

APPLICATION NO.	P22/V2219/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	6.10.2022
PARISH	UPTON
WARD MEMBER(S)	Debra Dewhurst Hayleigh Gascoigne
APPLICANT	Mr & Mrs Napper
SITE	Land between Upton footpath and Upton Byway off Hollow Way, Hollow Way, Upton, OX11 9HP
PROPOSAL	Erection of a new agriculture dwelling with landscaping and associated works (as amplified by LVIA, Landscaping scheme and supporting information received 3 February 2023, and by Agricultural Dwelling Needs Appraisal received 9 February 2023)
OFFICER	Katherine Canavan

1.0 **RECOMMENDATION**

It is recommended that planning permission is granted subject to the following conditions:

Standard:

1. Work to commence within 3 years
2. In accordance with approved plans

Pre-commencement:

3. Schedule of materials to be submitted
4. Detailed landscape / planting mitigation strategy
5. Details of hard landscaping, parking area and boundary treatments
6. Levels plan
7. Lighting strategy
8. Land contamination – phased risk assessment / investigation

Pre-occupation:

9. Surface water drainage scheme
10. Foul Water drainage scheme
11. Biodiversity enhancement strategy
12. Land contamination – remediation strategy and validation report

Compliance:

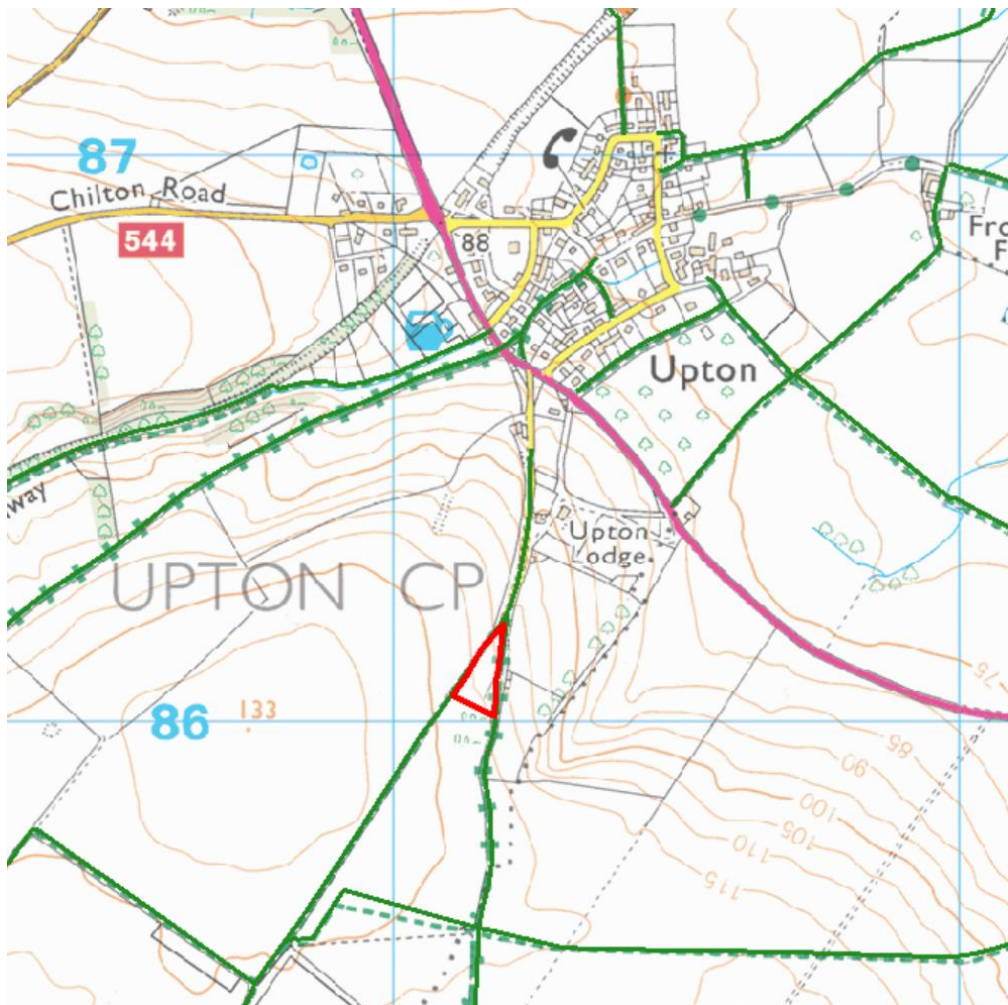
13. Agricultural Worker's Tie – rural workers dwelling only
14. Land contamination – unsuspected contamination during construction
15. Domestic usage limited to area marked as 'garden'

2.0 INTRODUCTION AND PROPOSAL

The application is referred to Planning Committee by Ward Councillor call-in, regarding the following concerns:

- Impact of the proposal on the Area of Outstanding Natural Beauty (AONB), and prominent position in the landscape
- Uncertainty over whether there is an identified agricultural need; are other forms of accommodation available close by instead of a creating new dwelling?
- Gradual evolution of the site over a series of applications to create a farm site, when it was up until recently an undeveloped site

- 2.1 The site is located 480m to the south of Upton, and is accessed via an unmade track off London Road (A417). The closest buildings are associated with Upton Lodge, and The Coach House, some 240 metres north of the site. Alden Farm, in different ownership, is located 1.2km further south-west along the track. The application site is elevated on a hill, which rises steeply from north to south; the development location itself is set down in a dip. Fields to the west are at a higher level than the site; the Public Right of Way immediately to the east is set down at a lower level. The eastern site boundary is screened by trees and natural vegetation.



The site and adjacent fields are in agricultural use. The application site and adjacent fields have been in the ownership of, and farmed by, the Napper family since 2016. A barn is located on the southern edge of the site, permitted as an agricultural building in 2022.

The site is located within the North Wessex Downs Area of Outstanding Natural Beauty. Public Rights of Way run along all three sides of the site, connecting Chilton, Upton, Blewbury and The Ridgeway.

2.2 *Proposal*

The applicant seeks full planning permission for the erection of a 4-bed, 2-storey dwelling with landscaping and associated works. The dwelling is proposed to be used as an agricultural worker's dwelling, tied to an established farm business. Garden is proposed immediately behind the property; lambing paddocks are to be located forward of the house, and to the rear of the plot (in front of the barn).

2.3 *Motivation for application*

The wider farm business covers a total of 694 ha (1714 acres) of land across several holdings and was established in 1987 by Mr Napper's parents (Rowan and Katie Napper). It has been continually run and managed by the family (including by the applicants). Land owned and rented by the applicant is shown on the plan **attached** at Appendix 2.

There is insufficient space on Ingham's Farm to expand the business and accommodate more sheep and cattle, hence the creation of a further cattle barn on Hollow Way in 2022. The dwelling is proposed to support this expansion on land within the Napper's ownership, as Ingham's farm and its buildings (including land across their other holdings) are reaching capacity. The movement of this livestock enterprise away from Inghams Farm will assist in disease security and maintain health of the livestock.

The expansion onto the application site provides additional housing for sheep and cattle (through the previously approved barn), thereby reducing overstocking which is critical to maintaining animal health and welfare. It also plays a role in succession planning within the business, ensuring the next generation of farmers and continued viability of the farm in the production of UK produced food.

2.4 A copy of the latest plans is **attached** at Appendix 1.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 A summary of the responses received is below. Full comments can be viewed online at: www.whitehorsedc.gov.uk.

Upton Parish Council	<i>Further comments (February 2023)</i> Objection maintained for the reasons set out below.
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	<p><i>Original comments</i> Objection</p> <ul style="list-style-type: none"> • Development on undeveloped land in an Area of Outstanding Natural Beauty • Concerns raised over whether the agricultural dwelling at Inghams Farm could be made available to the family • Concerns raised over whether there is in fact land available on the existing farmyard for an additional dwelling • Concerns raised over whether the land is in freehold ownership / leasehold has any bearing on the application • Concerns raised over the land was established farmland prior to the erection of the agricultural barn in February 2022.
<p>Highways Liaison Officer (Oxfordshire County Council)</p>	<p>No objection, subject to conditions</p>
<p>Landscape Architect (South and Vale)</p>	<p><i>Further comments (April 2023)</i> Objection</p> <ul style="list-style-type: none"> • Disagree with the conclusions of the Landscape Visual Assessment • Given the elevated position of the site, the landscape impact would be greater than shown in the report, and the proposed landscape mitigation is unsatisfactory. • The visual assessment does not fully consider all views towards the site, eg. From London Road, and Public Rights of Way. The effect on views from some rights of way appears to be understated. • Insufficient detail to fully assess the impact, eg. No detail of levels, lighting, boundary treatment. • Wider landscape impact of a large area of land around the house becoming domesticated in nature. • Objection maintained. <p><i>Original comments</i> Holding objection</p> <ul style="list-style-type: none"> • There is no landscape justification for the positioning of the dwelling in such a rural location, away from the existing settlement • No option appraisal has been provided to rule out other more suitable locations, in landscape terms

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	<ul style="list-style-type: none"> • No landscape and visual assessment has been carried out to understand the impact of the proposal on the landscape character and views • The proposals will inevitably result in an adverse impact on the open and unsettled character of the landscape, as well as adverse impacts to views from public rights of way. Housing brings with it domestic clutter, lighting, cars etc. which adds to the adverse effect on landscape character. • Lack of detail on proposed hard and soft landscaping / mitigation • The development would result in harm to the AONB
Reading Agricultural Consultants (acting on behalf of the Vale of White Horse)	<p>Support</p> <p>An essential need has been demonstrated and the size of the dwelling is commensurate to the purpose.</p> <p>Reading Agricultural Consultants consider the proposal for an agricultural worker’s dwelling in this location to be compliant with policy DP6 of the Local Plan Part 2 and the National Planning Policy Framework</p>
Contaminated Land Officer	<p><i>Revised comments (February 2023)</i></p> <p>No objection – no further comments</p>
	<p><i>Original comments</i></p> <p>No objection subject to conditions Investigation required to understand whether land contaminants are present</p>
Drainage Engineer	No objection , subject to conditions
Oxfordshire Public Rights of Way (Oxfordshire County Council)	No objection , subject to standard guidance on protection of Public Rights of Way

3.2 Local representations

Two neighbour objections were put forward as part of the consultation process, and subsequent consultation on revised plans.

- Harm to wildlife
- The development would obscure the vision splays of drivers, cyclists and pedestrians at the fork of the track. It is an important and frequently used route, out of Upton and onto the downs, for walkers, cyclists, horse riders.

- The size and scale of the dwelling is out of place in an Area of Outstanding Natural Beauty.
- Far-reaching views into the site would be obstructed.

4.0 **RELEVANT PLANNING HISTORY**

4.1 **P22/V0104/AG** – General purpose farm building (16/02/2022)
Deemed Agricultural Development - Application Not Required

5.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 The site is located in the AONB, which is an area classified as ‘sensitive’. However, the scale of the development is relatively small in EIA terms and significantly below the threshold of the type of development that may require a screening opinion.

6.0 **PLANNING CONSIDERATIONS**

6.1 **The relevant planning considerations are the following:**

- **Principle of residential development**
- **Agricultural need for a dwelling**
- **Landscape character and impact on the AONB**
- **Design and character**
- **Additional planning matters**

6.2 **Principle of residential development**

The Council’s Local Plan: Part 1 (LPP1) sets out the spatial strategy and strategic policies across the Council area to deliver sustainable development, including the provision to be made for housing.

Policy CP3 of the LPP1 devises a settlement hierarchy approach, steering new development to sustainable locations. Policy CP4 of the LPP1 goes on to set out how the housing needs will be met. There is a presumption in favour of sustainable development within the existing built area of Market Towns, Local Service Centres and Larger Villages, and a limited amount of infill development can be accommodated in smaller villages, in accordance with Core Policy 1. Those villages not included within the settlement hierarchy categories, or land outside the built settlements, are considered to form part of the open countryside. As indicated in Policy CP4, development in open countryside will not be appropriate unless specifically supported by other relevant policies as set out in the Development Plan or national policy.

The site is located outside the built limits of Upton in open countryside, and therefore the principle of residential development on the site would not ordinarily be supported. In this particular case an agricultural needs appraisal has been submitted with the application to put forward a case for an agricultural dwelling in this location.

6.3 **Agricultural need for a dwelling**

Paragraph 80 of the National Planning Policy Framework maintains the presumption against isolated new dwellings in the countryside unless they are essential, noting:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside...”

Planning Practice Guidance titled ‘Housing Needs of Different Groups’ (July 2019) provides some guidance relevant to paragraph 80 of the NPPF in the section ‘How can the need for isolated homes in the countryside for essential rural workers be assessed’?

It sets out that details to be included in making such a case should include:

- *Evidence of the necessity for a rural worker to live at or in close proximity to their place of work to ensure the effective operation of agricultural, forestry or similar land-based rural enterprise (for instance where farm animals or agricultural processes require on-site attendance 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);*
- *The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- *Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*

The Vale of White Horse Local Plan: Part 2 (LPP2) deals with rural worker’s dwellings in Development Policy 6. The policy states:

“The provision of a rural worker dwelling in the open countryside will be permitted provided that:

- i. it is essential, and can be demonstrated there is an existing need for one or more permanent full-time workers to be readily available at all times for the rural enterprise to operate viably*
- ii. the functional need cannot be met by other suitable and available existing dwellings in the locality of the rural enterprise*
- iii. the rural enterprise is economically sustainable, has been established for at least 3 years and is likely to remain economically viable for the foreseeable future*
- iv. the size and scale of the dwelling is commensurate with the needs of the rural enterprise, and*
- v. it respects the landscape setting, local character, and its locality.*

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Planning permission will be subject to an appropriate occupancy condition, restricting its occupation to a person who is directly employed on a permanent full-time basis by a rural enterprise in the locality.”

6.4 Reading Agricultural Consultant’s (RAC), in an advisory role to the Vale of White Horse, have reviewed the applicant’s agricultural appraisal in relation to national and local policy requirements in respect of an agricultural worker’s dwelling and confirmed the following:

6.5 *i. Essential need*

Officers approved a cattle barn on the application site in 2022 through the prior approval process, ie. the proposed barn met the permitted development criteria for an agricultural barn and was deemed acceptable in this location. The barn has facilitated expansion of the business. RAC have confirmed that other livestock buildings are close to capacity, and the expansion onto this site allows for succession planning within the family business.

One of the identified agricultural needs underpinning the justification for a dwelling to be located on this site, is to be close to the sheep and cattle, not just for ease of farm management but for security reasons and crime prevention, the welfare of the animals, and to enable a swift response during lambing and calving. It is generally accepted that close proximity for welfare of livestock means the dwelling should be located within sight and sound of livestock buildings and surrounding grazing land.

This is the case at the application site. RAC have confirmed there is an essential justified need for a resident agricultural worker to be readily available at the application site, to ensure that the management and welfare of 150 suckler cows to be located and housed in the recently approved cattle barn is not compromised. The same level of welfare management and security could not be achieved from a dwelling being located away from the site.

6.6 *ii. Other suitable dwellings / sites*

Officers are satisfied that along with the options appraisal and the review of market / rental properties in the local area, and additional supporting information provided by the applicant, the proposed site is necessary to meet the needs of the farm business and the agricultural family:

- Private or rental properties available close by in the village would not meet the family’s needs or have sufficient space to store small-scale farming machinery, which needs to be close-by, or stored securely. A property of an appropriate size with sufficient storage space would be financially prohibitive.
- Dwellings at Alden Farm (south of the site) are located on a separate farm. The site is at a greater distance than dwellings in Upton, the dwellings would only be available through private market sale, and are not large enough to meet the family’s needs or their farming needs.

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- The applicant has submitted a review of alternative development sites in their ownership and on land that they rent, where there are opportunities to expand the business and apply for an agricultural worker's dwelling to support this growth. Other sites have been ruled out for the following reasons:
 1. The land at Blewbury has a development restriction currently in place, this is from the previous owner.
 2. The land in West Hagbourne is jointly owned by family relatives and is not close enough to monitor the buildings during lambing and calving.
 3. The land at Southmoor that is family owned is too far away (13 miles)
 4. As is the land at Clifton Hampden, which is currently flooded.
 5. There is no suitable site within Inghams farmyard as the current family home cannot accommodate another dwelling as well additional animals, hay and straw etc which would be required.
 6. The land south of Inghams Farm has two Thames Water main pipelines running through it along with associated development restrictions.

There is no other dwelling, suitable and available in close proximity to the application site that can meet the identified, essential need.

6.7 *iii. Economically sustainable business*

RAC have reviewed the financial breakdown and figures of the business as a whole. The farming business is economically sustainable, viable and profitable.

6.8 *iv. Size and scale of dwelling is appropriate for purpose*

The size of the dwelling is commensurate with the needs of the farming business.

6.9 *v. Respects the landscape setting, local character, and its locality*

The specific impact on the AONB is considered under 'Landscape Character and AONB' below.

6.10 It is recognised that the parish council have concerns about the principle of residential development in this location. For completeness these matters are considered in greater detail below:

6.11 • *Development on undeveloped land in an Area of Outstanding Natural Beauty*

The principle of an agricultural worker's dwelling in this location conforms with policy DP6 of the LPP2 and the NPPF. The specific impact on the AONB is considered under 'Landscape Character and AONB' below.

- *Query over whether the agricultural dwelling at Inghams Farm could be made available to the family*

Ingham Farm is located 1km further along London Road, north-west of the application site. The farmhouse at Ingham Farm was approved as an

agricultural worker's dwelling under P64/R3047. The house continues to be lived in by the Napper family who are actively involved in the farming business. The house has an agricultural tie which restricts occupation to those in agricultural work, and their families. Case law has established that it would not be reasonable to expect a farming family to leave the house at the point they retire. The farmhouse is still occupied by agricultural workers and is not available to the applicant.

- *Query over whether there is in fact land available on the existing farmyard for an additional dwelling.* There is insufficient space on the Ingham's Farm residential site or the farmyard itself to accommodate a further dwelling, and the distance to the cattle barn would not allow for a swift response during an emergency. In addition, there is insufficient space on site to grow the business and accommodate more sheep and cattle, hence the creation of a further cattle barn on Hollow Way. The dwelling is proposed to support this expansion on land within the Napper's ownership, as Ingham's farm and its buildings (including across their other holdings) are reaching capacity.
- *Query over whether the land is in freehold ownership / leasehold has any bearing on the application*
The application site is owned by the applicant and therefore provides security of tenure. Full details of owned and tenanted/leased land was provided in the ADAS report, and was factored into the advice provided to officers by RAC.
- *Query over whether the land was established farmland prior to the erection of the agricultural barn in February 2022.*
The application site and adjacent fields have been in the ownership of, and farmed by, the Napper family since 2016. The creation of the cattle barn on the site in 2022 has created additional space to house sheep and cattle beyond the existing farm buildings that are getting close to capacity, and to allow for succession planning within the family business.

6.12 *Agricultural need conclusion*

An essential need has been demonstrated for an agricultural worker's dwelling to be located in a rural location, and the business to which the dwelling would be tied is well established and viable. While the site is already in agricultural ownership and is farmed, the increased farming of this site will contribute positively to growth of the business and succession planning within the family business. Other sites and private accommodation options have been explored and officers are satisfied they would not meet the identified essential need. The principle for an agricultural worker's dwelling in this location accords with paragraphs 80, 81 and 84 of the NPPF, policy CP4 of the LPP1 and policy DP6 of the LPP2.

6.13 **Landscape character and impact on the AONB**

The site lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Policy CP44 of the LPP1 requires high priority be given to conservation and enhancement of the natural beauty of the North Wessex

Downs AONB. The NPPF also seeks to enhance the natural and local environment by protecting and enhancing these valued landscapes (paragraph 174) and confirms great weight should be given to conserving the landscape and scenic beauty of such areas (paragraph 176). Section 85 of the Countryside and Rights of Way Act 2000 places a statutory duty on the Local Planning Authority to have regard to the purpose of conserving or enhancing the natural beauty of an AONB.

Lighting should be designed in accordance with the Institute of Lighting Professionals Guidance Note for the Reduction of Obtrusive Light for zone E1 which includes AONBs.

6.14 *Assessment of landscape impact*

In light of the concerns raised by Landscape Officer, officers have requested additional landscape information from the applicant and carried out a further site visit, having regard to long-reaching view points from beyond the site.

The applicant has highlighted that the site was chosen due to the dip in the landscape, and for the access from Holloway. In addition, it avoids being too far dispersed from Hollow Way and Upton Lodge, and does not extend beyond the buildings at Alden Farm further south.

It is accepted that the site is in an elevated position, and from the point where the dwelling is proposed, there are long-reaching views towards Didcot, and to the nearby ridge to the east (in the direction of Blewbury Hill). For this reason, it is understandable that there may be concerns over the landscape impact of a new dwelling in this location.

However, when stood on-site facing northwards (towards London Road), the site is almost entirely screened by trees and vegetation, obscuring views down to London Road, and from London Road looking up to the site. Views from the nearby ridge (to the east of the site / Blewbury Hill) may allow glimpses towards the site, but the trees along the site's eastern boundary, and the distance involved, would break up the built form of a single dwelling.

From London Road below, and on the approaches to the track, the Hollow Way ridge is viewed in the context of a tree line extending up the hill, which would completely screen the site. From the south of the site, towards the ridgeway, the site is set down in a dip, with the barn at a higher level to the rear and the field height to the west being elevated above the application site. The height of the dwelling would be no higher than the existing barn, in terms of its visibility above ground level. As a result, there is very little opportunity to see the 'dipped' part of the site from beyond the site.

The most significant impact would be from the Public Right of Way running immediately to the east of the site, and at a lower level. This is considered to be a very localised impact as the majority of the route is screened by vegetation. Where there are gaps in the hedge it is recommended that additional planting is provided. This can be secured through an enhanced landscaping scheme by condition.

The topography of the site, and surrounding vegetation, is such that the impact of a dwelling in this location would not be harmful to the landscape character or adversely affect the sensitive landscape of the AONB. Despite the elevated position of the site, it would be well ‘tucked’ into the dip of the land, and well screened on the other boundaries, and long-reaching views into the site would be viewed at a significant distance with areas of vegetation to break up the built form.

6.15 *Options appraisal for alternative sites*

During the course of the application an options appraisal was submitted to consider alternative sites, and to identify options that may be closer to the built form of the settlement (ie less isolated) or with a reduced landscape impact (ie. less elevated). For the reasons set out above, and in the agricultural needs section, officers accept that there is an essential need for a dwelling in this location, and other sites would not meet this essential need. In any case officers are of the view that the landscape impact of the proposal appropriately respects the sensitive landscape character of the AONB.

6.16 *Characteristics of residential development*

A new dwelling in such a rural location brings with it the risk of domestic clutter as a result of hardstanding, garden area, lighting, cars etc. Cumulatively, this risks introducing a harmful effect on the AONB. Plans indicate there is a distinction between garden area to the rear, and lambing paddocks behind the garden and in front of the house. Given the sensitive landscape character, it is reasonable to require a condition restricting garden paraphernalia to the residential area only, to avoid the lambing paddocks becoming domesticated over time. Similarly, a condition has been added to ensure the details of hardstanding, lighting and boundary treatments are provided, to ensure the character of these domestic features in a rural context is carefully managed.

6.17 *Landscape strategy and mitigation*

In order to integrate the dwelling appropriately into the rural setting, which is of even greater importance being in the AONB, an updated landscape strategy and mitigation is recommended to be secured by condition. In this way, the species most appropriate to the local area can be designed into the scheme, as well as maximising the opportunity for the infilling of gaps along the boundary.

6.18 *Landscape conclusion*

While the site is within the AONB, and high priority must therefore be given to conservation and enhancement of its natural beauty, the topography of the site, and surrounding boundary vegetation allows this sensitive character to be maintained. It is also recognised that agricultural uses are compatible within AONB landscape settings. The essential need for an agricultural dwelling adds weight to an isolated dwelling in this location, and the conditions detailed above would manage certain elements of the proposal which may otherwise result in harm to the landscape. Subject to conditions, the development conserves and enhances the setting and scenic beauty of the AONB, safeguards important views, and ensures light pollution can be appropriately managed, in accordance

with paragraphs 174 and 176 of the NPPF, Section 85 of the Countryside and Rights of Way Act 2000 and policy CP44 of the LPP1.

6.19 Design and character

CP37 of the Local Plan 2031 Part 1 states that new development must demonstrate high quality design that responds positively to the site and its surroundings, creating a distinctive sense of place through high quality townscape that physically and visually integrates with its surroundings. It adds that development must be visually attractive, and the scale, height, massing, and materials should be appropriate to the site and its surrounding context.

6.20 Given the building's sensitive location within the North Wessex Downs AONB, and that the principle is based on an agricultural need, the overall size and scale must respect the landscape character and topography of the site, and be no greater than is needed for that particular purpose.

6.21 The frontage comprises two 2-storey gable ends, with a central flat-roof section which is set down slightly. Relative to the topography of the site, the ridgeline is not expected to be higher than the cattle barn at the northern end of the site. The design of the property is broadly in keeping with rural worker's dwellings in the local area. The quality of the build will be achieved through the detailing, as shown on plans, and the quality of materials. For this reason conditions are recommended requiring a schedule of materials and site levels in relation to floor levels and ridgeline.

6.22 The proposed size and scale of the building is also considered acceptable in terms of its intended purpose. Reading Agricultural Consultants have advised that the size of the dwelling is commensurate with the needs of the farming business. In addition to living space it is reasonable for the property to include a farm office and some bio-security area (boot room, changing room, shower and toilet). In the interest of the applicant remaining in this location in the long-term in order to continue farming, while still meeting their family needs, a footprint of 210sqm is considered appropriate.

6.23 In terms of design, scale, height and massing, the proposed dwelling is appropriate for its intended use, and meets the requirements of policies CP37 and CP44 of the LPP1, the Joint Design Guide 2022, and policy DP6 of the LPP2.

Additional planning matters

6.24 Access and parking

The site is accessed via a field gate off Hollow Way. The main road, London Road (A417), is located 480m to the north, running adjacent to the village of Upton. The track serves a small number of properties, and Alden Farm 1.2km to the south-west of the application site. There is adequate space on site to accommodate 2 parking spaces, and cycle parking, for the 4-bed dwelling. Subject to details clarifying hardstanding for the parking provision and driveway, in respect of responding appropriately to the landscape setting, access and

parking provision are acceptable. (CP35 and CP37 of the LPP1, and DP16 of the LPP2)

6.25 *Residential amenity*

The closest buildings are associated with Upton Lodge, and The Coach House, some 240 metres north of the site. The track linking the application site and the closest buildings is well screened by natural vegetation. There is no intervisibility between the sites, and there would be no adverse impact on residential amenity, privacy or outlook. (DP23 of the LPP2)

6.26 *Flood risk and drainage*

The site is located within Flood Zone 1 and is therefore not at risk of flooding. The Drainage Engineer has recommended that surface water and foul water is managed by a suitably designed drainage scheme to be secured by condition. (CP42 of the LPP1)

6.27 *Ecology and biodiversity*

The proposal involves the development of agricultural land, in proximity to trees and hedging. While there may be opportunities for nesting and wildlife to establish habitats in vegetation surrounding the site, the site itself does not provide quality habitat for bats to roost, or wildlife to forage. The development of part of the site will result in a small loss in terms of biodiversity, and it is noted that bats have been identified in the surrounding area. It is therefore recommended that a biodiversity strategy (proportionate to the scale of the development) is secured by condition. Biodiversity enhancements should include bird and bat boxes, and native and wildlife friendly landscaping. (CP46 of the LPP1)

6.28 *Risk of land contamination*

Land at the application site may be at risk of land contamination because of the former Upton Lodge Landfill. The proposed residential development is regarded as a particularly sensitive use to any land contamination. For these reasons, the Contaminated Land Officer has advised that the developer should conduct adequate contaminated land investigations to ensure that the land is safe and suitable for the intended use. This is to be secured by condition. (DP27 of the LPP2)

6.29 *Community Infrastructure Levy*

The council's CIL charging schedule was adopted on 1 November 2017. CIL is a planning charge that local authorities can implement to help deliver infrastructure and to support the development of their area and is primarily calculated on the increase in footprint created as a result of the development. In this case, as the proposal involves the creation of a new dwelling the proposal would be CIL liable. (CP07 of the LPP1)

7.0 **CONCLUSION AND PLANNING BALANCE**

7.1 An established need has been demonstrated for an agricultural worker's dwelling in an isolated, rural location and in the North Wessex Area of Outstanding Natural Beauty. The principle for an agricultural worker's dwelling

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in this location accords with paragraphs 80, 81 and 84 of the NPPF and policy DP6 of the LPP2, and for this reason accords with the spatial strategy for the district and policy CP4 of the LPP1.

- 7.2 Subject to conditions, the development conserves and enhances the setting and scenic beauty of the AONB, safeguards important views, and ensures light pollution can be appropriately managed, in accordance with paragraphs 174 and 176 of the NPPF, Section 85 of the Countryside and Rights of Way Act 2000 and policy CP44 of the LPP1.
- 7.3 The development is acceptable in terms of design, character and materials, and would not adversely affect residential amenity. The proposal does not compromise highway safety with regard to access and parking, and details to be provided by condition will secure a suitable drainage strategy and biodiversity enhancement.
- 7.4 Subject to conditions, the development complies with development plan policies and the NPPF.

8.0 The following planning policies have been taken into account:

8.1 **Development Plan Policies**

Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:

- CP01 – Presumption in Favour of Sustainable Development
- CP03 – Settlement Hierarchy
- CP04 – Meeting Our Housing Needs
- CP07 – Providing Supporting Infrastructure and Services
- CP15 – Spatial Strategy for South East Vale Sub-Area
- CP35 – Promoting Public Transport, Cycling and Walking
- CP37 – Design and Local Distinctiveness
- CP42 – Flood Risk
- CP44 – Landscape AONB
- CP46 – Conservation and Improvement of Biodiversity

A Regulation 10A review (five-year review) for Local Plan Part 1 (LPP1) has been completed. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.

Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:

- DP06 – Rural Workers' Dwellings
- DP16 – Access
- DP21 – External Lighting
- DP23 – Impact of Development on Amenity
- DP27 – Land Affected by Contamination
- DP28 – Waste Collection and Recycling
- DP31 – Protection of Public Rights of Way

8.2 Neighbourhood Plan

The application site does not fall within a designated neighbourhood plan area. It is noted that the Blewbury Neighbourhood Development Plan boundary extends close to the eastern boundary of the site, but the site itself sits outside.

8.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

8.4 National Planning Policy Framework and Planning Practice Guidance

Paragraph 80 – Isolated homes in the countryside

Paragraph 81 – Economic growth and productivity

Paragraph 84 – Supporting a prosperous rural economy

National Planning Practice Guidance: ‘Housing Needs of Different Groups’
(July 2019)

8.5 Other Relevant Legislation

Section 85 of the Countryside and Rights of Way Act 2000 places a statutory duty on the Local Planning Authority to have regard to the purpose of conserving or enhancing the natural beauty of an AONB.

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.

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