiring an updated badger survey and a method statement for biodiversity enhancements
Forestry Officer	No objections but highlights concern that a number of units on illustrative layout sit close to important boundary trees with Challow Park, which is unlikely to be acceptable at reserved matters stage.
Urban Design Officer	<p>Has the following main concerns with the illustrative layout:</p> <ul style="list-style-type: none"> <li>• Conflict between boundary trees with Challow Park and proposed units</li> <li>• Increase in dwellings in central block has made it difficult to accommodate parking, bins and access. This block will be dominated by parking and rear alleyways</li> </ul> <p>Would suggest relocating the two extra dwellings (relative to approved scheme) elsewhere in site. Buildings on corner plots will turn to “turn the corner” and boundary treatments facing the public realm must not be close-boarded fencing.</p>
Drainage Engineer	No objections subject to pre-commencement conditions relating to surface water and foul water drainage strategies.
Housing Officer	No objections subject to provision of 35% affordable housing in the form of 13 on-site units and a commuted sum for the part-unit

**4.0 RELEVANT PLANNING HISTORY**

**4.1 P15/V2545/O – Approved 20/05/2016**

Outline Application with all Matters Reserved for a Residential Development of up to 36 Dwellings, including up to 14 Affordable Dwellings, with Associated Car Parking and Amenity Space, and On-Site Public Open Space (As clarified by Flood Risk Assessment Addendum received December 2015 and by Geophysics Report accompanying agent's email of 18 January 2016 and as subsequently amended by Illustrative Layout Drawings AAH5292-04-1 Rev F and 04-2 Rev F and updated Flood Risk Assessment accompanying agent's letter of 20 January 2016)

**P05/V1586/RM – Approved 23/03/2006**

New girls school including teaching and residential accommodation, chapel, sports facilities, auditorium and staff accommodation. Playing fields and tennis courts.

**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
HE19	Archaeology
NE9	Lowland Vale
NE10	Important Open Land

**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. Whilst the plan has been through Examination the Inspector's has not been received and the objections to it remain unresolved. 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 20	Spatial strategy for Western 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

### 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
- 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 Planning Practice Guidance 2014 (PPG)

### 5.6 Neighbourhood Plan

There are no formal plans for an East Challow Neighbourhood Plan at the present time.

### 5.7 Environmental Impact

This site falls below the screening thresholds outlined in Schedule Two of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and so the council is not required to screen this proposal for the need for an Environmental Statement

### 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 **Relevant Case-law**

- Dartford Borough Council v Secretary of State for communities and local government and ORD (2016)

5.10 **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.

5.11 **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 and future living conditions
8. Landscape and Visual Impact
9. Open Space and Landscaping
10. Flood Risk and Surface/Foul Drainage
11. Traffic, Parking and Highway Safety
12. Protected Species and Biodiversity
13. Archaeology
14. Developer Contributions

**The Principle of Development**

- 6.1 In line with the requirements of the Town and Country Planning Act, the development plan is the starting point for assessing this proposal. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011 and the emerging Local Plan 2031 Part One. The NPPF is also relevant to this proposal as it requires the council to demonstrate a five year housing land supply.
- 6.2 As members are aware, the council has recently received the Inspector's Interim Findings into the emerging Local Plan 2031 and we have recently published the proposed modifications. His Findings are positive for the Vale, confirming that, subject to certain modifications, the Plan is sound and the Vale will be able to demonstrate a five year supply of housing land when the Plan is adopted. However, these Interim Findings themselves have only limited weight, although more weight can now be applied to policies which have not received any objections and are not subject to any modifications. As such, the council still currently cannot demonstrate a five year housing land supply against the Strategic Housing Market Assessment (SHMA) housing targets on which the emerging Local Plan is based.
- 6.3 Accordingly, the housing policies of the development plan are not considered up to date and the presumption in favour of sustainable development outlined at Paragraph 14 of the NPPF applies, requiring the council to demonstrate "*significant and demonstrable harm*" if an application is to be refused. Thus, officers consider the principle of this development may be acceptable, subject to a balanced assessment of its impacts, which are considered in the following sections of this report.

**Cumulative Impact**

- 6.4 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.
- 6.5 71 houses were permitted at the Nalder Estate in East Challow under Planning Application P12/V1261/FUL. This development is nearing completion. Planning permission has been granted for 14 homes at Challow Country Club, although it does not appear that scheme is likely to be implemented at the current time. There is a current application for 50 houses at Windmill Place under Planning Application P14/V0298/FUL and a resolution to grant 88 dwellings at Park Farm to the immediate north and west of this site.
- 6.6 At the time of the 2011 census, the parish of East Challow had 313 houses. The approved Nalder Estate and the Park Farm scheme would bring that total to 472. The Challow Country Club and Windmill Place applications have been discounted due to delays in their progress. Thus, 38 units on this site would represent an 8% increase in the current/approved housing stock of the village.
- 6.7 Additional housing can help support and secure local services and it may be possible to address infrastructure deficiencies through planning conditions or through a legal agreement. Cumulative impacts are considered where relevant in the topics below

**Use of Land**

- 6.8 Paragraph 17 of the NPPF encourages the effective use of land by reusing sites that have been previously developed providing that it is not of high environmental value. The council depot portion of the site is clearly previously developed land. This part of the site is now deserted, being areas of broken-up hardstanding and wasteland. It cannot be described as having high environmental value. Therefore, the fact this part of the site is brownfield and will be brought back into use through the provision of housing is a factor weighing positively in the planning balance.
- 6.9 The remainder of the site is part of the garden of Challow Park. It has previously been argued in national policy that residential gardens are undeveloped “greenfield” sites. However, during the assessment of the previous application, the applicant referred the council to a January 2016 High Court ruling on this particular point (See Para 5.9). The glossary to the NPPF defines previously developed land as including “*land in built-up areas such as private residential gardens.*” The High Court judgement supported the finding of an Inspector that this definition could not be read to include private residential gardens *not located in built up areas* [my emphasis]. This judgement appears to be quite clear that residential gardens such as Challow Park are not greenfield land. Instead, they should be considered previously developed land.
- 6.10 Overall, it is important to note that this High Court judgement remains relatively recent and to date the government has not made any change to national guidance in response. So it seems to be the case that the entirety of this site can be considered previously developed land. In line with the preference within the NPPF to bring forward previously developed land ahead of greenfield sites, the use of this site for housing is to be encouraged unless substantial and demonstrable harm can be demonstrated.

**Locational Credentials**

- 6.11 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).

- 6.12 East Challow is one of the district’s larger villages so is considered to have some facilities to support an increase in the population. Under the emerging Local Plan, it is considered one of the Local Service Centres of the Western Vale sub-area. The village does benefit from a primary school, playground, village hall, cricket club and public houses and these can be reasonably reached on foot from the site.
- 6.13 Officers are mindful that East Challow does not have a shop. However, this site lies close to Wantage, which has a wide range of retail, employment, recreation and education opportunities that will be relatively easily accessible from this site. King Alfred’s School West lies opposite the site, whilst footpaths (combined with the necessary Zebra crossing) will link the development to the town. It is noted that distances from the site to the town centre are beyond the desirable distance outlined in the Institution of Highways Transportation guidelines for journeys on foot (published 2000). These guidelines do indicate that distances up to 800 metres are acceptable and 1,200 metres (1.2 kilometres) is a preferred maximum.
- 6.14 The Limborough Road retail park is around 1.3 kilometres walk from the site, with the historic town centre around 200 metres further away. Given the amount of retail offered in central Wantage, officers consider that it would not be unreasonable for people to walk this far. Furthermore, this site will make financial contributions to improve the 67A bus service that runs along the A417 and links Wantage to Faringdon. Bus stops will be provided close to the site to allow easy access to sustainable modes of transport.
- 6.15 Overall, officers are satisfied that this site benefits from acceptable access to services and facilities within East Challow and Wantage. Spatially, the site is very well located for access to a wide range of services and local facilities and new residents will be able to enjoy regular bus services to local service centres.

**Affordable housing and housing mix**

- 6.16 The application makes provision for 35 % affordable housing which accords with Core Policy 24 of the emerging Local Plan 2013 Part One. Given the robust evidence base supporting this policy and the fact the Inspector’s Interim Findings into the emerging Plan did not question this level of provision, officers now consider it appropriate to secure this level of affordable housing from applications such as this. By means of comparison, the previous scheme offered 40% affordable housing (as required by the now out-dated Policy H17 of the 2011 Local Plan) which represented 14 affordable units. This scheme offers 13.3 affordable units, 13 on site with a commuted sum equivalent to 0.3 of a unit.
- 6.17 The proposed affordable housing mix and tenure split is shown in the below table.

	1 bed	2 bed	3 bed	4+ bed	Total
Rent	2	5	3	0	10
Shared Ownership	0	2	1	0	3
Total	2	7	4	0	13

- 6.18 East Challow Parish Council have requested that first priority for the affordable houses is given to residents of the village or people with a connection to East Challow. However the level of affordable housing provision is justified on the district-wide need for this type of unit. Therefore, they must be allocated in line with the council’s Housing Allocations Policy. This Policy does enable 20% of the rented units, on first letting, to be allocated to those with a local connection. This will be two of the ten rented units

referenced above. Officers are satisfied this is the appropriate, evidence based, approach to affordable housing provision on this site.

- 6.19 The Parish Council have also requested that the affordable housing be located to the rear of the site. The illustrative parameter plan shows that all 13 units are clustered together in the central “high density” block. Council policy requires affordable housing to be visually indistinguishable from market housing and evenly spread across the site. As such, officers would not support the illustrative plan proposal to locate all of the affordable units in a single block. On a site of this size, they should be split up into two, although located reasonably close together so the Registered Provider can manage them easily. This is a point for the reserved matters application to consider.
- 6.20 Turning to the private housing mix, 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. As this application is submitted in outline and therefore the details of mix have not been provided. It would therefore be expected that any reserved matters submission should reflect as far as possible the mix set out below but also reflect the edge of village location:

	1 bed	2 bed	3 bed	4+ bed	Total
SHMA %	5.9%	21.7%	42.6%	29.8%	100%
SHMA Expectation no's	1.5	5.4	10.7	7.4	25

### **Design and Layout**

- 6.21 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.
- 6.22 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.
- 6.23 *Site, Setting and Framework*  
As outlined above, the site is at least partially brownfield land that sits in open countryside between Wantage and East Challow but has a secluded character due to the mature strong boundary planting. The boundary planting is an important opportunity and constraint of the site as retaining it is vital to reducing the overall landscape impact of the proposal.
- 6.24 Although the matter of access is reserved, it is clear the logical access point is the entrance to the council depot. The public footpath will need to be retained whilst acceptable relationships with the neighbouring properties need to be provided.
- 6.25 38 dwellings on a site of 2 hectares represents a gross density of 19 dwellings to the hectare. The Design and Access Statement confirms the developable area of the site is 1.34 hectares, meaning a net density of 28 dwellings to the hectare. Policies in the current and emerging Local Plans require net densities to be at least 30 dwellings to the hectare to ensure efficient use of land, subject to character considerations. The proposed density is consistent with residential estates on the western edge of Wantage

and more modern parts of East Challow. Officers are satisfied that the overall net density is acceptable.

6.26 *Spatial Layout*

The illustrative layout demonstrates that active frontages can be achieved throughout the development, with good natural surveillance shown in respect of the main access road, the footpath, the public open space and towards Challow Road. It is important to note this layout proposes houses backing onto the open countryside to east, north and west, including that farmland that makes up the adjacent Park Farm site. This is not normally desirable. However, given the size and shape of the site, officers have concluded that to have houses facing out of the site would likely cause significant harm to the internal layout. On balance, it is better that a strong internal layout with a bespoke landscape buffer with the open countryside/neighbouring development is proposed, and this will be a matter for any detailed application. The council's landscape officer has confirmed that the proposed approach to landscaping shown on the illustrative planting plan is acceptable. Where private gardens sit alongside the public realm, the boundaries will need to be defined by brick walls rather than fencing.

6.27 The increase of two units relative to the previous scheme is achieved through increased densities on the southern and western areas of the site. The number of units in the northern, more sensitive, part of the site has decreased slightly. Officers consider this layout reacts reasonably well to the constraints of the site and surroundings and represents a solid starting point for progressing a reserved matters application.

6.28 However, the proposal to provide two additional units and increase density in the central area of the site does cause some issues. As noted by the Forestry Officer, those dwellings to the immediate east of the footpath (southwestern corner of the site) have been moved back in this application, compared to the approved illustrative layout. Officers consider this arrangement will cause conflict between the rear gardens of these properties and the important mature trees along the shared boundary with Challow Park. A reserved matters application will need to address this relationship more successfully than the illustrative plan does, likely bringing these dwellings forward, away from this sensitive boundary and closer to the footpath.

6.29 The detailed layout will need to demonstrate that parking in line with standards can be delivered on plot, so that it does not overly dominant the street scene. Currently, the "central" high density area does have, in officers' opinion, an over dominance of parking areas, in particular a triple bank of double-length parking spaces accessed directly from the main access road. Such an arrangement will give the scheme an overly harsh urban appearance. The Design Guide highlights the need for a range of parking solutions to ensure a development is not visually dominated by the car, whilst also ensuring adequate manoeuvring space is provided.

6.30 Furthermore, with such a dense central block, it becomes more difficult, as noted by the Urban Design officer, to accommodate bin storage and pedestrian access and the likely result is a block dominated by hardstanding with little room for soft landscaping and rear alleyways. Officers agree with the Urban Design officers' suggestion that the two additional units are relocated elsewhere on the site at the detailed stage.

6.31 Any detailed layout will need to be mindful of the need to achieve back-to-back and back-to-side distances and garden sizes in line with the requirements of the Design Guide. Overall, officers are satisfied that this site can accommodate up to 38 units but an informative will be placed on the consent making clear the illustrative plans would not be accepted at the detailed reserved matters stage.

6.32 *Built form*

Given the outline nature of the application, details on built form are limited. The Design and Access Statement shows the housing will be 2 or 2 ½ storey. Officers welcome the proposed use of feature buildings on important plots within the development to aid legibility and add visual interest. Materials will be important, with a high quality brick and plain tile being the most appropriate materials for this location, particularly on those dwellings seen from outside the site such as those fronting the A417.

**Residential Amenity**

6.33 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.

6.34 Any detailed application will need to demonstrate that each house benefits from an appropriate amount of amenity space in line with Principle DG63 of the Design Guide. Similarly, back-to-back and back-to-side distances will need to accord with the Design Guide, both in terms of between the new units and with the two neighbouring properties. The illustrative masterplan indicates meeting these guidelines should be achievable.

6.35 The council's environmental health officer has noted the potential traffic noise disturbance that those properties closest to the A417 may experience. Any reserved matters application will need to be supported by a noise assessment that demonstrates what noise levels are likely to be experienced across the site and, where necessary, what mitigation measures are needed to reduce those noise levels to an acceptable level for residents.

**Landscape and Visual Impact**

6.36 The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109). This site falls within the Lowland Vale, which is a local landscape designation. Policy NE9 of the Local Plan seeks to protect the long, open views that characterise this part of the district. The site also falls within a designated important open gap between settlements, as defined by Policy NE10 of the Local Plan. This policy states, "*In the...important open gaps between settlements...development or changes of use which would harm their essentially open or rural character will not be permitted.*"

6.37 Officers acknowledge that permitting housing on this site will have some impact on the quality of the landscape. However, as outlined above, the site is well-contained within existing mature trees. This mature planting reflects the previous commercial use of the site that would have had its own negative impact on this important open gap. Officers consider that the policy exists predominantly to restrict the development of open fields between settlements. This is not the case here. Officers consider that the residential development of this particular site would not have a materially harmful impact on the open gap between Wantage and East Challow. Any detailed scheme will be required to supplement the existing strong mature planting around the boundaries of the site and also provide replacement planting for the mature trees already felled on the site.

**Open Space, Landscaping and Trees**

6.38 Adopted Local Plan Policy H23 of the adopted Local Plan requires a minimum of 15% of the residential area to be laid out as open space. The Design and Access Statement confirms that the illustrative masterplan provides in excess of 15% open space. This will need to be carried through into any detailed application to achieve policy

compliance. A financial contribution towards the provision of play equipment at the recreation ground in East Challow was secured previously and will be proportionately increased to reflect the larger scheme now proposed.

- 6.39 Within the site lies an orchard which the applicant states is nearing the end of its expected life and so is proposed for removal. Nonetheless, officers consider a detailed layout will need to incorporate a replacement orchard, which can be secured through condition as with the previous consent.
- 6.40 The mature trees around the boundary will need to be retained for the reasons discussed earlier in this report. The illustrative layout demonstrates this can happen, to the satisfaction of the council's forestry officer. One element of concern that tree protection and landscaping conditions can cover is that some of the important boundary trees are within the back gardens of the new houses on the illustrative layout. As such, the management of these trees will be an important part of the implementation of any landscaping strategy, again an issue to be covered by the detailed application.
- 6.41 Finally, the introduction of new planting to supplement the boundaries of the site and provide character within the development will be an important part of any detailed application. A tree protection condition will be applied at outline stage to protect the trees shown to be retained. This includes a large Beech tree within the rear garden of Challow Park, which has a large root protection area that affects the layout in its northeastern corner.

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

- 6.42 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).
- 6.43 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.
- 6.44 *Surface Water*  
The application has been supported by a Flood Risk Assessment, which confirms that the entirety of the site is located within Flood Zone 1, the area at least risk of flooding. Therefore, the primary risk of flooding is surface water run-off from heavy rainfall. The applicant is expected to demonstrate a drainage strategy that accords with Sustainable Urban Drainage System (SuDS) principles so that the development does not increase flood risk outside its boundaries and discharges water in a controlled manner.
- 6.45 SuDS principles indicate that infiltration is the preferred method of surface water disposal. However, due to soil conditions this will not work on this site, due to underlying Gault Clay and the water table in this part of the district. A gravity outfall, west across the site to the nearby watercourse is feasible but requires crossing third party land. The owner of this land has raised objection to such a solution. An alternative option is to send surface water into a public sewer under Challow Road.
- 6.46 The strategy will rely on attenuation crates and oversized pipes (below ground) to hold sufficient water to accommodate the necessary 1 in 100 year flood event with a 30% allowance for climate change. A pump station will be required to manage flows into the chosen public sewer or watercourse.

- 6.47 The council's drainage engineer has confirmed no objections to the principle of the drainage strategy, which remain as previously approved. As is normal practice, a pre-commencement condition will secure a detailed design for the surface water drainage strategy. This will need to confirm whether the site will drain across third party land or into the sewer underneath the A417. Both options are feasible but it will be for the developer of the site to negotiate a solution to satisfy this condition.
- 6.48 *Foul Water*  
Thames Water have identified a lack of capacity in the local sewer network to accommodate the additional flows from this development. Therefore a Grampian style condition is necessary that requires the developer to agree upgrade works to the public sewer and implement them prior to first occupation.
- 6.49 The FRA accompanying the application states that a pumping station will be necessary to pump foul flows into the public sewer in Hedge Hill Lane, or again crossing third party land to the west. Both options are feasible and the preferred solution will be subject to detailed design work as part of the Grampian condition discussed above.

#### **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 decision 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 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 The application is supported by a Transport Statement that address traffic generation, pedestrian and cycle links, the point of access, visibility and parking. The Transport Statement remains based on a previous submission for 35 dwellings. It states that this many dwellings would result in two-way vehicles trips of 15 in the morning peak hours (8-9am) and 14 in the evening peak hours (5-6pm). Overall, the Transport Statement concludes that 35 houses would result in 131 movements onto the A417 a day.
- 6.53 The Highways Authority have cast doubt on the veracity of these findings, stating, *“The highway authority observes that some of the sites selected [in the survey] appear not to be relevant...The derived trip rates are considered to be inappropriately low for residential development in this location...However, the highway authority recognises that even applying higher, more appropriate, trip rates the impact of the additional traffic on the local highway network would not be severe.”* This conclusion holds with this larger scheme of 38 units although it is slightly disappointing that the Transport Statement has not been updated to support this new application.
- 6.54 Although access is a reserved matter with this application, the Transport Statement confirms that the intention is to use the existing vehicular access to the council depot. The Highways Authority considers that upgrades to this access may be required to ensure it is safe to use for a residential development.



- 6.55 The Highways Authority also require a Traffic Regulation Order (TRO) to reduce the speed limit along this stretch of Challow Road to 30mph. This will have a corresponding impact on the necessary visibility splays and associated vegetation removal that will need to be confirmed through conditions. Overall, the Highways Authority is satisfied that a safe level of visibility can be achieved at the point of access. A financial contribution that allows the Highways Authority to implement the TRO will be part of the Section 106 agreement accompanying any permission on this site.
- 6.56 In terms of pedestrian and cycle access leading from the site, there is a footpath linking Wantage to East Challow on the southern side of Challow Road. The proposals associated with this scheme include a footpath along the site frontage on the northern side of Challow Road and a pedestrian (Zebra) crossing to the existing footpath. This will be positioned so as to be easily used by people using the existing East Challow footpath running through the site.
- 6.57 The 67A bus service operates along the A417 and will pass this site. The Highways Authority confirm there is an aspiration for this route to connect the Faringdon and Science Vale areas with higher frequency journeys (ideally every 30 minutes). A contribution towards that from this development was requested previously and it remains reasonable, fair and proportionate and a pro-rata increase to reflect the greater number of units will be secured.
- 6.58 Overall, subject to the Section 106 contributions discussed and the conditions outlined at Section 8 of the report, officers are satisfied that any harm to highway safety as a result of this development will not be “severe” and thus that harm, in line with the guidance of the NPPF, does not warrant a refusal of planning permission.
- 6.59 These conditions include a Grampian condition for off-site highway works including the pedestrian crossing, footpaths and bus stop works. As the Highways Authority, the County Council prefer these works to be secured by a Section 278 legal agreement. Officers consider this arrangement unduly onerous and time-consuming and are satisfied a Grampian condition can secure, at the applicants expense, this essential mitigation, which is also requested by the Parish Council.

#### **Ecology and 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 In consultation, the council’s countryside officer has confirmed there are no priority habitats on the site and so the ecological interest is largely limited to the hedges and trees around the site boundaries. The need to retain these features has been highlighted in respect of landscape impact and tree protection in earlier sections of this report. Their ecological value strengthens their importance further.
- 6.62 There is evidence of badger activity along the northern boundary and so a condition is necessary requiring an updated badger survey that ascertains the level of current activity on the site and outlines an appropriate mitigation strategy.
- 6.63 More generally, there is a need for this scheme to promote the preservation and enhancement of biodiversity as required by the NPPF. A pre-commencement condition requiring a method statement for biodiversity enhancements is therefore necessary.

**Archaeology**

- 6.64 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. In consultation, the County Archaeologist has confirmed no objections to this proposal subject to standard pre-commencement conditions related to a staged programme of archaeological investigation in advance of the development.

**Viability, affordable housing and Section 106 contributions**

- 6.65 The NPPF advises that planning obligations should only be sought where they meet all of the following tests (paragraph 204):
- Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and
  - 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.
- 6.66 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.

A range of financial contributions were secured in a Section 106 agreement alongside the previous permission. The applicants have agreed to enter into a Deed of Variation to that Section 106 agreement to reflect the greater number of units now proposed. Some contributions remain as before. The package of contributions is shown below.

<b>Vale of White Horse District Council</b>	<i>Proposed Contributions</i>
Allotment improvements at East Challow recreation ground	£1,000
Improvements to British Legion Building	£3,900
New terraced area for ashes interment at Vicarage Hill cemetery	£1,150
Extension of and improvements to the clubhouse at Challow and Childrey cricket club	£2,881
Improvements to pavilion at East Challow Recreation Ground	£12,278
Provision of new play equipment at East Challow Recreation Ground	£1,951
Provision of new rugby pitch at East Challow Recreation Ground	£1,471
Provision of new floodlights and semi-	£5,890

artificial pitch at East Challow Recreation Ground	
Provision of new semi-artificial junior football pitch at East Challow Recreation Ground	£2,065
Public Art	£11,400
Wheeled Bin provision for each house	£6,460
Street Naming	£499.96
Monitoring	£1,175
<b>Total</b>	<b>£52,120.96</b>
<b>Oxfordshire County Council</b>	<i>Proposed Contributions</i>
Expansion of St Nicholas Primary School	£133,605 (subject to alteration once final housing mix confirmed)
Provision of nursery education	£31,086
Strategic bus services – Route 67A	£32,205
Future maintenance of Zebra crossing	£5,000
Public consultation on Zebra crossing	£5,000
Traffic Regulation Order to amend speed limit down to 30 mph	£3,000
Provision of bus stops	£2,000
OCC Monitoring	£500
<b>Total</b>	<b>£212,396</b>
<b>Overall Total</b>	<b>£264,516.96</b>
<b>Contribution per unit</b>	<b>£6,961</b>

## 7.0 CONCLUSION

- 7.1 This application has been assessed on its merits, in light of the Inspector’s Interim Findings into the emerging Local Plan 2041, the current housing land supply shortfall and the NPPF presumption in favour of sustainable development. Paragraph 7 of the 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 improve the affordability of open market housing.
- 7.3 The scheme would have a social role as it will provide in general additional housing that the District needs together with much needed affordable housing units. The mix of affordable housing is acceptable.
- 7.4 It is accepted that the proposal will have some adverse impacts. In particular, there will be a negative impact on the important open land between East Challow and Wantage, although this is reduced due to the strong boundary planting around the site. It is also acknowledged that traffic concerns on the A417 exist and that this proposal will add to that.
- 7.5 However, in view of the emphasis in the NPPF to boost significantly the supply of housing, the development is considered to amount to sustainable development, and

whilst there will be some adverse effects, these do not significantly and demonstrably outweigh the benefits, to which very substantial weight is attached. 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 : Reserved Matters application(s) to be submitted within 12 months with commencement on site within 6 months of final reserved matters approval**

**2 : Approved Plans**

**3 : Off-site highway works to be agreed**

**4 : Tree Protection to be agreed**

**5: Scheme for replacement of orchard to be agreed**

**6 : Access details to be agreed**

**7 : Visibility splay details to be agreed**

**8 : Closure of existing access to Challow Park to be agreed**

**9 : Construction Traffic Management Plan to be agreed**

**10 : Travel Information Pack to be agreed**

**11 : Sustainable Urban Drainage scheme for surface water to be agreed**

**12 : Foul Drainage strategy to be agreed**

**13 : Written Scheme of archaeological investigation to be agreed**

**14 : Programme of archaeological monitoring and mitigation to be agreed**

**15 : Badger survey and mitigation to be agreed**

**16 : Biodiversity enhancement to be agreed**

**17 : Contamination Risk Assessment to be agreed**

**18 : New Estate Roads to Highway Authority specification**

**19 : No drainage to highway**

**20 : No occupation until surface and foul drainage strategies implemented**

**Informative – the illustrative masterplan is not approved through this permission and changes to the layout will be required as part of any subsequent Reserved Matters application.**

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