

APPLICATION NO.	P21/V3123/FUL
SITE	Whitwick Grosvenor Road Oxford, OX2 9AX
PARISH	NORTH HINKSEY
PROPOSAL	Demolition of existing building comprising dwellinghouse and self-contained flat; erection of 3 no. 5-bed detached dwellings, each with parking, private amenity space, bin and bicycle storage. Improvements to vehicular access from Grosvenor Road. (As clarified by revised tree protection and service routes plan received on 7 January 2022 and Biodiversity Assessment received 8 March 2022 and as further clarified by full Biodiversity metric, photomontage and appeal note accompanying Agent's email dated 26 April 2022 and Plot size analysis received on 18 May 2022 & as amplified by Analysis Draft v2 - AO & Plot Size Analysis Plan Rev A received 18 May 2022). (As amended by drawing nos 20130 - PV0010 - C and 20130 - PP1011 - C altering access arrangements.)
WARD MEMBER(S)	Debby Hallett Emily Smith
APPLICANT OFFICER	Leywood Estates Ltd Sharon Crawford

RECOMMENDATION

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

Standard

- 1. Commencement of development within 3 years**
- 2. Development in accordance with approved plans**

Pre-commencement

- 3. Landscaping scheme**
- 4. Tree Protection details**
- 5. Biodiversity off-setting certificate**
- 6. Biodiversity enhancement details**
- 7. Construction traffic management plan details to be approved**

Pre-occupation

- 8. Materials in accordance with submitted details**
- 9. Surface and foul water in accordance with submitted details**
- 10. Provision of access and vision splay in accordance with approved plan**
- 11. Provision and retention of accesses and parking**

12. Provision of electricity charging points

Informatives

CIL

Bats

Wild birds

Standard Informatives for the protection of electricity and gas infrastructure

1.0 INTRODUCTION AND PROPOSAL

1.1 This application is referred to Planning Committee at the request of Ward Councillor Debby Hallett.

1.2 The site and wider area are identified on the map extract **attached** at **Appendix 1**. Whitwick is a two-storey detached dwelling dating from the early 1960s. It also includes a self-contained two-bedroom flat which has existed on the site since the mid 1960's. Whitwick is set in a substantial plot of some 0.4h (1 acre) in size. It sits on the edge of the settlement on Harcourt Hill and it slopes from the highest point on the west of the site down to the lowest point in the east of the site. The site is not in the Oxford Green Belt but is adjacent to the Green Belt boundary with the open countryside to the south being within the Green Belt.

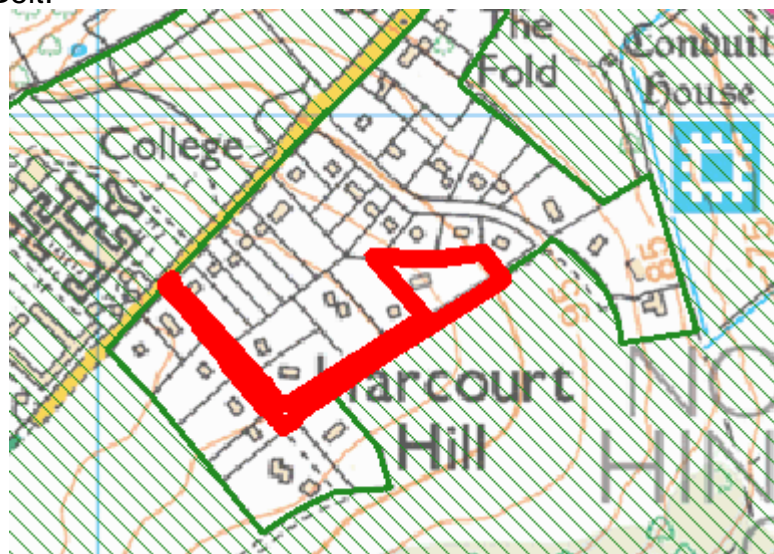


Figure 1 – Green Belt is hatched

1.3 **The Proposal.** The application seeks full planning permission for 3 no five-bedroom dwellings. The dwellings would be two storeys in height and constructed in red brick and timber boarding for the walls under slate roofs. Plots 2 and 3 include integral, double garages and Plot 1 having a detached, single garage. Each property has its own access with parking and turning facilities to the front and a private amenity area to the rear. Bin storage facilities are also provided. Reduced copies of the plans accompanying the application are **attached** at **Appendix 2**.

Proposed layout



Figure 2 – extract from drawing no 20130-PP1011-C

Proposed street scene



Figure 3 - extract from drawing no 20130-PV0010-C

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS on the original submission and the amended details.

- 2.1 **North Hinksey Parish Council -** North Hinksey Parish Council objects to this application on a number of grounds. The main issue is that the application is trying to squeeze three dwellings and an access road onto a one-acre site that should only accommodate two dwellings. This is an area where neighbouring properties are in plots of around an acre. The application contravenes a number of key planning documents:

VWHDC Core Policy 37: Design & Local Distinctiveness dictates that the design should respond positively with the local surroundings and enhances historic character. The

density applied for here means that each dwelling will be much closer together and have far less space than the surrounding properties. North Hinksey Neighbourhood Plan: Policy HS1: Policy HS1 Characteristics of New Housing dictates that new housing should respect & enhance their surrounding neighbourhood. It is also felt that:

The access and parking arrangements for the site are insufficient for an application for 3, five-bedroom dwellings. The inclusion of only a single garage is insufficient for a five-bedroom home on plot 3.

The driveway arrangement is overly long and does not provide sufficient space for delivery and service vehicles to operate in a safe manner. This contravenes Development Policy 16 in the VWHDC Local Plan Part 2. This access road and driveway arrangement does not comply with VWHDC Local Plan Part 2, Development Policy 28 which dictates that a new development should provide adequate facilities for sorting, storing and the collection waste and to further encourage sustainable waste management initiatives.

Overall, the site could be developed in a manner to accommodate dwellings that are sympathetic to their surroundings.

Countryside Officer

The submitted metric assessment has concluded that development will result in a net loss of biodiversity (0.24 units). This net loss will need to be offset in order to meet the no net loss requirement outlined in the development plan. As such, subject to a condition to secure biodiversity offsetting, I have no objections to this application.

Drainage

In accordance with document Flood Risk Assessment and Drainage Strategy.pdf and the attached infiltration document, I would have no objections to planning permission being granted.

Forestry Officer

The applicant has submitted an amended proposed site plan changing the proposed access. I have no objections to this from an arboricultural perspective. As the Tree Protection Plan was based on a previous layout a new tree protection plan will be required. This can be submitted as part of the application for review, or a condition can be attached.

OCC Highways Liaison Officer

The application site is located along Grosvenor Road, a private road which is not maintained by the Oxfordshire County Council as Local Highway Authority. Having

assessed the submissions, it is my view that the proposed development is unlikely to result in any adverse implications upon the safety and convenience of the highway network which in this instance is Harcourt Hill. No objection subject to conditions for access and parking and construction traffic.

**SGN Plant
Protection Team**

Standard Informatives for the protection of electricity and gas infrastructure.

**Oxford
Preservation
Trust**

Oxford Preservation Trust own the area of open space immediately adjacent to the south of the application site. This was acquired by the Trust in 2016 with money raised through our membership and local residents, in order to protect this area of open green space, which we proudly keep open to the public. The people of Oxford can now enjoy the green setting and views of the city throughout the year, which has been a particularly important benefit over the past two years. The current feel and character of this area of OPT land is predominantly one of a rural nature, with open countryside to the south east, south and south west, and low density residential development to the north. When visiting and using the site, it feels as if you are within Oxford's countryside beyond the edge of the built city. Whilst the application site is not located within Oxford's Green Belt, it is located immediately adjacent to it and any development within this site has the ability to affect the openness of this protected area. Core Policy 13 within the adopted Vale of White Horse Local Plan is clear in that development should not be permitted if it would harm the openness of the Green Belt. Whilst the application site itself is not located within the protected area, it is immediately adjacent to, and visible from it, and therefore any inappropriate development here has the ability to detrimentally impact upon the character of the wider area. In this instance, this part of Harcourt Hill is characterized by large detached dwellings located within generous plots with mature planting – this helps create a rural character to the wider area. The addition of three large detached dwellings, within a single plot would be at odds with the spacious layout and character of surrounding development.

**Neighbour -
Objections (11)**

We welcome the principle of re-development but the three substantial 5 bedroom houses are not sympathetic to the surrounding area. This is an awkward wedge-shaped plot and the siting of the houses is poor in relation to each other and appear squeezed onto the plot – they are too close to each other and to the boundaries. Development should be limited to two new dwellings on this site.

This unsuitable over development of this site with no thought to the layout and design to be in keeping with the other neighbouring properties who are all built on larger plot sizes.

We must strongly object to the amendment of the plans, again, purely to accommodate inappropriately, three houses at the expense of the privacy of neighbouring properties.

THREE houses on the 1-acre plot creates both a density that is not in keeping with the surrounding area and a greater physical presence than existing development around it, especially having regard to the TWO houses on Vernon Avenue whose rear boundaries meet with the rear boundary of the Whitwick plot. It is this density that is therefore harmful to the character of the area.

The proposed houses are all of similar design to each other, which is out of keeping with the variety of designs in the rest of the neighbourhood. • There is no indication of energy-saving measures such as heat pumps. • The proposed access to the plot(s) is inadequate; there should be separate access from Grosvenor Road to each house. • Grosvenor Road should be tarmaced, to enable separate access and to prevent increased rainwater run-off, which would increase the scouring of Grosvenor Road and deposition of material on Vernon Avenue. Tarmacing is desirable in the event of approval of two houses on the site; and essential if approval is given for three houses.

The revised layout removes much of the roadside boundary vegetation so the claim that there are a significant number of trees and mature vegetation related mainly to the site boundaries which provide robust screening to neighbouring properties is untrue

The proposed scheme is at odds with the character and appearance of the surrounding area and contrary to Development Plan policies, including Neighbourhood Plan policy HS1, which require new development to respect and enhance the character of the area in which they are located. The character appraisal for Harcourt Hill indicates that the redevelopment of large plots and their densification is detrimental to the overall character of the area.

My amenity would be seriously compromised if the plans go ahead. The view from my house and garden includes trees on the Whitwick site, which if removed, would destroy the sylvan nature that is an important feature of this area with its valuable contribution to wildlife and the natural environment. As a walker, I am concerned for safety along

Grosvenor Road. I walk along it every week, and rather than it being a road, it is in unmade track with no pavements. Any increase in traffic, which would be inevitable with increase in density of housing, would necessarily increase risk to pedestrians.

3.0 **RELEVANT PLANNING HISTORY**

3.1 **P22/V0470/FUL – New Barn, Stanton Road – site identified at Appendix 1**
Approved (17/06/2022)

The erection of a single detached two-storey dwelling with associated driveway, parking area, bin store and hard and soft landscaping.

[P20/V0560/FUL](#) – **Gateways, Stanton Road**, Appeal decision **attached** at **Appendix 3**

Refused (11/05/2020) - Appeal dismissed (01/10/2020)

Construction of a new two storey house with double garage, drive and hardstanding areas, new plot division fence. New access onto Stanton Road.

3.2 [P18/V2043/PEM](#) – **Whitwick**

Advice provided (03/12/2018)

2 new residential dwellings and 1 new access onto Grosvenor Road.

3.3 **Screening Opinion requests**

None.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The site is not in a sensitive area, and the scale of development would not require an Environmental Impact Assessment.

5.0 **MAIN ISSUES**

5.1 The main issues in this case are:

- **The principle of development**
 - **Housing strategy**
 - **Green Belt impact**
- **Design and character**
- **Housing density**
- **Residential amenity of neighbours**
- **Residential amenity of occupants**
- **Access and Parking**
- **Housing mix**
- **Trees**
- **Ecology**
- **Community Infrastructure Levy**
- **Other issues**
 - **Flood risk and drainage**
 - **Waste**

5.2 **The principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. Where development conflicts with the Development Plan planning permission should be refused unless material considerations indicate otherwise.

5.3 Where the development plan has no relevant policies on a particular matter then planning permission should be granted unless the National Planning Policy Framework (NPPF) includes policies that protect an area or asset of particular importance which provide a clear reason for refusing the development (Paragraph 11.d i). Policy CP1 of LPP1 echoes this advice and strives to achieve sustainable development.

5.4 In the case of this application, the most relevant parts of the Development Plan are the Vale of White Horse Local Plan 2031 parts 1 and 2 (LPP1 and LPP2) and the North Hinksey Neighbourhood Plan (NHNP).

5.5 **Housing Strategy.**

Policy CP3 of the LPP1 defines the settlement hierarchy for the district. Harcourt Hill lies within Botley/Cumnor Hill area in the settlement hierarchy which is classified as a Local Service Centre. Policy CP4 of the LLP1 provides for a presumption in favour of sustainable development within the built area of Local Service Centres – this includes new housing.

5.6 Local Service Centres benefit from a level of facilities and services and local employment to provide the next best opportunities for sustainable development outside the Market Towns, provided that, amongst other things, the dwellings do not harm the character of the area through layout, mass and design. Given this spatial strategy, the principle of providing new dwellings on the site is considered acceptable, subject to compliance with other policies and material planning considerations, which will be assessed below.

5.7 **Green Belt Impact.**

Whilst the site is not within the Oxford Green Belt, it is immediately adjacent to the Green Belt. Policy CP13 of the LPP1 aims to control development in the Green Belt. Harcourt Hill and Botley are inset to the Green Belt; They have been specifically excluded from the Green Belt to allow for development within their built-up areas. It should be noted that other new dwellings have been allowed in the immediate vicinity of the application site with similar relationships to the adjacent Green Belt; most notably at New Barn, Stanton Road, under ref P22/V0470/FUL (see location marked at Appendix 1)

5.8 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Development on the edge of the Green Belt

can have some impact on the setting of the Green Belt but this can only be determined on a case-by-case basis.

- 5.9 In this case, The Oxford Preservation Trust have expressed some concern about the proposal. They appreciate that the application site itself is not in the Green Belt but is visible from it. They consider that any inappropriate development on the application site has the ability to detrimentally impact upon the character of the wider area. They consider that this part of Harcourt Hill is characterized by large, detached dwellings located within generous plots with mature planting – this helps create a rural character to the wider area. The addition of three large, detached dwellings, within a single plot would be at odds with the spacious layout and character of surrounding development in their view.
- 5.10 In this case, officers consider that the site is clearly distinct from the open land to the south within the Green Belt, due to the strong boundary created by Grosvenor Road and the hedging and trees enclosing the gardens of the residential dwellings along the road. Other than creating space for two new access points, the proposal retains much of the hedge and vegetation on the front boundary of the site. In addition, the building line for the three dwellings is staggered; the plot 1 dwelling is set some 35 metres back from Grosvenor Road, the plot 2 dwelling set back some 15m on a skewed angle and the plot 3 dwelling is set back some 11m from Grosvenor Road. The stagger in the building line, the retention of most of the vegetation on the front boundary and the distance of the dwellings from the road provide sufficient space and landscaped setting to limit the impact on the setting of the Green Belt.
- 5.11 Officers consider that the proposed dwellings would not harm the openness and rural character of the area nor appear dominant or inappropriate in views from the Oxford Green Belt. There is considered to be no conflict with the Development plan in respect of Green Belt policy and the proposal is acceptable in this respect.
- 5.12 **Design and character.**
Core Policy 37 of the adopted LPP1 requires new development to be of a high-quality design that is visually attractive and responds positively to the site and surrounding area. The Joint Design Guide provides a further guidance on how to achieve high quality, well-designed homes such as identifying the context of the site and how this should inform the development. Policies HS1, HS2 and HS3 of NHNP seek to control the design, scale and density of new housing, to ensure it is sympathetic to the character and appearance of the area where it is sited. The site lies within the Harcourt Hill Character Area as defined in the North Hinksey Parish Character Assessment. This notes the green spacious character of the area and the lower density nature of the individual houses.

- 5.13 The NHNP character assessment describes Harcourt Hill as follows;

The overall impression of Harcourt Hill is of an extremely green and leafy private estate surrounded by open spaces and the Green Belt, containing predominantly very large family homes well set back from the roads, often hiding behind high hedges, fences or walls. The ambience leans towards exclusivity and a wish for privacy rather than an inclusive, neighbourly village.

Figure 4 – extract from page 52 of the NHNP Character assessment

The dwellings are described as;

The housing is predominantly large (four bedrooms and upwards), but low level, with few buildings rising above two storeys. There is a huge variety of building materials and designs on display resulting from nearly a century of ongoing development and redevelopment within the area, primarily by individuals with money building single properties, rather than by developers building larger scale estates.

Figure 5 – page 53 extract

It also warns against the following types of development.

A number of large plots within Harcourt Hill have been redeveloped in recent years with pleasant older houses being replaced by rather bland and bulky designs of house which do not sit comfortably with their neighbours. If this were to continue it could become highly detrimental to the overall character of the whole area. When this type of redevelopment also involves the removal of trees and other greenery the negative impact can be significantly magnified.

Figure 6 – Page 56 extract

- 5.14 In this case the existing property dates from the early 1960's; it is typical of its time of construction and is of no particular merit in terms of design nor materials. It does however sit on a very large plot with the density being 5 dwellings per hectare (dph) based on the two units on site at present. There are no objections to the replacement of the existing dwelling and self-contained flat.
- 5.15 The Council considers applications for the redevelopment of single dwellings in this area very carefully. Each application is assessed on its individual merits and where proposals would harm the character of an area, planning permission is refused. An appeal decision is **attached** at **Appendix 3** for the subdivision of a corner plot on Harcourt Hill and Stanton Road. The appeal was dismissed because the resultant plot was significantly more shallow than other plots on Stanton Road. As a consequence, the proposed dwelling was closer to the road than other properties and would have appeared more prominent than other surrounding buildings giving the impression that it was shoehorned into the site. Officers consider that the current proposal is materially different because the dwellings are set well back into their plots, have generous front gardens and there is a staggered building line. All these factors are considered to help with mitigation of the impact of the current proposal.
- 5.16 The design of each proposed dwelling is different but there are consistent features throughout in terms of materials and overall style to provide a cohesive form of development. Each dwelling is well articulated with wings of different heights etc to break up the mass of buildings.

- 5.17 Each property has a generous front garden and there is a stagger in the building line, these ensure that the new dwellings will be located back within their plots, retain a significant space around them, and they will continue to sit within verdant surroundings. These features comply with the Harcourt Hill character area.
- 5.18 The proposed materials and design generally accord with advice in the Joint Design Guide and will add to the existing varied character in the area. The proposal is not considered to have a detrimental impact on the character of the surrounding area. The proposal is therefore considered acceptable in terms of design and complies with policy CP37 of LPP1 and with policies HS1, HS2 and HS3 of NHNP.
- 5.19 **Housing density/layout.**
Paragraph 119 of the NPPF states that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”*
- 5.20 Paragraph 124 of the NPPF goes on to say that when assessing whether development makes efficient use of land the following should be taken into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.
- 5.21 To ensure an efficient use of land, Policy CP23 of the LPP1 and Policy HS3 of the NHNP seek to ensure that a minimum density of 30 dwellings per hectare is provided on all new developments. However, both policies make clear that where specific local circumstances indicate that a density of 30dph would have an adverse effect on the character of the area then densities should be lower. In the NHNP character assessment Harcourt Hill is noted for its low density.
- 5.22 Many of the objections from the parish and neighbours relate to the increase in the density of the development. Objectors point out that this is an awkward wedge-shaped plot, and the siting of the houses is poor in relation to each other and appear squeezed onto the plot; they are too close to each other and to the boundaries. Objectors would prefer a redevelopment for two new dwellings on this site. The overriding view is that the current proposal is an unsuitable over development of this site with no thought to the layout and design.

- 5.23 It is clear that a density of 30dph, as normally required by Policy CP23 of the LPP1 and Policy HS3 of the NHNP, would be totally inappropriate in this location. The prevailing character of the area requires that a lower density development is necessary to safeguard the verdant and spacious character of the area.
- 5.24 The existing density on the site is 5 dph based on the two units on site at present. The dph for the three dwellings proposed is some 7.5 dwellings; this is still relatively low and well within the density parameters for Harcourt Hill. Officers consider that the plot sizes remain generous and would not detract from character of the area and accord with Policy CP23 of the LPP1 and Policy HS3 of the NHNP.
- 5.25 **Residential amenity of neighbours**
Policy DP23 of LPP2 seeks to protect the amenities of neighbours from harmful development. It is considered that the proposed dwellings would not give rise to any detrimental impacts on residential amenity for existing or future occupiers. All of the proposed dwellings are situated some distance away from the nearest neighbouring dwellings and in excess of the minimum distances required in the Joint Design Guide. In addition, the mature trees and hedging on the shared boundaries are to be retained and these will provide significant screening between buildings. The proposal is therefore considered acceptable in this regard.
- 5.26 **Residential amenity of occupants.**
The Joint Design Guide requires that all new dwellings have an adequate provision of private outdoor garden space. The garden size is dictated by the number of bedrooms and minimum garden sizes are prescribed. For 5-bedroom dwellings the private amenity area should be at least 100 sqm in size. The proposed plots are large and easily exceed the minimum standard – all are well over 300sqm. The proposal accords with Joint Design Guide advice.
- 5.27 **Access and parking**
With respect to highway safety matters the advice from Central Government set out in the National Planning Policy Framework (NPPF) makes it clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.
- 5.28 The term severe is locally interpreted as situations, which have a high impact, likely to result in loss of life, or a higher possibility of occurrence with a lower impact.
- 5.29 Policies CP35 and CP37 of LPP1, policy DP16 of LPP2 require all development to have safe access and adequate parking. Policy TR1 and TR2 of NHNP encourage safe access to development, adequate parking, secure storage of cycles, and electric vehicle charging points.
- 5.30 Grosvenor Road, is a single track, private road with no footways and it is not maintained by the Oxfordshire County Council as Local Highway Authority. The

made surface finishes just before the access point to Whitwick to the south west of the site. From Whitwick to the junction where Grosvenor Road meets Vernon Avenue the road surface is rutted and unmade.

- 5.31 There are currently two lawful dwellings on the site, the main house and a self-contained flat. The proposal increases the number of units on site from 2 to 3 units and, whilst there will be some increase in traffic generation, officers consider it will not be significant.
- 5.32 Amended plans have been submitted to provide separate access points for each dwelling. The site currently benefits from one vehicular access onto Grosvenor Road and this will become the access point for the plot 3 dwelling. Two further access points are to be provided, one each for plots 1 and 2. Provision for on-site parking for at least three cars per plot and turning areas would be located to the front of the plots. Garages for each dwelling are provided to the side of the dwellings and the garages provide covered/secured bike storage.
- 5.33 The parish council consider that the access and parking arrangements for the site are insufficient for 3, five-bedroom dwellings. They also consider that a single garage for plot 1 is insufficient for a five-bedroom home on plot 3. Neighbours have commented that an increase in traffic is inevitable and increases the risk to pedestrians. Neighbours have also suggested the Grosvenor Road should be tarmacked to prevent increased rainwater run-off, which would increase the scouring of Grosvenor Road and deposition of material on Vernon Avenue. They consider that tarmacing is desirable in the event of approval of two houses on the site; and essential if approval is given for three houses.
- 5.34 The Highways Officer has been consulted and raises no objection to the proposal. It is their view that the proposed development is unlikely to result in any adverse implications upon the safety and convenience of the highway network which in this instance is Harcourt Hill. OCC highways have no control over private roads and conditions in relation to the road surface cannot be applied. However, the design and access statement does make reference to substantial upgrading on Grosvenor Road to improve the current situation. Having regard to the characteristics of the local road network which lead to slower speeds of traffic, the highways officer has no objection to the proposal subject to conditions to secure a safe access, parking and the management of construction traffic. A condition is also suggested to provide electric vehicle charging points.
- 5.35 Subject to the proposed conditions, the proposal would not have a detrimental impact on highway safety and therefore complies with relevant policies in the Local Plan and the Neighbourhood Plan.
- 5.36 **Housing mix.**
Policy CP22 of the LPP1 seeks to ensure that the right mix of housing sizes, types and tenures are provided on all residential development sites and should be in accordance with the Council's current Strategic Housing Market

Assessment (SHMA). Policy HS5 of the NHNP requires proposals to address housing need by providing accommodation for identified groups (key workers, young/old people, disadvantaged groups etc).

- 5.37 The proposal does not provide a mix of units; all 3 units are five-bedroom dwellings and the scheme is not SHMA compliant. However, as members may recall from previous applications, officers consider it is unreasonable to expect a housing development on a relatively small site, for a small number of dwellings, to comply with the district-wide strategic housing mix contained in the SHMA. Moreover, smaller 2 and 3 bed dwellings on this site would be distinctly out of keeping with the character of the surrounding larger dwellings and would not be an efficient use of land given the low densities in the area. The character of the lower density character of the vicinity constitutes material circumstances that should be taken into account. Therefore, it is considered that the conflict with the development plan in terms of housing mix is outweighed by the need to secure development in keeping with the character of the area.
- 5.38 **Trees**
Policy CP44 of Local Plan Part 1 seeks to protect important landscape features and ensure that new landscaping helps to successfully integrate new development.
- 5.39 The site is bound by a number of mature trees and hedgerows, a number of trees are set to be removed as part of the development, these trees due to their condition and limited quality are of insufficient value to warrant retention. The Forestry Officer initially raised concern with the proposal due to the lack of information submitted. Additional information was submitted to show service routes. The Forestry Officer now raises no objection to the proposal subject to conditions (tree protection and landscaping). The tree protection condition ensures the satisfactory protection of retained trees. The landscaping condition would secure the details of tree planting on the site, to help assimilate the proposal into its surroundings and mitigate the proposed tree removal. Therefore, the proposal is considered to comply with policy CP44.
- 5.40 **Ecology.**
Policy CP46 of LPP1 and policy GS2 of NHNP seek to avoid adverse impacts on ecological receptors (protected species, priority habitats, designates sites, etc.) and secure net gains for biodiversity and is consistent with paragraph 174, 179 and 180 of the NPPF. Where impacts are predicted, proposals must meet the tests (related to need, benefit, and reasonable alternatives) outlined under policy CP46 to be acceptable. Net losses to biodiversity will not be supported
- 5.41 Following initial concern from the Countryside Officer a biodiversity metric assessment has been submitted. The submitted metric assessment has concluded that development will result in a net loss of biodiversity (0.24 units). Subject to a condition requiring a certificate confirming the agreement of an Offsetting Provider to deliver a Biodiversity Offsetting Scheme totalling a minimum of 0.24 biodiversity units off site, the Countryside Officer has no objection to the scheme. A condition to secure this provision has been included

in the recommendation and has been agreed with the agent. The proposal would accord with local plan policy CP46 and GS2 of NHNP

5.42 **Other issues**

Drainage

Policy CP42 of LPP1 and policy UT1 of NHNP seek to minimise risk of flooding. The proposal has been assessed by the council's Drainage Officer. They are satisfied with the submitted drainage strategy and a condition has been recommended to provide foul and surface water drainage in accordance with the submitted details.

5.43 Waste

Policy DP28 of LPP2 relates to satisfactory provision for waste storage and collection. Each dwelling is provided with adequate bin storage.

5.44 **Community Infrastructure Levy (CIL)**

The council's CIL charging schedule was adopted on 6 October 2021. 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.

5.45 CIL liable for new residential development and this scheme will provide a sum of **£233,240.00**. 25% of the CIL money will go directly to the Parish Council to fund projects in the parish because there is a made neighbourhood plan.

6.0 **CONCLUSION AND PLANNING BALANCE**

6.1 This application has been assessed on its merits and determined in accordance with the development plan unless material considerations indicate otherwise. This council has a five year supply of housing land and the development plan accords with the NPPF. Consequently, as the Local Plan policies are fully consistent with the NPPF and housing supply policies are not out of date, they attract full weight.

6.2 The proposed dwellings would be within the built-up area of Botley and Cumnor Hill, there would be no detrimental impact on residential amenity or highway safety. The design and scale of the dwellings fits in with the varied character of the area and the density remains relatively low and will not be out of kilter with the prevailing density on Harcourt Hill. The proposal is not considered to have a detrimental impact on the character of the surrounding area nor the Oxford Green Belt. Impact on neighbours, highway safety, important trees and ecology are all considered to be acceptable. Whilst there is some conflict with the development plan in terms of housing mix this is outweighed by trying to secure a type and scale of development in keeping with the surrounding area. There are no technical objections to the proposal, subject to appropriate conditions.

6.3 Overall, the proposed development is considered to comply with the relevant policies within the Development Plan, the North Hinksey Neighbourhood Plan and the NPPF. Officers therefore recommend that planning permission is granted for the proposed development.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 part 1 (LLP1) policies:

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP13 - The Oxford Green Belt
- CP22 - Housing Mix
- CP23 - Housing Density
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP44 - Landscape
- CP46 - Conservation and Improvement of Biodiversity

Vale Local Plan Part 1 Review:

A Regulation 10A review for Local Plan Part 1 (LPP1) was completed in December 2021, evaluating LPP1's policies for their consistency with national policy, considering current evidence and any relevant changes in local circumstances. 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 (LLP2) policies:

- DP02 - Space Standards
- DP16 - Access
- 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
- DP28 - Waste Collection and Recycling

North Hinksey Neighbourhood Plan was made on 18 May 2021. The relevant policies are:

- HS1 – Characteristics of New Housing
- HS3 – Housing Density
- HS5 – Balance of Housing Types
- TR1 – Cyclists, Pedestrians and Public Transport
- TR2 – Parking, Access and Vehicle Charging
- GS2 – Biodiversity, Wildlife Corridors, TPOs and Tree Canopy Cover
- GS3 – Locally important Views – VP3 from Harcourt Hill Fields towards Oxford.

Supporting document – North Hinksey Character Assessment Jan 2018 –
Section 9. Harcourt Hill Area

Supplementary Planning Documents (SPD)

South and Vale Joint Design Guide – 2022

Other material documents/considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Other Relevant Legislation Due regard has been had to the following legislation;

- Community & Infrastructure Levy Legislation
- Human Rights Act 1998
- Section 149 of the Equality Act 2010
- Section 17 of the Crime and Disorder Act 1998
- Town and Country Planning (Development Management Procedure) (England) Order 2015 (amended)

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