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| <b>APPLICATION NO.</b>  | P16/V1243/O   |
| <b>APPLICATION TYPE</b> | Outline   |
| <b>REGISTERED</b>       | 18 <sup>th</sup> May 2016   |
| <b>PARISH</b>           | CHILTON   |
| <b>WARD MEMBERS</b>     | Janet Shelley<br>Reg Waite  |
| <b>APPLICANT</b>        | Seville Developments Ltd  |
| <b>SITE</b>             | Land north of Manor Close, Chilton  |
| <b>PROPOSALS</b>        | Erection of 18 dwellings with access, car parking, areas for landscaping and other associated works (As amended by Drawing Nos: 16011 - PP0010 Rev F, PP2310 Rev A, PP2410, PP3110 Rev C and 2217-03-P02 and vehicle tracking and arboricultural information accompanying agent's emails of 6 and 8 September 2016) |
| <b>OFFICER</b>          | Peter Brampton  |

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## SUMMARY

This application is referred to planning committee as the Officer recommendation differs to the views of the Parish Council.

The application seeks outline planning permission (only the matter of landscape reserved) for the erection of 18 units on the site.

The main issues for the application is:

- 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
- The impact of the development on the character of the area and wider landscape, which falls within the North Wessex Downs Area of Outstanding Natural Beauty
- Whether the layout demonstrates a high quality housing scheme
- Whether the scheme will mitigate any impacts on highway safety, flood risk and sewer capacity
- Whether the scheme will provide necessary infrastructure contributions

Officers consider that the scheme does not represent "major" development in the AONB and that the site lies in a relatively good location in terms of access to local facilities and Harwell Campus. The layout shown would not result in significant landscape harm and so the principle of housing on this site can be accepted.

The proposal preserves the amenity of existing neighbours and future residents and provides adequate garden sizes and parking for each house. The application provides for 35% affordable housing in line with current council policy.

Impacts on highway safety are considered to be minimal, whilst there are not technical objections to the scheme, subject to typical pre-commencement and Grampian conditions.

The application is recommended for approval.

1.0 **INTRODUCTION**

- 1.1 The application site is a single field on the northern edge of Chilton, adjacent to the existing edge of the settlement, which is currently defined by residential development at Manor Close. The field is around 1 hectare in size and wraps around the north and east of Manor Close. It is relatively flat, with mature planting around its northern, eastern and western boundaries. Post and rail fencing defines the southern boundary, where a pathway serving the Manor Close properties runs.
- 1.2 Hagbourne Hill runs along the northern boundary of the site, which allows access going south onto the A34. Immediately adjacent to the site, at the time of writing, work is ongoing on a large-scale highway infrastructure project to provide north facing slip roads serving the A34. The “off-slip” for traffic coming to Chilton from the Oxford/Didcot direction culminates in a roundabout next to this application site. Work on this will soon be completed, delivering one of the key highway infrastructure improvements associated with the Science Vale Enterprise Zone.
- 1.3 The residential development surrounding the site is typically two-storey and traditionally proportioned, being of brick and tile construction. The density of development in this part of the village is low, reflecting the rural setting in the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- 1.4 Chilton is one of the district’s smaller villages, due to the relatively low amount of facilities within it.
- 1.5 A location plan is **attached** as Appendix 1.

2.0 **PROPOSALS**

- 2.1 There are two outline applications currently lodged with the council, one for fifteen units (P16/V1162/O) and one for eighteen units (P16/V1243/O). The applicant wishes to progress the scheme for 18 units therefore only this application is currently before planning committee.
- 2.2 For members’ information, P16/V1162/O is an outline application for 15 dwellings with all matters reserved except for access. This is an identical application to P14/V0130/O, which was permitted by the council in March 2015, having been considered by this committee in August 2014. That application was granted subject to a short commencement period requiring submission of reserved matters within a year of outline consent. Although the site was subsequently purchased by the applicant, this did not happen in time to stop the consent expiring.
- 2.3 P16/V1243/O is a more detailed outline application for eighteen dwellings with full consent sought for access, layout, appearance and scale. Only landscaping is a reserved matter. The 18 dwellings are located solely within the single field north of Manor Close, with an associated full application for a single house within Manor Close recently approved under reference P16/V1709/FUL.
- 2.4 Plots 1-14 of the proposed layout are arranged in a manner comparable to the illustrative masterplan submitted under P16/V1162/O and previously approved under P14/V0130/O. This new proposal provides four dwellings in the southeastern corner of the site, sitting side onto Manor Close, facing northwards.
- 2.5 Given the more detailed nature of the application, the housing mix has been confirmed to be seven 2-bed dwellings, seven 3-bed dwellings and four 4-bed dwellings, all either detached or semi-detached. Affordable housing is provided in

line with council policy.

2.6 The houses are all two-storey and positioned to achieve back-to-back and back-to-side distances with Manor Close in line with the Design Guide. Garden sizes also meet the Design Guide recommendations. Again, the main materials are brick and tile. Two parking spaces are provided for each dwelling.

2.7 The application has been amended in response to a holding objection from the Highways Authority through the submission of plans to show the completed works on the A34 north-facing slips and that the access can accommodate larger vehicles and to improve the layout so that it addresses potential conflict between the access road and the important trees on the northern part of the site, to provide a preliminary drainage strategy for the scheme and to introduce new windows overlooking shared parking areas.

2.8 The following documents have been submitted in support of the application and are available to view on our website – [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk):

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment
- Transport Statement
- Arboricultural Assessment
- Habitat survey
- Noise Impact Assessment

2.9 Extracts from the current application drawings are **attached** at Appendix 2. These plans along with the above documents can be found on our website

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).

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| Chilton Parish Council | <p>Objection received. The following concerns have been raised in response to the applications:</p> <ul style="list-style-type: none"> <li>• Application represents major development in the AONB which is contrary to the NPPF and the Countryside and Rights of Way Act</li> <li>• The Council can now demonstrate a five year housing supply and there is no need to approve development on this site</li> <li>• Proposals are contrary to Local Plan policies on housing in smaller villages</li> <li>• Application plans do not show relationship with new A34 slip road and junction</li> <li>• Noise levels from road will affect amenity of new residents</li> <li>• Insufficient sewer capacity</li> <li>• Unclear over how proposals affect access path between site and Manor Close</li> <li>• Insufficient parking as garaging will not be used.</li> <li>• Insufficient open space.</li> <li>• Increased density relative to approved scheme</li> </ul> |
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| <p>Neighbours</p>                          | <p>22 letters of objection have been received. The concerns raised may be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Application represents major development in the AONB and should be rejected, particularly given the nearby housing allocations in the emerging Local Plan were deleted due to the AONB location</li> <li>• The Vale can now demonstrate a five year housing supply so there is no need for this development</li> <li>• Proposal sits outside built limits contrary to Local Plan policy</li> <li>• Plans don't show A34 slip roads and junction</li> <li>• Insufficient visibility splays at access point</li> <li>• Plans don't clearly show intention for pathway at rear of Manor Close</li> <li>• Increased traffic on local roads</li> <li>• Additional noise from traffic experienced by new residents</li> <li>• Insufficient sewer capacity</li> <li>• Insufficient space at local primary school</li> <li>• Overdevelopment of the site</li> <li>• Loss of greenfield land</li> <li>• Loss of privacy, increased overlooking and loss of views to existing residents</li> <li>• Loss of habitat</li> <li>• Lack of local facilities to support increase in population</li> <li>• Loss of trees – some referenced in Arboricultural Report have already been removed</li> <li>• Lack of local bus services except for commuters</li> <li>• Inadequate parking</li> </ul> |
| <p>Oxfordshire County Council Highways</p> | <p>Initial holding objection requesting submission of amended plans to show new road layout including A34 slips and junction and tracking information for larger vehicles</p> <p>Comments on amended plans awaited at time of publication and these will be provided in the Addendum Report for members' information.</p> <p>Section 106 contributions requested</p> <ul style="list-style-type: none"> <li>• Bus Service improvements at £795 per dwelling</li> <li>• Bus Stop improvements at Latton Close</li> </ul> <p>Conditions requested:</p> <ul style="list-style-type: none"> <li>• Details of access and visibility splays</li> <li>• Details of bicycle parking</li> <li>• Car parking space provision to be agreed</li> <li>• Travel Information Packs to be agreed</li> <li>• Construction Method Statement to be agreed</li> <li>• Garage accommodation to be retained</li> </ul>   |

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|  | <ul style="list-style-type: none"> <li>• Surface Water Drainage scheme to be agreed</li> <li>• Turning space to be provided</li> </ul> <p>Main comments:</p> <ul style="list-style-type: none"> <li>• Traffic generation from proposed development will be “<i>immaterial</i>”</li> <li>• Position of access is acceptable, allowing appropriate visibility splays</li> <li>• Traffic calming measures required for internal estate road</li> <li>• Parking provision is acceptable subject to tracking drawings</li> </ul> |
| Oxfordshire County Council Archaeologist | No objections   |
| Oxfordshire County Council Education     | No objection subject to contribution to expansion of Chilton Primary school. Contributions to secondary education and Special Educational Needs accommodation not requested due to concerns over the pooling of Section 106 contributions contrary to Regulation 123 of the Community Infrastructure Levy Regulations 2010  |
| Oxfordshire County Council Property      | No objections – No Section 106 contributions sought due to concerns over the pooling of Section 106 contributions contrary to Regulation 123 of the Community Infrastructure Levy Regulations 2010  |
| Countryside Officer                      | No objections subject to condition requiring a method statement for biodiversity enhancements to be agreed prior to work commencing.  |
| Air Quality Officer                      | No objections   |
| Contaminated Land officer                | No objections following receipt of contaminated land questionnaire  |
| Environmental Health officer             | No objections subject to development being implemented in accordance with mitigation measures contained in the Noise Assessment accompanying the application.   |
| Housing Officer                          | Confirms mix of affordable housing required to meet council policy.   |
| Waste Management Officer                 | No objection subject to provision of tracking plan for waste collection vehicle. Requests £170 per property for provision of wheeled bins.  |
| Drainage Engineer                        | No objections subject to conditions relating to surface and foul water drainage.  |
| Thames Water                             | Identifies a lack of capacity within the local sewer network. Requests Grampian condition relating to foul water drainage strategy for the site.  |

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| Landscape Architect  | <ul style="list-style-type: none"> <li>• Need for additional planting on site as current treescape offers little screening in winter</li> <li>• Layout provides an acceptable edge to the village in landscape terms with housing facing north</li> <li>• Any acoustic fencing will need to be clarified at detailed stage</li> <li>• Landscaping scheme will need to complement the A34 improvements and the entrance to the village.</li> <li>• Proposed design loses some of the village edge feeling relative to previously approved scheme – limited variation in road frontage and restricted space for new planting</li> <li>• Removal of trees in eastern area of site to accommodate additional units is regrettable</li> <li>• Foul pumping station and infiltration swales may affect existing trees.</li> </ul> |
| Forestry Officer     | <p>No objections following receipt of amended plans</p> <ul style="list-style-type: none"> <li>• Retention of Sycamore trees along northern boundary important for mitigating visual impact of developments</li> <li>• Retention of eastern boundary trees similarly important</li> <li>• Poplar trees growing alongside Hagbourne Hill currently showing signs of Hornet Moth infestation, affecting long term growth prospects</li> </ul> <p>NB: Full comments to amended plans will be included in the Addendum Report for members' information.</p>   |
| Urban Design Officer | No objections following receipt of amended plans  |
| Natural England      | No comments   |

4.0 **RELEVANT PLANNING HISTORY**

4.1 P16/V1162/O – Under consideration

Erection of 15 dwellings with associated means of access, car parking, landscaping and other works

P16/V1699/SCR and P16/V1700/SCR – EIA not required (03/08/2016)

Screening Opinion for residential development of 15 and 18 units respectively

P15/V0961/O – Withdrawn prior to determination (29/06/2015)

Erection of 20 dwellings with associated means of access, car parking and landscaping

P14/V0130/O – Approved (27/03/2015)

Outline application for erection of 15 dwellings with associated means of access, car parking and landscaping. (As clarified by Thames Water Sewer Impact Study accompanying agent's email of 7 July 2014).

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                   |
| H12        | Development in the Smaller Villages            |
| H13        | Development Elsewhere                          |
| H15        | Housing Densities                              |
| H16        | Size of Dwelling and Lifetime Homes            |
| H17        | Affordable Housing                             |
| H23        | Open Space in New Housing Development          |
| HE9        | Archaeology                                    |
| NE6        | North Wessex Downs AONB                        |
| NE9        | Lowland Vale                                   |
| HE4        | Listed buildings                               |

## 5.2 Emerging Local Plan 2031 – Part 1

The draft local plan part 1 is not currently adopted policy. Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. Whilst the plan has been through Examination, it is currently out to further consultations on modifications following the Inspector’s Interim Findings. Crucially, the Inspector’s Final Report has not been received and the objections to the Plan remain unresolved. At present it is officers’ opinion that the emerging Local Plan housing policies carry limited weight for decision making. However, those policies that are not subject to further modification carry some weight. The relevant policies are as follows:-

| Policy No.     | Policy Title                                       |
|----------------|--|
| Core Policy 1  | Presumption in favour of sustainable development   |
| Core Policy 2  | Co-operation on unmet housing need for Oxfordshire |
| Core Policy 3  | Settlement hierarchy                               |
| Core Policy 4  | Meeting our housing needs                          |
| Core Policy 5  | Housing supply ring-fence                          |
| Core Policy 7  | Providing supporting infrastructure and services   |
| Core Policy 15 | Spatial strategy for South East Vale sub-area      |
| Core Policy 22 | Housing mix  |
| Core Policy 23 | Housing density                                    |
| Core Policy 24 | Affordable housing                                 |
| Core Policy 33 | Promoting sustainable transport and accessibility  |
| Core Policy 35 | Promoting public transport, cycling and walking    |

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| 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

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.

- 5.7 An application has been received for a neighbourhood planning designation area but to date a neighbourhood plan has not been submitted to the Council. Consequently no weight can be given to any policies that may be emerging in any draft neighbourhood plan.

**5.8 Environmental Impact**

As per Section 4 of this report, the council has undertaken a screening opinion for both applications and concluded that an Environmental Statement is not required.

**5.9 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)
- The Countryside and Rights of Way (CRoW) Act 2000

**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 – including issues of “major” development in the AONB and landscape impact
2. Cumulative Impact
3. Use of Land
4. Locational Credentials
5. Affordable Housing and Housing Mix
6. Design and Layout
7. Residential Amenity
8. Open Space
9. Flood Risk and Surface/Foul Drainage
10. Traffic, Parking and Highway Safety
11. Protected Species and Biodiversity
12. Setting of listed buildings
13. Viability and Developer Contributions

**The Principle of Development, “major” development and landscape impact**

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 now received the Inspector’s Interim Findings into the emerging Local Plan 2031. 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. As such, contrary to the views of some local objectors, officers consider 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 *Current policy position*

This scheme is contrary to Policies GS2 and H12 of the adopted Local Plan, which restrict development on unallocated greenfield sites and housing developments outside the smaller villages of the district. Whilst material to this proposal, limited weight is afforded to these policies due to the current lack of a five year housing land supply. The council must assess this application on its own merits against both national and local planning policy where relevant and all other material planning considerations.

6.4 *Emerging policy position*

The emerging Local Plan 2031 Part 1 confirms Chilton is a smaller village within the South Eastern Vale sub-area. It confirms that the smaller villages have a low level of services and facilities and any development “*should be modest and proportionate in scale and primarily be to meet local needs.*” Limited infill development within existing built up areas maybe appropriate, but outside the built up limits of the smaller villages, sites will need to be allocated either through future parts of the Local Plan or by a neighbourhood plan.

6.5 Due to the lack of a five year housing land supply, Paragraph 14 of the NPPF is relevant and provides that where relevant policies are out of date, planning permission should be granted unless; “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole;...or...specific policies in the NPPF indicate that development should be restricted.*” However, the second footnote to Paragraph 14 confirms this presumption in favour of sustainable development does not apply in AONBs. Thus, the assessment of the principle of the proposal effectively transfers to Paragraphs 115 and 116 of the NPPF, which confirm the national policy approach to development in an AONB.

6.6 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. In addition, 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.

6.7 Also relevant are Policy NE6 of the Local Plan and Core Policy 44 of the emerging Local Plan 2031 as they reflect national guidance as they confirm priority will be given to the conservation and enhancement of the AONB landscape.

6.8 *Does the proposal constitute “major” development in the AONB?*

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 “ten houses or more” definition used for classifying application types in the Development Management Procedure Order. 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 continues to be demonstrated. 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.

6.9 In this particular instance, officers consider the development does not constitute major

development in the AONB where paragraph 116 applies. 18 houses on this site represents a 5% increase in the housing stock of the village based on the 2011 census. The 2011 census was carried out before the Chiltern Fields development was occupied, so the relative increase in housing stock now proposed is less than the 5% increase based on the 2011 data. By means of comparison, in a High Court (R. (Mevagissey PC) v Cornwall Council) judgement for 31 dwellings at Mevagissey, Cornwall it was considered that the scheme was major development in AONB terms. This scheme is noticeably smaller than that.

- 6.10 Another aspect of this assessment that leads officers to the conclusion that this is not major development in the AONB is the relatively minor landscape impact that would occur from developing this site. This is, in part, due to the immediately adjacent new slip road and roundabout. This is an intrusion into this edge of Chilton giving it a more urban appearance. This lessens the area's contribution to the special character of the AONB. Officers are also mindful of the council's Landscape Architect's comments on the fifteen unit scheme in 2014, reiterated in respect of P16/V1162/O. This is that, *"the layout provides a much more acceptable edge to the village in landscape terms with the houses facing north onto the new access road and the rear gardens backing onto the existing houses."* Officers consider that this conclusion holds for this application, although acknowledge the additional tree removal required to achieve the larger numbers on site somewhat increases its visual impact. The retention of existing boundary trees and new planting will be an important part of the detailed landscaping proposals for these two applications.
- 6.11 The North Wessex Downs AONB Management Plan summaries The North Wessex Downs Partnership approach to new housing in the area stating, *"there will only be support for new open market development on greenfield land on the edges of Marlborough, Hungerford, Lambourn, Pewsey and Pangbourne. In other areas there will be strict tests to minimise the impact on the landscape."* The Partnership's position statement from October 2015 states, *"...Any proposal for greenfield housing development would also need to demonstrate...that it would give rise to no or minimal adverse impact on the qualities for which the area has been designated as an AONB... developments should integrate well into the historical pattern and character of the settlement..."*
- 6.12 Whilst the North Wessex Downs AONB board have not, at the time of writing, commented on this application, they agreed with the Council's Landscape Architect in respect of the 2014 application, stating, *"...it is accepted in this case that the site has some merits (in landscape terms) for use as a small housing site as an extension to the village. Therefore subject to clear conditions to protect existing landscaping and provide new landscaping (and care over external materials, layout and design)...the North Wessex Downs AONB raise no objection in this case in terms of impact on the wider AONB landscape."*
- 6.13 Given the above, officers have reached the conclusion that this application does not represent "major" development in the AONB. This is distinct from the two much larger allocations proposed close to Harwell Campus on the western side of the A34. These have been removed from the emerging Local Plan as the Inspector's Interim Findings concluded those allocations were not supported by sufficient evidence to pass the tests contained within Paragraph 116 of the NPPF. Officers consider these two applications do not represent major development in the AONB and so the requirements of Paragraph 116 are not relevant.
- 6.14 In reaching this decision, officers have had regard to the statutory duty placed on the council by Section 85 of the CRoW to have due regard to the desirability of preserving

and enhancing the special character of the AONB. Officers are satisfied that the two proposals, subject to appropriate retention of existing trees and provision of new planting which can be secured through the reserved matters application(s), achieve this requirement. As such, the proposal is consistent with the requirements of Policy NE6 of the adopted Local Plan 2011 and Core Policy 44 of the emerging Local Plan 2031. This proposal will have an acceptable, preserving, impact on the special character of the AONB.

#### **Cumulative Impact**

- 6.15 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. The construction of 275 houses at Chilton Fields represents a 76% increase in the housing stock of the parish relative to the 2011 census. Adding this proposal takes the percentage increase in housing stock to 81% (18 units) respectively. However, there are no objections from technical consultees on cumulative impact grounds and a financial contribution will mitigate for additional pressure on the primary school and assist in improving bus services through the village. Oxfordshire County Council have confirmed that Chilton Primary School can expand on its current site.

#### **Use of Land**

- 6.16 The NPPF identifies the need to protect the best and most versatile agricultural land from development (Paragraph 112). The land has mostly recently been used for the grazing of livestock. The most recent Soil Survey of England and Wales rates the site as a mixture of Grade 2 and Grade 3 agricultural land. However, this survey is relatively broad. Furthermore, the small and awkward shape of the field, the access and the proximity to existing housing count against the site as suitable for farming.
- 6.17 Paragraph 112 of the NPPF also seeks to direct development to poorer quality land where significant development is proposed. This proposal is not considered “significant” in the NPPF sense of the term, and so officers do not consider there is any conflict with national guidance on this matter. It is also important to note that the council did not receive support from the Planning Inspectorate in two recent appeal decisions in Shrivenham where the loss of agricultural land was a refusal reason. Given this, only very minor weight can be applied to the loss of agricultural land due to this development.

#### **Locational Credentials**

- 6.18 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34). The site is well related to the facilities of the village. The Town and Village Facilities Study 2014 uses roads to measure distances to local services. Using this approach, the new houses will be amongst the closest in Chilton to the primary school, which lies on the other side of the A34 (circa 900 metres). (It is noteworthy this approach excludes footpaths). The site is around 550 metres from the Rose and Crown public house – a relatively easy walk. Crucially, the site lies within 200 metres of All Saints Church, which also acts as a village hall, and within 300 metres of the main recreation ground serving the village. Therefore, the site is well related to the facilities in the village, boosting its credentials as an appropriate location for new housing.
- 6.19 It is also important to consider the wider position of Chilton in relation to the rest of the district. In this respect, the site is well placed. On the opposite side of the A34 lies Harwell Science Campus. This is one of the key employment sites in the Vale of White Horse and forms a cornerstone of the Science Vale Enterprise Zone. Residents of this site could access the Campus reasonably easily on foot or bicycle. Furthermore, the site’s proximity to the A34, which links southern Oxfordshire to Oxford, Reading and

many other towns and cities is an important factor. From Chilton, Milton Park is around a 15-20 minute drive and is another key employment site within the Enterprise Zone, which will be more easily accessible to new residents following completion of the new north facing slip roads referenced above.

- 6.20 Whilst recognising that Chilton remains a smaller village, Paragraph 55 of the NPPF states, *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.”* Officers consider this to be the case here. Whilst Chilton village in itself could perhaps not be expected to sustainably support further housing of this scale, this development will have access to Harwell campus and other parts of the Enterprise Zone.

**Affordable housing and housing mix**

- 6.21 The application makes provision for 35% affordable housing in line with the requirements of Core Policy 24 of the emerging Local Plan 2031. 35% of 18 units is 6.3 units, so 6 units will be provided on site with a commuted sum for the remaining 0.3 of a unit.

- 6.22 The requested affordable housing mix and tenure split is shown in the below table.

|                  | 1 bed | 2 bed | 3 bed | 4+ bed | Total |
|------------------|-------|-------|-------|--------|-------|
| Rent             | 0     | 3     | 1     | 0      | 4     |
| Shared Ownership | 0     | 0     | 2     | 0      | 2     |
| Total            | 0     | 3     | 3     | 0      | 6     |

- 6.23 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. Although in outline from, this application seeks full approval for layout and scale and so the housing mix for the 12 market units is fixed. The SHMA estimates the following open market dwelling requirement by number of bedrooms (2011 to 2031) for the District:

|                       | 1 bed | 2 bed | 3 bed | 4+ bed | Total |
|-----------------------|-------|-------|-------|--------|-------|
| SHMA %                | 5.9%  | 21.7% | 42.6% | 29.8%  |       |
| SHMA Expectation no's | 0.7   | 2.6   | 5.1   | 3.6    | 12    |
| Proposed              | 0     | 4     | 4     | 4      | 12    |

Thus, against the SHMA, the development would slightly over-provide 2-bed units and under-provide 3-bed units. This minor deviation is acceptable.

**6.24 Design and Layout**

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.

- 6.25 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. The assessment below is set out in logical sections similar to those in the design guide.

6.26 *Site, Setting and Framework*

The site lies on the northern edge of Chilton, next to existing housing that is typically low-density detached and semi-detached two-storey buildings in good sized plots. Development on Manor Close and Limetrees, the roads to the south, backs onto the countryside, and this reduces the opportunity to link the proposal into the existing housing. The pathway that runs to the rear of Manor Close lies outside the application site in different ownership and will need to be left unaffected by any development on the application site.

6.27 Due to the shape and size of the site, the proximity of existing housing and the new road junction, the framework of the proposal is heavily constrained. The arrangement of houses backing onto Manor Close and facing towards Hagbourne Hill is the logical solution and the landscape benefits that offers is outlined above.

6.28 The application site is 0.95 hectares, so 18 units represents a gross density of 19 dwellings to the hectare. Net density (ignoring the open space/landscaping and access road within the proposed layout) is approximately 31 dwellings to the hectare for 18 units. Local Plan policy requires net density to be at least 30 dwellings to the hectare subject to character and amenity considerations. By means of comparison, the 10 dwellings at Manor Close are provided at an approximate net density of 22 dwellings to the hectare (excluding the access road). Officers consider that the higher densities proposed here are acceptable, given the need to ensure an efficient use of land.

6.29 *Spatial Layout*

The layout of the site is heavily influenced by the constraints of the site. The new housing has to respect the privacy of the properties on Manor Close and needs to face northwards to ensure protection from traffic noise for their private rear gardens. Plots 1-14 are laid out so they sit side or rear onto Manor Close. Where these plots can be located is constrained by the need to provide adequate distances to Manor Close whilst ensuring that the important trees along the northern boundary are not unduly affected. The proposed layout achieves this.

6.30 Although the application provides four more units in the single field than the previous approval, the layout does not appear unduly crowded. Each garden benefits from private amenity space in line with the standards within the Design Guide (50 square metres for 2-bed properties, 100 square metres for 3/4-bed units) with many units benefitting from comfortably more space than the Design Guide requires.

6.31 The layout also provides for adequate car parking, either within garaging or on private drives, at the rate of two spaces per house.

6.32 *Built form and Architectural Detailing*

The plans submitted show the proposed housing will be consistently two-storey in nature, comparable to the existing housing to the south. Ridge heights vary from 8.3 metres to 9.1 metres, which is acceptable for two-storey properties. An appropriately small palette of brick and tiles are proposed, samples of which can be secured through condition.

6.33 Amended plans have addressed initial concerns from the council's urban design officer relating to window proportions and blank side elevations. The urban design officer particularly welcomes that some of the smaller units have incorporated bin stores into

the front elevation, as this will reduce the amount of bins left in front gardens cluttering the street.

- 6.34 Overall, officers are satisfied that the appearance and scale of the proposed housing on the eighteen unit scheme is acceptable.

#### **Residential Amenity**

- 6.35 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.
- 6.36 The amended layout has been designed to ensure that back-to-back and back-to-side distances accord with the 21 metres recommended by the Design Guide between the new houses and those on Manor Close. It is noted that Plot 1 includes a single storey garage that projects closer to 2 Manor Close than the recommended 12 metres, but the standard is applied to two-storey walls. Plots 7 and 8 have been amended to ensure an acceptable separation with Nos. 7 and 8 Manor Close.
- 6.37 Officers note a very minor under-provision against the back-to-side distance between Plots 12 and the projecting rear gable of Plot 13. However, Plot 13 is one of the larger market units and only a relatively small part of its rear garden will be affected by this relationship. A small side-facing window in the flank elevation of Plot 12 will need to be obscure glazed by condition to prevent undue overlooking of the garden of Plot 13. This is a reasonable condition as the window serves the bathroom of this property.
- 6.38 In all other aspects, the proposed layout ensures an adequate level of amenity for both existing residents in the housing to the south of the site and for the new residents.
- 6.39 Given the proximity of the A34 and the new slip roads, there is the potential for new residents to be adversely affected by traffic noise and accordingly the application is supported by a Noise Impact Assessment. This has identified that a number of plots could potentially experience undue levels of internal noise without mitigation. Thus, the Impact Assessment proposes the use of bespoke double glazing units that will ensure internal noise levels are reduced. In addition, 1.8 metre high acoustic fencing or walls are required between dwellings to reduce noise in private rear gardens.
- 6.40 The council's environmental health officer has reviewed the Noise Impact Assessment submitted in support of the application and has confirmed that its methodology and findings are sound. Accordingly, the proposed mitigation measures are acceptable and can be controlled by a compliance condition.

#### **Open Space and Trees**

- 6.41 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 on a development of this size (either scheme). However, with these particular proposals, no formal open space is provided, and officers have agreed a commuted sum to enhance existing off-site public open space as mitigation.
- 6.42 The layout of the scheme is relatively fixed, due to the proximity to the A34 and the existing housing at Manor Close. Given the unusual shape of the site, this only leaves a relatively small band of space between the access road and the northern and eastern boundaries. This narrow strip will have to accommodate new planting to soften the

appearance of the development. Consequently, there is little room left over for formal public open space in line with council standards. This narrow strip could not be adapted to provide usable open space, and even if it were, the enjoyment of it would be harmed by the proximity of the A34.

- 6.43 This site lies within 300 metres of the Chilton recreation ground, which benefits from play facilities and sport pitches. All of these facilities could be easily used by residents of the new housing. Furthermore, this is a large area where a commuted sum could easily be spent to enhance the offering of the recreation ground. It is entirely possible that new facilities here would enjoy greater use than if they were provided within the application site itself.
- 6.44 For these reasons, it is considered a deviation from Policy H23 can be justified in this particular instance. This is a small development, and so, relatively, 15% of the site given over to public open space would be quite a small area that may not be used in the manner the policy intends. It is likely to be of more benefit to existing and new residents alike if the existing nearby recreation ground is upgraded. Therefore, it is recommended that the commuted sum for maintenance of the policy required area of public open space within the development normally requested is passed over to improve facilities at Chilton recreation ground. This approach was agreed in the previous application and officers are satisfied it works here as well.

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

- 6.45 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). 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.
- 6.46 In terms of flood risk and surface water drainage, the applicants have re-submitted the Flood Risk Assessment submitted in support of the previous application in 2014. This confirms that the entirety of the site falls within Flood Zone 1, which is the zone at lowest (less than 1 in 1,000 years) probability of river flooding. Thus, the only risk of flooding is from surface water and groundwater in the event of extreme rainfall. A drainage scheme according with SUDS principles is necessary to ensure the development does not increase the risk of flooding and will be secured through a pre-commencement condition as was the case with the previous application.
- 6.47 The amendment demonstrates a preliminary drainage strategy for the site. This shows a new sewer running under the estate road to transfer water into the public sewer on Townsend Road without affecting any existing neighbour.
- 6.48 Turning to foul drainage, Thames Water have identified a lack of sewer capacity in the area to accommodate the additional flows from these applications. In 2014, the applicant responded to that same consultation response by undertaking, with Thames Water, a sewer capacity study. Thames Water have confirmed this study will need updating given the time that has passed since. This can be covered by the usual Grampian condition to ensure a foul drainage scheme is agreed, based on updated studies, prior to commencement and implemented prior to occupation of the approved housing.

#### **Traffic, Parking and Highway Safety**

- 6.49 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.

6.50 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.”*

6.51 The impact of this proposal on highway safety in the village, particularly given the proximity of the new A34 slip roads and junction, have been a source of local objection. However, in contrast, the Highways Authority have confirmed that the additional traffic movements associated with this development would have an *“immaterial”* impact on the local road network. Given the low numbers of housing proposed, officers are comfortable with this conclusion.

6.52 The access position is identical to that previously approved and the Highways Authority have confirmed that appropriate visibility splays can be achieved, with the proximity to the Townsend Road/Hagbourne Hill junction not a constraint.

6.53 Given full consent for the layout of the scheme is sought, amended plans have been submitted to demonstrate that larger vehicles can turn within the site. This will necessitate the widening of the estate road bell mouth to 5.5 metres wide.

6.54 Pre-commencement conditions will cover off site highway works that are necessary and will be carried out at the expense of the developer. These include the site access (including its width) and the formation of visibility splays. A condition is necessary to secure details of the introduction of traffic calming measures along the interior estate road to mitigate its near-straight alignment that could encourage undue speeding. This detailed scheme also requires conditions relating to parking provision.

6.55 A financial contribution will be taken to improve local bus services and to improve the nearest bus stops which are at the entrance to Latton Close, a short walk from the site.

6.56 Overall, the impacts on highway safety from both these applications are considered minor and acceptable, subject to conditions and financial contributions.

### **Ecology and Biodiversity**

6.57 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...”*

6.58 The application is supported by an Extended Phase One Habitats Survey, which is appropriate for this scale of development. There are no known habitats of importance on this site. The habitats present are common and there is no evidence to suggest these proposals will affect significant populations of protected species.

6.59 The council’s countryside officer has confirmed the Survey includes a number of practical suggestions to ensure the ecological value of the site improves upon

completion of the development and a method statement for those enhancement measures can be secured through a pre-commencement condition.

**Setting of Listed Buildings**

- 6.60 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement. Accordingly, Policy HE4 of the adopted local plan seeks to protect the setting of listed buildings.
- 6.61 The nearest listed building to the site is Chilton House, which is around 70 metres from the proposed access. Given the intervening residential development, there will be virtually no inter-visibility between Chilton House and the application site. As such, there are no concerns that this development will affect the setting of Chilton House.
- 6.62 All Saint’s Church lies around 150 metres southwest of the application site and again there is very limited opportunity to view the two in a single viewpoint. As such, officers are satisfied that this proposal will preserve the setting of the nearest listed buildings.

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

- 6.63 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.

The PPG 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.

In determining the previous application, a contribution to sport facilities in the area was agreed. However, officers now consider that this contribution did not pass the tests within the PPG as there is insufficient evidence to justify the need for it.

The following developer contributions have been requested. These contributions are considered fair and proportionate:-

| <b>Vale of White Horse District Council</b>  | <i>Proposed Contributions</i> |
|--|-------------------------------|
| Recreation Ground Improvements – commuted sum to mitigate lack of open space on site | £39,855.00                    |
| Wheeled Bins for each property   | £3,060                        |

|                                       |                                     |
|---------------------------------------|-------------------------------------|
| Public Art                            | £5,400                              |
| Expansion of Chilton village cemetery | £4,500                              |
| Other community contributions         | To be discussed with Parish Council |
| <b>Total</b>                          | <b>£52,815</b>                      |
| <b>Oxfordshire County Council</b>     |                                     |
|                                       | <i>Proposed Contributions</i>       |
| Expansion of Chilton Primary school   | £70,545                             |
| Enhancement of Chilton bus services   | £14,310                             |
| Bus Stop improvements on Latton Close | £4,000                              |
| <b>Total</b>                          | <b>£88,855</b>                      |
| <b>Overall Total</b>                  | <b>£141,670</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 2031, the proposed modifications to that plan, 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 potentially improve the affordability of open market housing.
- 7.3 The scheme would also 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 and market housing is acceptable.
- 7.4 Officers have reached the on-balance conclusion that the proposal does not represent “major” development in the AONB and that the limited landscape harm they would cause does not warrant refusal, despite the highest level of protection afforded to AONBs in national policy.
- 7.5 The detailed layout shows that the quantum of development can be accommodated on the site in an acceptable manner, whilst providing sufficient garden sizes for the new dwellings and not unduly affecting the amenity of the existing residents of Manor Close.
- 7.6 There are no technical objections to the proposal, following the submission of amended plans and the conditions recommended in Section 8.
- 7.7 Overall, and 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. 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 with to secure contributions towards local infrastructure and to secure affordable housing; and
2. Conditions as follows:
  1. Reserved matter for landscaping submitted within 18 months, commencement 6 months after approval.
  2. Approved plans.
  3. Sample materials to be agreed.
  4. Sample panel of wall materials to be agreed.
  5. Tree protection to be agreed.
  6. Access and visibility splays to be agreed.
  7. Traffic calming on estate roads to be agreed.
  8. Car parking to be agreed.
  9. Turning space to be agreed.
  10. Bicycle parking to be agreed.
  11. Construction traffic management plan to be agreed.
  12. Travel information pack to be agreed.
  13. Sustainable urban drainage to be agreed.
  14. Foul drainage strategy to be agreed.
  15. Refuse storage to be agreed.
  16. Biodiversity enhancement to be agreed.
  17. Noise protection as agreed.
  18. New estate roads to highway authority specification.
  19. Obscured glazed first floor window – east elevation of Plot 12.
  20. Garage accommodation to be retained.
  21. No drainage to highway.

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