

APPLICATION NO.	P18/V0069/O
SITE	Land at Appleford Road, Sutton Courtenay, OX14 4PP
PARISH	Sutton Courtenay
PROPOSAL	Residential development of 91 dwellings and associated access (additional swept path analysis drawing received 20 March 2018, air quality statement received 9 April 2018, and amended illustrative masterplan received 18th May 2018).
WARD MEMBER(S)	Gervase Duffield
APPLICANT	Mr Jason Dalby
OFFICER	Andy Heron

RECOMMENDATION

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

- **A Section 106 legal agreement being entered into to secure financial contributions towards local infrastructure, to secure 35% affordable housing and an affordable housing tenure mix of 75% affordable rented and 25% shared ownership; public open spaces and play areas to be transferred to a management company; and contributions towards bin provision, public art, and street naming; and the following conditions:**

Standard

1. Standard outline condition.
2. Standard reserved matters condition.
3. Standard commencement condition.
4. Approved plans.

Prior to commencement

5. Travel plan.
6. Tree protection.
7. Slab levels.
8. Drainage strategy.
9. Contamination.
10. Water supply infrastructure.
11. Sustainable drainage scheme.
12. Access and visibility.

Prior to occupation

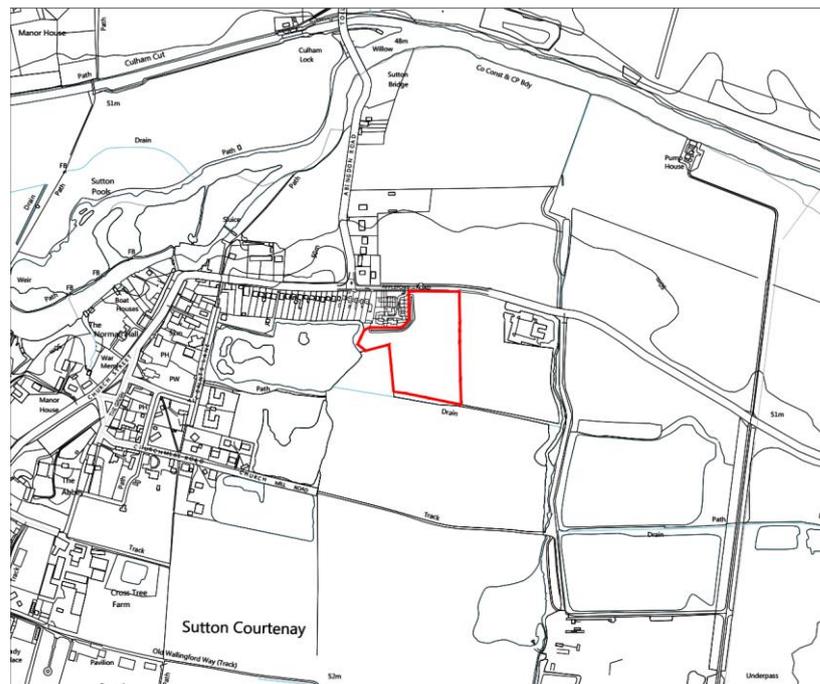
13. Travel and information plan.
14. Travel plan.
15. Verification report..
16. Public open space.

Compliance

- 17. Reserved matters design principles.
- 18. Land use miscellaneous.
- 19. Landscaping scheme.
- 20. Unidentified contamination.
- 21. Piling.
- 22. No more than 91 dwellings.
- 23. Hours of construction.

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to planning committee following an objection from Sutton Courtenay Parish Council who raise concerns with the additional access. The reason it is taken to committee is due to the application being a major planning application.
- 1.2 The site forms phase 2 of an extant planning consent (P10/V1907/O and P14/V2061/RM) for 195 dwellings. Phase 1 consists of 104 dwellings and is currently being constructed to the east. Phase 2 has permission to erect a further 91 dwellings.
- 1.3 To the south of the site lies the Appleford and Sutton Courtenay Millennium Common, an un-manicured, semi-natural recreational area with footpath links into the main village. Residential dwellings are situated to the north-west, whilst agricultural land is situated to the north on the opposite side of Appleford Road. An area of scrubland with two lakes is located to the west. A site location plan is provided below:



- 1.4 The site is relatively level, and comprises of 2.95 hectares which is mainly previously developed land accommodating commercial buildings in use by a storage company, A Plant Hire (B8 use class). Most of the site is laid to a

hard-surfaced apron which has been used for vehicle manoeuvring and for open storage of construction minerals. Several office and storage buildings stretch across the middle and north-western parts of the site. The site is fenced on all boundaries, with the roadside having a hedgerow screen running along most of the boundary. Existing vegetation is also situated to the north-western area.

- 1.5 The site lies within the Lowland Vale and an Area for Landscape Enhancement. The conservation area is situated to the west of the site.
- 1.6 This current application seeks outline planning consent for 91 dwellings and associated access only. All matters are reserved for future consideration, apart from access. Therefore, appearance, landscaping, layout and scale are all matters to be assessed under any subsequent reserved matters applications. The applicant proposes that 32 of these units will be affordable, comprising of; 24 social rented housing, and 8 intermediate housing.
- 1.7 It is important to note that this application does not increase the previously approved housing numbers (91 units) approved under phase 2 of P14/V2601/RM. This new application is sought to create a new access via Appleford Road to the north direct into the site, unlike the previously approved development which sought to take access via the adjoining development to the east (phase 1). The new proposed access comprises of an existing T junction access that serves the storage company business.
- 1.8 The site proposes 30.85 dwellings per hectare. The illustrative masterplan and design and access statement proposes 2 storey dwellings, with 2.5 storeys on corner plots. 0.69 hectares of public open space is proposed, with 0.04 hectares of locally equipped area of playing space (LEAP) to the east.
- 1.9 The illustrative masterplan proposes footpaths throughout the site including a footpath link to Millennium Common to the west of the site. It is also important to note that the existing hedge adjacent to the north of Appleford Road is proposed to be retained along with the existing bund to the north-west. Extracts from the application plans are **attached** at Appendix 1.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

A summary of the responses received is set out below. Comments made can be viewed in full online at www.whitehorsedc.gov.uk.

<p>Sutton Courtenay Parish Council</p>	<p>Object. Sutton Courtenay Parish Council wishes to maintain its strong objection to the proposal to create an additional permanent access from this part of the site onto the Appleford Road. There will be significant traffic implications should a new access be formed close to the junction with Abingdon Road. There are long queues at peak times as vehicles wait to turn into Abingdon Road to head to Sutton bridge which is controlled by traffic lights. Trying to emerge from this</p>
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	<p>new housing estate to join an existing queue will just spread the concentration of traffic pollution.</p> <p>The original application had one main access into the site for 195 dwellings much further away from the Abingdon Road junction. This would mean that traffic leaving the site would join the end of the queue in turn, and as a result, there would be just one steady flow of traffic movements along the Appleford Road.</p>
<p>Oxfordshire County Council Single Response</p> <p>- Transport</p>	<p>No objection.</p> <p>No objection subject to condition. The proposed site is phase 2 of a larger site which has an extant planning permission for 195 residential dwellings under reserved planning permission P14/V2061/RM and P10/V1907/O. For this planning application, the related transport contributions and highway works associated with P10/V1907/O (Phase 2) are to be secured and carried over via an updated / revised Section 106 legal agreement.</p> <p>Any new development proposals within the areas of Culham and Sutton Courtenay that do not already have extant planning approvals will be resisted by the county council as the Local Highway Authority. This position has been taken by the county council due to the congested and sensitive nature of the local highway network at peak times; specifically, over the signalised Culham Bridges and adjacent Abingdon Road, Tollgate Road and Appleford Road.</p> <p>The Transport Statement that has been submitted confirms the development proposal for 91 residential dwellings is part of the original planning consent for 195 residential dwellings and will not be increasing the number of permitted dwellings. On the basis that the development site has an extant planning permission, appropriate highway mitigation measures have been secured (for the permitted 195 residential dwellings) and there is to be no</p>

<p>- Education</p>	<p>increase in the number of residential dwellings associated with this application; the county council will not be objecting to this proposal on traffic generation / impact grounds. It should be noted that if there is a proposal to increase the number of residential dwellings on this permitted site in the future, such a proposal would be resisted by the county council.</p> <p>Parking will be part of any future reserved matters application and as such, any future parking associated with this development should provide adequate on-site parking. The applicant will need to be mindful as to the level of allocated or unallocated parking provision. The unallocated provision should be accessible spaces and spread throughout the site. Casual on-street parking, or parking across footways, within the site or in the surrounding area will not be acceptable. In addition, the parking and garage spaces should also be in accordance with county council standards.</p> <p>The applicant will also be expected to provide storage facilities for cycles, with 1 space for 1 bedroomed units and 2 spaces for 2+ bedroomed units. This should be extended to include cycle storage for all residential units within the development i.e. within a garage (6.0 metres x 3.0 metres) or in a garden shed.</p> <p>No objection. The proposed development will increase the demands placed on local infrastructure and services. There would be insufficient capacity at nursery, primary, secondary and special schools in the area at this time to meet the demands arising from the development, but additional capacity could be provided with appropriate investment. To mitigate the impact of these demands funding from Community Infrastructure Levy receipts will be required.</p> <p>No objection.</p>
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<p>- Archaeology</p>	
<p>Countryside Officer</p>	<p>No objection.</p>
<p>Didcot Garden Town</p>	<p>No objection.</p>
<p>Housing Development</p>	<p>No objection. Local Plan policy CP24 requires 35% of the total number of dwellings on the site to be provided as affordable housing. For a site of 91 units this would equate to 32 affordable homes of which 75% (24) should be for rent and 25% (8) should be for shared ownership.</p> <p>Government Welfare reform, introduced since the production of the SHMA, has seen a significant increase in the demand for two bedroom accommodation for rent with a reduction in demand for larger rented family homes due to the changes in eligibility for housing benefit.</p> <p>In general, it is anticipated that the mix of affordable housing should reflect the significant demand for two bedroom units for both rented and shared ownership tenures with a reduction in one-bedroom accommodation and an adjustment to the number of larger homes.</p> <p>Further discussion on an appropriate housing mix would be welcomed at the earliest opportunity. It is preferable for the majority, if not all of the two-bedroom properties to be delivered as houses rather than flats as houses are considered more suitable for families needing rented accommodation and registered providers have advised that houses are more appropriate for shared ownership.</p>

	Where 1 or 2 bedroom flats are provided it is preferable for housing management purposes if communal hallways can be avoided and each flat has a direct entrance to the street.
Drainage Engineer	No objection, subject to condition.
Health & Housing - Air Quality	No objection.
Oxfordshire Clinical Commissioning Group	Object. We note the plans to build 91 homes in Sutton Courtney and cannot see a health impact study together with the supporting documentation. The unprecedented housing growth across the South and Vale area is putting immense pressure on GP practices and the local health economy. At present we would object on the grounds that effects on the local health economy appear not to have been considered. If these plans were agreed the CCG would expect developer contributions inline with the NHS West Kent Model, submitted to the Council some time ago. This would enable the local GP practice to consider extension or reconfiguration of existing estate.
Landscape Architect	No strong views.
Thames Water	No objection, subject to condition.
Environment Agency	No objection, subject to condition.
Natural England	No strong views.
Urban design officer	No strong views.
Millenium Common Trust	Objection. Concerned about the impact the development will have on the local wildlife habitat and plant species within the nature reserve. We would like some developer contributions to mitigate the impact of the development.
Neighbours – 7 letters of objection received. The grounds for objection concern can be summarised as:	<ul style="list-style-type: none"> - Poor access to Millennium Common. - Concerned about removal of bund adjacent to Amey Close. - Impact on wildlife. - Unsustainable site. - Traffic implications.

3.0 **RELEVANT PLANNING HISTORY**

- [P14/V2061/RM](#) - Approved (10/12/2015)
Reserved matters application for appearance, landscaping, layout and scale following Outline permission P10/V1907/O for a residential development comprising 195 dwellings and access (amended plans including revised layout, house types and landscaping).
- [P10/V1907/O](#) - Approved (09/04/2013)
Outline application for residential development and associated access. (Re-submission of withdrawn application SUT/19470/8-X).
- [P10/V2032](#) - Approved (02/06/2011)
Proposed development of 15 new dwellings with car parking and landscape works.

3.1 **Pre-application History**

- [P16/V2066/PEJ](#) - Other Outcome (01/09/2016)
Proposal to increase the number of residential units from 195 to 225 further to P14/V2061/RM.
- [P13/V2316/PEJ](#) - Other Outcome (21/11/2013)
Residential development comprising 166 dwellings (pursuant to planning permission P10/V1907/O).

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The application has been considered under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The scale of the proposal is below relevant thresholds and the locality has no recognised specific environmental sensitivity. Therefore, an Environmental Statement is not required.

5.0 **MAIN ISSUES**

5.1 **Principle of development**

The settlement hierarchy set out in Core Policy 3 of the Local Plan 2031 Part 1 identifies Sutton Courtenay as a larger village within the South-East Vale sub-area. Larger villages are defined as settlements with a more limited range of employment, services and facilities. Core Policy 4 of the Local Plan 2031 Part 1 states that there is a presumption in favour of sustainable development within the existing built area of market towns, local service centres and larger villages.

The NPPF is clear that local planning authorities should look to significantly boost the supply of housing in line with the principles of sustainable development. Core Policy 4 of the Local Plan 2031 Part 1 sets out the Council's approach to delivering new homes and retaining the housing stock. New homes will be located in accordance with the settlement hierarchy outlined in Core Policy CP3.

The development is located in the settlement of Sutton Courtenay within an area that benefits from a range of services. The larger villages of the district are some of the more sustainable locations for new housing development as they benefit from facilities that can support an increase in the local population. The development would therefore be situated in a sustainable area. Furthermore, the principle of development has been established through the extant outline planning permission (P10/V1907/O).

It is therefore accepted that the use of the land and the site location is acceptable for a housing development. In view of the above the principle of development is therefore acceptable providing it accords with other relevant development plan policies.

5.2 Housing mix

Planning for an appropriate mix of housing types, size and tenure is very important. Housing mix is addressed through Policy CP22 as set out in the Local Plan 2031, Part 1. This makes provision for a mix to be delivered in accordance with the Oxfordshire Strategic Housing Market Assessment (SHMA) and provides flexibility should the housing register demonstrate an alternative would be more appropriate.

In line with Policy CP24, the Council will seek 35% of the 91 units as affordable housing. This would equate to 32 affordable homes of which 75% (24) should be for rent and 25% (8) should be for shared ownership.

The applicants have confirmed they would have no objection to providing a policy compliant amount of affordable housing which, if the application were acceptable, would be secured through a Section 106 agreement.

5.3 Landscape and Visual Impact

Paragraph 109 of the NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes. Policy CP44 of the Local Plan 2031, Part 1 confirms that the key features that contribute to the nature and quality of the district's landscape will be protected from harmful development and enhanced where possible. Policy NE9 of the Local Plan Saved Policies 2011 designates the site as part of the wider Lowland Vale which is a distinctive landscape and valued for its own quality. Paragraph 7.67 of the adopted local plan explains that 'the long views over the patchwork quilt of fields, farms and villages in the Vale are an essential part of the landscape quality of the District'.

The most significant visual impact of this development will be from the road and housing adjacent to the north and north-west of the site at Appleford Road, and Amey Close. A condition is recommended to maintain the existing landscaping buffer to the north-west between the site and Amey Close. An additional condition requiring submission of a landscaping scheme is also recommended to ensure landscaping is planted adjacent to the north of Appleford Road to mitigate the development. Officers also have concerns with

the location and concentration of vehicle parking areas. These concerns would need to be overcome at reserved matters.

A requirement of Policy CP37 of the Local Plan 2031, Part 1 is that landscaping must physically and visually integrate with its surroundings. Furthermore, the majority of the application site falls within an area covered by saved Policy NE11 of the Local Plan Saved Policies 2011 which relates to damaged landscapes. This requires proposals within these areas to provide a landscaping scheme that enhances the appearance of the area. This is followed by Policy DP29 of the draft Local Plan 2031, Part 2, which states that development which would further erode or damage the character of the landscape will be resisted. Development proposals will need to demonstrate that the settlement's character is retained.

The proposed development would be proportionate in size in relation to the existing village, and the adjacent development to the east. It would utilise an existing area of brownfield land, therefore preserving the setting of the village and the surrounding rural character of the area. The development therefore accords with Policy CP37 and CP44 of the Vale of White Horse Local Plan 2031, Part 1, Saved Policies NE9 and NE11 of the Vale of White Horse Local Plan 2011, Policy DP29 of the Emerging Vale of White Horse Draft Local Plan 2031, Part 2, and section 11 of the NPPF.

5.4 Design

The Government attaches great importance to the design of the built environment, and securing high quality design is one of the core planning principles of the NPPF. The NPPF advises that planning decisions should aim to ensure that development will function well and add to the overall quality of the area, optimise the potential of the site to accommodate development, respond to local character and history, create safe and accessible environments, and are visually attractive.

This is an outline application with only access to be considered. The details concerning layout, scale, external appearance of the dwellings and landscaping are reserved matters and would be considered as part of any subsequent reserved matters applications; they are not part of the consideration of this outline application.

Policy CP23 of the Local Plan 2031, Part 1 requires net densities of at least 30 dwellings per hectare. Based on 91 dwellings on a site of 2.95 hectares, the gross density equates to 30.85 dwellings per hectare.

However, this acceptable density alone is not sufficient given the requirements of Policy CP38 of the Local Plan, 2031, Part 1 which requires any application for a proposal of this size to be supported by a comprehensive site wide masterplan with an accompanying Design and Access Statement. The masterplan should:

- Identify the vision for the development.

- Demonstrate a coherent and robust framework for the development, setting out land uses, scale and density, movement and access arrangements and green infrastructure provision.
- Show how the design of the scheme complements the vision.
- Demonstrate integration with the surrounding built, historic and natural environment.
- Provide community facilities.
- Define a hierarchy of routes and integrate SuDS and other infrastructure.
- Contain a Green Infrastructure framework.
- Provide an indicative layout based on urban design principles.

A design and access statement outlining design principles to be adopted has been submitted. Although this is an outline application (with all matters reserved other than access), the application must demonstrate that the development proposed can be delivered to a high-quality design that meets the criteria set out in the Design Guide SPD. The indicative housing layout and development plan prepared to support this application broadly demonstrate this. Concerns have been raised with the proposed illustrative plans, particularly with regard to the location and concentration of vehicle parking areas. However, more information will be required to assess the overall design at reserved matters.

The connectivity of the indicative housing layout is adequate, and should provide safe, direct and convenient pedestrian and cycle connections across the site. The illustrative masterplan appears to show a key point of vehicular connectivity between the proposed development site and the development to the east. The development will be subject to all required highways standards. The connection to the eastern development would be covered by further details at the layout stage as part of the reserved matters.

Adequate waste storage and facilities must be provided throughout the site in accordance with Policy DC7 of the Local Plan Saved Policies 2011. Policy DP28 of the draft Local Plan 2031, Part 2 requires residential development proposals to provide sufficient space for the storage of individual or communal recycling and refuse containers, and adequate access that is safe for existing users / residents and for refuse and recycling collection vehicles. The location and design of recycling and refuse provision should be integral to the design of the proposed development. More information is required, however more information would be sought at the reserved matters stage.

Policy H23 of the Local Plan 2011 Saved Policies requires a minimum of 15% of the residential area to be laid out as open space. A reserved matters application for the layout of the site would need to demonstrate compliance with this policy. The parameter plans submitted in support of the outline application appear to show that 15% of the site as public open space can be easily achieved. Principles DG16 and DG17 of the Design Guide SPD require a clear landscape structure, retention and integration of existing landscape features where possible and formation of open space networks.

The proposed open space integrates existing landscape features with new open space provision. Informal open space, play areas, and incidental open

space are provided for and are linked through a green network traversing the site.

The application demonstrates that the proposed development can be delivered to a high-quality design that meets the criteria set out in the Vale of White Horse Design Guide SPD. The proposed development accords with the key design principles set out in the Vale of White Horse Design Guide SPD. As such, the proposal complies with Policy CP38 of the Vale of White Horse Local Plan 2031, Part 1, and section 7 of the NPPF.

5.5 Neighbouring amenity

Securing a good standard of amenity for all existing and future occupants of land and buildings is one of the core planning principles of the NPPF. The impact on neighbouring amenity is an issue that would need to be examined at reserved matters stage. However, at outline stage it is considered that the layout does not raise any significant concerns in this respect, particularly because of the separation distances between the proposed dwellings and neighbouring properties. Given the existing residential context to the north-west, the proposal is not considered to have a sufficient detrimental impact upon the residential amenity of existing neighbouring properties in terms of noise and disturbance to warrant refusal.

The boundary treatments and landscaping of the site are considerations for a subsequent reserved matters application for landscaping. Boundary treatments which are in keeping with the character of the area, and safeguard neighbouring amenity, would be sought at that stage.

5.6 Traffic, parking and highway safety

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development. It states that transport assessments must; ensure 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 limits the significant impacts of the development. It further states that, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, development should be located and designed where practical to accommodate the efficient delivery of goods and supplies, and give priority to pedestrian and cycle movements. Proposed development must have access to high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and avoid street clutter.

Policy DC5 of the Vale of White Horse Local Plan Saved Policies 2011 concerns access. It states that proposals for development will only be permitted provided that: safe and convenient access will be provided both within the site and to and from the adjoining highway network for all users

including those with impaired mobility, and for all modes of transport; the road network can accommodate the traffic arising from the development without causing safety, congestion or environmental problems. Adequate provision must be made for vehicle turning, parking vehicles and cycles. Finally, development must minimise the impact of vehicles and give priority to the needs of pedestrians, cyclists, the users of public transport and those with impaired mobility.

Policy CP33 of the Vale of White Horse Local Plan 2031 Part 1 promotes sustainable transport and accessibility. It seeks to ensure that the impacts of new development on the strategic and local road network are minimised. It also states that the Council will work with Oxfordshire County Council and others to promote and support improvements to the transport network that increase safety, improve air quality and make our towns and villages more attractive.

Policy CP35 of the Vale of White Horse Local Plan 2031 Part 1 concerns public transport, cycling and walking. It seeks to ensure that new development is designed to encourage walking as the preferred means of transport, not only within the development, but also to nearby facilities and transport hubs. It also seeks to ensure that adequate parking is delivered on new developments in accordance with Oxfordshire County Council's published standards.

Having reviewed the proposed plans Oxfordshire County Council's highways service raise no objection despite the site being within a sensitive part of the highway network. This is due to there already being extant permission for 91 dwellings on the site as permitted by P10/V1907/O. The additional vehicle movements have already been assessed and were not considered to create a detrimental impact to the highway network in terms of congestion. This decision has been taken as there is no net increase in the proposed number of dwellings at the site.

The development site is situated within a sensitive part of the highway network. At peak times queuing at the signalised Culham Bridges results in the blocking of the bridge and adjacent junctions. The blocking back results in a situation akin to gridlock, with queues slow to disperse. Due to the gridlock the impact of additional trips is disproportionate and very few trips may add to delay significantly. In the longer term the Oxfordshire Local Transport Plan includes a new Thames river crossing which will relieve pressure on this part of the network.

It is important to note that an application (P17/V1431/FUL) was refused on 31st August 2017 for one two bed dwelling at 9 Hobbyhorse Lane, Sutton Courtenay based on the severe traffic impact on the local highway network. This decision was appealed and dismissed on 6th March 2018 based on clear evidence that part of the local highway network already operates well above its capacity, resulting in congestion and significant delays to road users at peak periods. Therefore, any net increase beyond the previously approved 91 dwellings would be refused based on the 'severe harm' caused by additional vehicle movements on the sensitive local highway network.

Sutton Courtenay Parish Council and neighbouring occupants are concerned that the additional access will create significant traffic implications close to the busy Abingdon Road junction, particularly at rush hour when roads are congested. County Council highway officers have carefully assessed the additional access onto Appleford Road, and the implication this could have on the existing highway infrastructure. To investigate any potential harm a vehicle swept path analysis has been undertaken to assess the impact of a large refuse vehicle (11.6 metres in length) turning in and out of the site via Appleford Road. This is the same size as refuse vehicles used to collect waste throughout the district. Highway officers have confirmed that all vehicles can safely access and egress the site via Appleford Road. The new road will therefore provide a safe and suitable vehicle access.

In view of the above the development and proposed access is considered acceptable, despite the site being situated within a sensitive part of the highway.

5.7 Impact on local wildlife

Policy CP46 of the Local Plan 2031, Part 1 seeks to resist proposals for development that would likely result in the loss, deterioration or harm to habitats or species of importance to biodiversity. Policy CP30 of the draft Local Plan 2031, Part 2 seeks to protect the function and setting of the district's watercourses and their biodiversity from inappropriate development.

There are no important habitats present on the site other than the watercourse adjacent to the west. The majority of the site is comprised of hard standing and scrub. The proposals should not involve any significant direct impacts on the watercourse.

The Council's ecologist has reviewed the proposed development and is satisfied that the proposed development could achieve a small net gain in biodiversity in accordance with Policy CP46 of Local Plan 2031, Part One.

5.8 Contaminated land

Paragraph 121 of the NPPF states that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions including from former activities or pollution arising from previous uses and any proposals for mitigation. Paragraph 109 of the NPPF and Policy DC10 of the Local Plan Saved Policies 2011 states that development will not be permitted if it is likely to be adversely affected by existing or potential sources of pollution or contamination. Policy CP43 of the Local Plan 2031, Part 1 states that land should be of a suitable quality for development and that remediation of contaminated land is undertaken where necessary. Policy DP27 of the draft Local Plan 2031, Part 2 is concerned with land affected by contamination. It states that proposals on land known to be contaminated will be required to submit a contaminated land preliminary risk report. It adds that, proposals that fail to demonstrate that the intended use would be compatible with the condition of the land, or which fail to exploit appropriate opportunities for decontamination, will be refused.

Previous activities at this site have resulted in contamination. Significant hydrocarbon contamination has been noted in the soils and groundwater. Other contaminants including Volatile organic compounds (VOC) have been noted on this site. Groundwater is located at shallow depths beneath the site, and was noted as being impacted. Groundwater monitoring will be required as part of any further assessment.

Further information and measures are required to ensure that the development is not put at unacceptable risk from, or adversely affected by unacceptable levels of water pollution. It is recommended that this information is secured via condition.

5.9 **Drainage**

Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of the development. The existing water supply infrastructure has insufficient capacity to meet the additional demand. Furthermore, the Council's drainage officer has recommended that on-site details should be submitted and approved prior to commencement of development. Additional surface water and, waste water information is therefore required prior to development. The requested details can all be secured via condition.

5.10 **Other matters**

It is noted that the Oxfordshire Clinical Commissioning Group and Millennium Common trust have requested funding to mitigate the impact of development. This would be covered by the Community Infrastructure Levy (CIL) at reserved matters. CIL is a planning charge introduced by the Planning Act 2008 (and brought into force by 2010 Community Infrastructure Levy Regulations) as a mechanism for local authorities to provide or improve infrastructure that will support the development of their area.

In England, where there is a neighbourhood development plan in place, the neighbourhood is entitled to 25% of CIL revenues from new development taking place in the plan area (for areas without a neighbourhood plan, the neighbourhood proportion of CIL is a lower figure of 15%). This money is paid directly to parish and town councils. The money will then be available for local groups and organisations to fund local infrastructure.

Amended plans have been received to relocate the proposed external footpath access into Millennium Common in response to local resident's concerns. The previous footpath proposed access onto a ditch to the south of the site. This footpath has now been relocated to the west following discussions with the applicant and Millennium Common Trust. The amended plans also seek to retain the existing bund adjacent to Amey Close following concerns raised by neighbouring occupants. A condition is recommended to retain the bund to protect the privacy of neighbouring residents.

5.11 Financial contribution requests

Paragraph 204 of the NPPF advises that planning obligations should only be sought where they meet all of the following tests:

- I. Necessary to make the development acceptable in planning terms;
- II. Directly related to the development; and
- III. Fairly and reasonably related in scale and kind to the development.

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.

Policy CP7 of the Local Plan 2031, Part 1 states that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured. Regard also needs to be had to the restrictions of pooling of any financial contributions to no more than 5 schemes.

The following developer contributions are considered fair and proportionate and should be secured through a section 106 agreement:

District Council	Amount (£)
Waste/recycling bins	£15,470
Public art	£27,300
Street naming and numbering	£1,206
Monitoring	£3,312
Total	£47,288
Total per dwelling	£519.65

In the absence of financial contributions and obligations to meet the needs generated by the additional development, the proposal would result in a harmful impact on existing services and social infrastructure.

5.12 Community Infrastructure Levy (CIL)

Under the Community Infrastructure Levy Charging Schedule adopted by the Vale of White Horse Council and the government Community Infrastructure Levy Regulations a charge is not made until the reserved matters stage. A full assessment will be undertaken during consideration of the reserved matters applications.

5.13 Sustainable development

When considering development proposals, the Council is required to take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

The National Planning Policy Framework places a strong emphasis on sustainable development. All planning applications must result in sustainable development with consideration being given to economic, social and environmental sustainability aspects of the proposal. The proposed dwellings would improve the local economy both during construction and create additional income for local services. The environmental considerations have been assessed in terms of the impact on landscape and visual grounds, land contamination, and highway safety and for the reasons given above are considered acceptable. Social considerations overlap those of environmental in terms of land contamination and highway safety. As these have been found acceptable the development is considered to constitute sustainable development.

6.0 CONCLUSION

- 6.1 The application has been assessed on its merits, against the requirements of the adopted Local Plan 2031 Part 1, saved policies of the adopted Local Plan 2011 and the National Planning Policy Framework. Regard has been given to the draft Local Plan 2031, Part 2 but as this is yet to be adopted, its policies hold limited weight.
- 6.2 The application will provide an economic and social role through construction employment, increased investing in the local economy and providing additional market and the policy compliant 35% affordable housing. The application will make contributions towards local infrastructure, whether via S106 or through CIL.
- 6.3 In terms of the environmental role, limited harm has been identified with respects to localised landscape impact and loss of habitats on the site.
- 6.4 There are no technical objections to the proposal, subject to appropriate conditions.
- 6.5 Overall in the planning balance, the benefits of the scheme particularly in providing housing towards the District's plan-led sustainable growth and provision of contributions towards local infrastructure which will have local and wider benefits, are considered to outweigh the limited harm that has been identified. As such, the application is recommended for approval.

This decision has been considered using the relevant policies related to the proposal. These are listed below.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any planning application must be made in accordance with the development plan unless material considerations indicate otherwise. The statutory Development Plan comprises;

- The Local Plan 2031 Part 1
- The Local Plan 2011 Saved Policies
- The Oxfordshire Minerals and Waste Local Plan 2031
- Neighbourhood Plans for; Drayton, Coxwell, Blewbury, Faringdon, Great Coxwell, and Longworth.

Other material considerations include government guidance, in particular:

- The National Planning Policy Framework (March 2012) (NPPF)
- The National Planning Policy Guidance (March 2014) (NPPG)
- Vale of White Horse Design Guide Supplementary Planning Document (SPD) (March 2015)
- Vale of White Horse Updated Infrastructure Delivery Plan (IDP) (December 2016)
- Draft Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites

Other Relevant Legislation

- Human Rights Act 1998
- 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.
- Equality Act 2010
- In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

The Vale of White Horse Local Plan 2031 Part 1 policies which are relevant to the proposed development consist of:

- CP01 - Presumption in Favour of Sustainable Development
- CP02 - Cooperation on Unmet Housing Need for Oxfordshire
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP05 - Housing Supply Ring-Fence
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP22 - Housing Mix
- CP23 - Housing Density
- CP24 - Affordable Housing
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP38 - Design Strategies for Strategic and Major Development Sites
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure
- CP46 - Conservation and Improvement of Biodiversity

The Vale of White Horse Local Plan 2011 Saved Policies which are relevant to

the proposed development consist of:

- DC3 - Design against crime
- DC4 - Public Art
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC9 - The Impact of Development on Neighbouring Uses
- DC10 - The Effect of Neighbouring or Previous Uses on New Development
- DC12 - Water Quality and Resources
- NE9 - The Lowland Vale
- NE11 - Areas for Landscape Enhancement
- H23 - Open Space in New Housing Development

The Local Plan 2031 Part 2: Detailed Policies and Additional Sites complements the Part 1 plan and sets out policies and locations for housing for the Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries. It contains policies for the part of Didcot Garden Town that lies within the Vale of White Horse District, and detailed development management policies to complement the Local Plan 2031 Part 1, which replace the saved policies of the Local Plan 2011. It also allocates additional development sites for housing.

Paragraph 216 of the NPPF states that decision-takers may give weight (unless material considerations indicate otherwise) to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The Vale of White Horse District Council submitted the Local Plan 2031 Part 2: Detailed Policies and Additional Sites to the Secretary of State on Friday 23 February 2018 for independent examination. The examination will be held shortly.

Overall, taking into account the current stage of preparation, the emerging Local Plan 2031, Part 2 now attracts limited weight.

The Draft Vale of White Horse Local Plan 2031 Part 2: Detailed Policies and Additional Sites policies which are relevant to the proposed development consist of:

- CP4a – Meeting our housing needs
- CP16b – Didcot Garden Town
- CP18a - Safeguarding of Land for Strategic Highway Improvements within the South-East Vale Sub-Area

DP2 – Space standards
DP16 – Access
DP20 – Public art
DP21 – External lighting
DP23 – Impact of development on amenity
DP24 – Effect of neighbouring or previous uses on new developments
DP25 – Noise pollution
DP26 – Air quality
DP27 – Land affected by contamination
DP28 – Waste collection and recycling
DP33 – Open space
DP34 – Leisure and sports facilities
DP37 – Conservation areas

Neighbourhood Development Plans (NDPs) are formal planning documents prepared by town and parish councils in consultation with their community. They allow local people to shape the future of the areas in which they live. They have to be in general conformity with national planning policies and the Vale of White Horse Local Plan. NDPs are subject to public examination and local referendum before they can be adopted as part of the Development Plan. The Sutton Courtenay Neighbourhood Plan is still in the early stage of preparation (area designated January 2017).

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