

Case Officer: James Kirkham

Applicant: Hook Norton Community Land Trust

Proposal: Erection of 12no Passivhaus homes along with associated works including community building, landscaping, parking, vehicular and pedestrian accesses

Ward: Deddington

Councillors: Cllr Hugo Brown, Cllr Mike Kerford-Byrnes and Cllr Bryn Williams

Reason for Referral: Major development and the application affects Council's own land

Expiry Date: 4 May 2020

Committee Date: 21 May 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

GRANT PERMISSION SUBJECT RESOLUTION OF DRAINAGE AND PLANNING OBLIGATIONS MATTERS AND SUBJECT TO CONDITIONS AND S106 LEGAL AGREEMENT

Proposal

The proposal is for the erection of 12 contemporary dwellings on a parcel of land in the built limits of Hook Norton. The application is proposed by a Community Land Trust and would provide 8 affordable dwellings. A small community centre is also proposed.

Consultations

The following consultees have raised **objections** to the application:

- OCC Drainage

The following consultees have raised **no objections** to the application:

- CDC Planning Policy, CDC Ecology, CDC Environmental Protection, CDC Strategic Housing, CDC Tree Officer, OCC Highways, Thames Water, Sport England

The following consultees have **made comments** on the application:

- CDC Landscape, CDC Leisure and Recreation., OCC Education, Thames Valley Police

5 letters of objection have been received and 1 letter of support have been received.

Planning Policy and Constraints

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan, Hook Norton Neighbourhood Plan and other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issues arising from the application details are:

- Principle of development
- Impact on the character and appearance of the area and design

- Highways
- Residential amenity
- Affordable housing and housing mix
- Ecology and landscape
- Infrastructure
- Other matters

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to the resolution of the outstanding issues and subject to conditions and a legal agreement.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

1.1. The application site is an area of undeveloped land and garden land to the north west of Hook Norton. The site is bounded to the north by the new Bourne View housing estate, the 1950s Bourne estate to the east and south and the sports fields, including flood lit multi-use games areas (MUGA) and tennis courts, to the west. A large part of the site is currently overgrown and there is some planting to the northern and western boundaries. A drainage ditch runs to the west of the site. The site is relatively level but is on slightly lower ground than the new development to the north.

2. CONSTRAINTS

2.1. Whilst not a planning constraint the Council owns part of the site and has agreed to sell it to the applicant subject to it providing affordable housing along with a number of other conditions.

2.2. The site is located within the Hook Norton Neighbourhood Plan area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. The current application seeks full planning consent for the erection of 12 Passivhaus homes on the site along with a community building, parking and landscaping. The scheme is being put forward by Hook Norton Community Land Trust, which is a not for profit Community Benefit Society. The aim is to provide a low carbon scheme to meet local housing needs. 8 of the 12 houses would be offered as Affordable Housing.

3.2. The development consists of two blocks of residential accommodation. A 2.5 storey building to the north eastern part of the site (the 'northern terrace') would form 8 dwellings. These would each be 2 bed units arranged over 2 floors (with the first floor split shared between the units). The upper floor flat would have access to a first floor balcony to the south and the lower floor unit would have access to a private rear garden to the north.

3.3. A further residential block would be located to the south west of the site. This would be 2.5 storeys and would accommodate 2 x 3 bed units on the lower floors (ground and first) and 2 x 1 bed units on the upper floors (first floor and roof space).

- 3.4. The residential units would be externally faced in natural ironstone on the lower floors with timber cladding on the upper floors. They would have metal balconies to the front and photovoltaic solar panels on the roof.
- 3.5. The development also includes the provision of a small community building to the south east of the site constructed of ironstone and timber cladding with a pitch slate roof and a sedum flat roof to the rear. This consists of two buildings joined together by a curved roof. The northern part of the building would consist of a community building which would be open to residents of the development and the wider community and would be available for a range of small community uses and events. It also includes a laundry facilities and guest bedrooms for the occupiers of the proposed development. These would be solely for the use of residents of the development and their guests. The other element of the building includes a small workshop space for residents of the development and wider community to rent out for DIY/art/making projects on a non-commercial basis. These elements of the scheme relate strongly to the applicant's desire to have a more communal sense of living than a traditional housing development.
- 3.6. The proposal also includes the provision of an area of public open space to the centre of the site, which is intended to become a new village green, and the provision of a shared greenhouse and growing beds (small allotment) for the development.
- 3.7. Vehicular access into the site would be from the north, via Cascade Road. Cascade Road is constructed up to the site boundary and will be extended into the site. 17 parking spaces would be provided in the main car park to the western part of the site and a further disabled space would be located to the east of the site.
- 3.8. New pedestrian connections are also proposed to the other areas of the village including access to the sports club to the west, The Bourne to the south east and Cascade Road to the north.
- 3.9. A flat roof sedum roofed storage building is proposed adjacent to the car park and would accommodate cycle parking, bin stores and individual storage units for the upper floor flats. In the north-west corner of the site a further building is proposed which would accommodate the infrastructure for the provision of a microgrid and batteries proposed at the site. These would be constructed predominately with timber cladding and have planted flat roofs.

4. RELEVANT PLANNING HISTORY

- 4.1. There is no planning history directly relevant to the proposal. However, the following is relevant:

Land to the west of site

02/01224/F – 3 new tennis courts and 1 multi-use games areas both with surround and lighting – Permitted

02/01223/OUT and 04/00060/REM – Reserved matters application ref.: 02/01223/OUT for erection of new pavilion, car parking, landscaping and access road – Permitted

04/02308/F - Erection of sports wall 10 metres long, 3 metres high, construction of tarmac playing area 10 x 14 metres, erection chain link fence 3 metres high to the eastern perimeter of tarmac – Permitted

05/00581/F – Erection of new floodlighting for existing (old) football pitch – Permitted

12/00301/F – Variation of conditions 4 and 5 of 02/01224/F – Hours of use and lighting hours – Permitted. This included to the following conditions:

1 That the tennis courts shall not be used between the hours of 22:00 and 08:00 and not before 09:00 on Sundays and Bank or Public Holidays.

2 That the multi-use games area shall not be used between the hours of 21:30 and 08:00 and not before 09:00 on Sundays and Bank or Public Holidays.

3 That the floodlighting for the tennis courts shall not be used between the hours of 22:00 and 08:00 and not before 09:00 on Sundays and Bank or Public Holidays.

4 That the floodlighting for the multi-use games area shall not be used between the hours of 21:30 and 08:00 and not before 09:00 on Sundays and Bank or Public Holidays.

4.2. Land to north of the site

11/01755/OUT – Outline planning permission with all matters reserved for the erection of up to 70 dwellings (Class C3), public open space including a play area/amenity space and a balancing pond, associated earthworks to facilitate surface water drainage, landscaping, car parking, a pumping station and other ancillary works – Appeal Allowed and followed by 14/00379/REM

5. **PRE-APPLICATION DISCUSSIONS**

5.1. The following pre-application discussions have taken place with regard to this proposal:

5.2. 19/01919/PREAPP – Erection of 15 new dwellings and community hall – It was noted that the principle of a small scale development on the site may be acceptable. However, significant reservations were raised regarding potential conflict between the adjacent multi-use games area and the proposed development. Concerns were raised over the impact on landscaping to the boundaries, parking provision and design. Clarification was also requested on the level of affordable housing proposed and additional information was required in respect of a number of areas including flood risk and ecology. The current scheme before the Council has been significantly altered compared to the proposal presented at pre-app.

6. **RESPONSE TO PUBLICITY**

6.1. This application has been publicised by way of a site notices displayed near the site, by advertisement in the local newspaper, and by letters sent to properties immediately adjoining the application site (with the exception of those just adjoining the existing access road) that the Council has been able to identify from its records. The final date for comments was **4 March 2020**, although comments received after this date and before finalising this report have also been taken into account.

6.2. 5 letters of objection have been received and 1 letter of support. The comments raised by third parties are summarised as follows:

- Pinch point between 1 and 2 Cascade Road is unsuitable for increase in traffic.
- Inadequate parking to serve the development.

- Inadequate access for construction traffic
- Inadequate visibility at the access.
- Poor pedestrian access from Cascade Road with no footway in places.
- Site should be accessed through the Sports and Social Club car park.
- The existing roads and open space in the new development to the north have not been adopted.
- Increase risk of accident with children using adjacent public open space.
- Noise, disturbance, dust and traffic during construction.
- Inadequate screening to northern boundary
- Attenuation pond in Goldings Road/Cascade Road is already at capacity and would not have capacity for the proposal.
- No business case for the community buildings and who will pay to maintain them.
- Lack of consultation.
- Supports proposal which is based on meeting actual housing need rather than financial profit. The application for the new Taylor Wimpey scheme to the north made it clear the access provided as part of that development would be suitable to serve this parcel of land.

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

CONSULTEES

7.2. CDC PLANNING POLICY: **No objection** to the principle of some additional residential development in Hook Norton. However, design, layout and other technical matters will need to be considered in detail, particularly the relationship of the proposed development with neighbouring sports facilities.

7.3. CDC ENVIRONMENTAL PROTECTION: **No objection.** The noise assessment and lighting assessment demonstrate that the adjacent sports facilities are unlikely to have a significant adverse impact. Planning conditions should be included relating to ground investigation and provision of electric vehicle charging infrastructure.

7.4. CDC STRATEGIC HOUSING: **No objections.** Original raised a number of concerns regarding the proposal. Further to additional information being submitted raises no objection subject to the swap of tenure of two of the affordable housing units which has now been agreed by the applicant.

- 7.5. The proposal would provide 8 affordable houses, which exceed the policy requirement of 4.2 and therefore provides additional benefit to the scheme and to those households who would not otherwise be able to access suitable and affordable housing locally. Requests that one of the ground floor units is for affordable rent to better reflect the housing needs survey of 2018 which are to be built to M4(2) standards. The Council normally seeks 50% of rented properties to be developed to this standard. Therefore, requests to change to unit 3A from shared ownership to affordable rented tenure and change unit to 3B from affordable rent to shared ownership tenure. This would then provide an affordable 2-bedroom ground floor rented home as suitable and accessible accommodation from the outset and would better reflect the affordable rented housing need and provide a more equitable approach. ***This has now been done.***
- 7.6. Concerns were also originally raised regarding the affordability of the unit given there may be service fees associated with the other facilities on site. Further to additional information confirming that the affordable rented units would be capped at Local Housing Allowance levels and that HNCLT would be responsible for any service charges or cost associated with the provision and ongoing use of the community building and its facilities, without obligations being placed on the affordable housing residents of the scheme there is no objection in this respect. This would help to keep the costs for all residents at an affordable level and is therefore acceptable. No objection is also raised in respect of parking.
- 7.7. CDC LANDSCAPE OFFICER: **Comments.** Raises concerns regarding no maintenance access to the rear of community building. Also has concerns over some of the species of trees proposed and their proximity to buildings. Requests the maintenance and management of the open space is secured through a legal agreement.
- 7.8. CDC ARBORIST: **No objection** subject to tree protection and replacement planting. The removal of the category B ash tree on the northern boundary is considered to be acceptable.
- 7.9. CDC ECOLOGY: **No objection** subject to Construction Environmental Management Plan and biodiversity enhancements being secured.
- 7.10. CDC LEISURE AND RECREATION: **Comment.** No contribution is sought to community buildings on the basis that one is being provided on site. This should be made publicly available. If the community centre is also in lieu of indoor sports provision and outdoor sports provision some additional details of the facilities should be provided.
- 7.11. THAMES VALLEY POLICE CRIME DESIGN ADVISOR: **No objection** but raises some concerns including re the lighting proposal and the use of bollard lighting and recommend pedestrian scale columns. Raises concerns over post and wire fence to northern and western boundary. Also raises concerns regarding the open covered sections of the community building and anti-social behaviour occurring in these areas.
- 7.12. OCC HIGHWAYS: Objection to original proposal. Concerns that lack of parking provision will lead to on-street parking in the area particularly in light of 3-5 spaces being used by the Car Club for the village. New pedestrian links are provided to the village. The access from Cascade Road is not adopted highway. Request details of cycle parking and a contribution to the local bus service (number 488) and relies on S106 contributions to stay in operation. The contribution is in scale with other contributions which have been sought in the village and should be secured through a S106.

- 7.13. Further to the receipt of additional information which clarified that some of the spaces will no longer be used by the Car Club for the wider village raises **no objection** subject to the bus contribution and conditions regarding cycle parking provision.
- 7.14. OCC LEAD LOCAL FLOOD AUTHORITY: **Objects.** Discrepancies between discharge rate in Surface Water Management Document and Surface Water Layout Drawing still exist. Also considers there is scope, despite the limited site size, to incorporate SuDS features that have been ruled out.
- 7.15. OCC EDUCATION: Requests contribution towards expansion of primary education at Hook Norton School. The proposed development is located in the designated area for Hook Norton CE Primary School. The school was previously a 1 form entry school, offering 210 primary places (30 places per year). To meet the demands expected from the cumulative effect of planned and permitted housing development in the area, the school has expanded to 1.5 form entry, increasing its admission number to 45 places per year. The need for these additional places is already being demonstrated by growing pupil numbers (as of September 2019, there were 246 pupils on roll), and demand is expected to increase further. This expansion meets the needs of already permitted development and also enables the expected primary pupil generation from this proposed development to be accommodated. Without this additional accommodation, Oxfordshire County Council would not be able to meet its statutory school sufficiency duty in the Hook Norton area, including meeting the expected increase in demand for places as a result of this application. It is therefore directly related to the proposed development, and a contribution towards the capital cost of the expansion is sought in proportion to the development's expected pupil generation. The total cost of the expansion as at September 2016 was £1.483m, creating 15 additional places per year group for primary provision (105 additional places in total), giving a cost per primary pupil of £14,124. This has been uplifted to TPI 333 (related to 3Q19), giving a per pupil cost of £17,228. The proposal is expected to generate 2.14 primary pupils giving a total contribution of £36,868
- 7.16. THAMES WATER: **No objections.** The waste water network and sewage treatment works have capacity to accommodate the development. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer
- 7.17. SPORT ENGLAND: **No comments.**

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

HOOK NORTON NEIGHBOURHOOD PLAN (2015)

- CC1 – Protection and enhancement of local landscape and character
- CC2 – Design

- CC3 – Local distinctiveness, variety and cohesiveness
- CC4 – Resource efficient design
- CC5 – Lighting
- COM1 – Protection of Locally Valued Resources
- COM2: Public Rights of Way
- H1: Sustainable Housing Growth
- H2: Location of housing
- H3: Housing Density
- H4: Types of housing
- H5: Provision and retention of affordable housing
- T1: Access and Parking
- T2: Non-car transport

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient Use of Land – Brownfield land and Housing Density
- BSC4 – Housing Mix
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems (SuDs)
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment
- Villages 1 – Village Categorisation
- Villages 2 – Distribution Growth Across the Rural Areas
- INF1 – Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design of new residential development
- ENV1 – Environmental pollution
- ENV12 – Potentially contaminated land

Other Material Planning Considerations:

- Cherwell Residential Design Guide SPD (2018)
- Developer Contributions SPD (2018)
- National Planning Policy Framework (NPPF)
- National Design Guide
- Planning Practice Guidance (PPG)
- Annual Monitoring Report (AMR) 2019

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Impact on the character and appearance of the area and design
- Highways
- Residential amenity
- Affordable housing and housing mix
- Ecology and landscape
- Infrastructure
- Other matters

Principle of Development

Policy Context

- 9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the District comprises the adopted Cherwell Local Plan 2011-2031 and the saved policies of the Cherwell Local Plan 1996. The Development Plan in this area also includes the Hook Norton Neighbourhood Plan, which was adopted in October 2019.
- 9.3. The National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF sets out the Government's view of what sustainable development means in practice for the planning system – the three strands being the economic, social and environmental roles. It is clear from this that as well as proximity to facilities, sustainability also relates to ensuring the physical and natural environment is conserved and enhanced as well as contributing to building a strong economy through the provision of new housing of the right type in the right location at the right time.
- 9.4. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Cherwell District Council has an up-to-date Local Plan which was adopted on 20th July 2015 and can demonstrate an appropriate housing land supply in accordance with the Written Ministerial Statement of 12 September 2018 and therefore the presumption in favour of sustainable development has to be considered in that context.
- 9.5. The overall housing strategy in the Cherwell Local Plan 2011-2031 (including Policy BSC1) is to focus strategic housing growth at the towns of Banbury and Bicester and a small number of strategic sites outside of these towns. The Local Plan notes that the intention is to protect and enhance the services, facilities, landscapes and natural and historic built environments of the villages and rural areas. It does, however, advise that there is a need within the rural areas to meet local and Cherwell-wide needs.
- 9.6. Policy Villages 1 of the CLP 2031 provides a framework for housing growth in the rural areas of the district and groups villages into three separate categories (A, B and C), with Category A villages being considered the most sustainable settlements in the District's rural areas which have physical characteristics and a range of services within them to enable them to accommodate some limited extra housing growth. Hook Norton is classified as a Category A village.
- 9.7. In order to meet the areas housing needs Policy Villages 2 of the CLP 2015 states that: *"A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for*

10 or more dwellings as at 31 March 2014". This Policy notes that sites will be identified through the preparation of the Local Plan Part 2, through the preparation of the Neighbourhood Plans where applicable, and through the determination of applications for planning permission.

9.8. Policy Villages 2 then sets out that when identifying and considering sites, particular regard will be given to the following criteria:

- *Whether the land has been previously developed land or is of less environmental value;*
- *Whether significant adverse impact on heritage and wildlife assets could be avoided;*
- *Whether development would contribute in enhancing the built environment;*
- *Whether best and most versatile agricultural land could be avoided;*
- *Whether significant adverse landscape impacts could be avoided;*
- *Whether satisfactory vehicular and pedestrian access/egress could be provided;*
- *Whether the site is well located to services and facilities;*
- *Whether necessary infrastructure could be provided;*
- *Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period;*
- *Whether land the subject of an application for planning permission could be delivered within the next five years; and*
- *Whether development would have an adverse impact on flood risk."*

9.9. In regard to the policies in the Hook Norton Neighbourhood Plan (HNNP) Policy H1 allows for minor development within the built limits. Policy H1 states that 'minor development' means small scale development proposals, typically but not exclusively for less than 10 dwellings, and that proposals for up to 20 dwellings may be permitted where this does not result in more than 20 dwellings being built in the same location at any time. Policy H2 states that housing development will be assessed for suitability of location and suitable locations will be not within Flood Zone 2 or 3, comply with policies in the Neighbourhood Plan and take account of existing and potential alternative uses.

Assessment

9.10. Hook Norton is a Category A village which includes a good range of services and facilities within walking distance of the site and a bus service. The current application seeks to enhance the connections to the surrounding areas of land which would help the site integrate with the surrounding developments. Given the site's relationship with surrounding development the site can be considered to be within the 'built limits' of the village. Policy Villages 1 of the CLP and Policy H1 of the Hook Norton Neighbourhood Plan (HNNP) both allow for minor development within the built limits. Policy H1 defines 'minor development' as small scale development proposals, typically but not exclusively for less than 10 dwellings, and states that proposals for up to 20 dwellings may be permitted where this does not result in more than 20 dwellings being built in the same location at any time, considering any extant permissions. Whilst the proposal exceeds 10 dwellings it is noted that there is flexibility built in the policy in this regard, and it is considered this is one case that flexibility may be relevant given the site's close relationship with the surrounding built form and its relatively modest size.

9.11. Policy Villages 2 of the CLP is also relevant to the proposal and states that a total of 750 dwellings will be delivered at Category A villages in the district over the plan period and gives a number of criteria against which proposals will be assessed.

Permission has now been granted for well in excess of 750 dwellings under this policy so one might consider there to be some conflict with the overarching aim of this policy to restrict the amount of development in rural areas and focus development in the districts urban areas. However, successive appeal decisions have found that only when 750 dwellings have been *delivered* will the policy have been breached. In addition, given (1) the relatively small scale of the development (including the analysis above regarding Policy Villages 1 and H1), (2) the relatively good levels of services and facilities in the village (including the bus service) compared to some Category A settlements, (3) the site being well contained by existing development within the built limits of the village, (4) the fact the proposal would make efficient use of land and (5) the fact it is seeking to provide an innovative community led scheme looking to meet local affordable housing needs, it is considered that any identified conflict with Policy Villages 2 would not warrant a reason for refusal in this instance especially when weighed against the benefits of the scheme when the Development Plan is read as a whole, particularly the provision of affordable housing.

- 9.12. The proposed development is clearly separate from the new Taylor Wimpey site to the north, which is now largely complete and therefore the proposal is not considered to result in more than 20 dwellings being built in the same location at any time in accordance with Policy H1 of the HNMP.
- 9.13. Overall, for the reasons outlined above it is considered the principle of development of this scale on this site could be supported, subject to other material considerations outlined below.

Impact on character and appearance of area and design

- 9.14. Government guidance contained within the NPPF towards achieving well-designed places states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The national PPG notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.15. Paragraph 127 of the NPPF states that planning decisions should ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
 - Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;
 - Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 9.16. Policy ESD15 of the Cherwell Local Plan Part 1 states that: “New development proposals should:
- Contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness and respecting significant trees,
 - Respect the traditional pattern routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages.
 - Reflect or, in a contemporary design response, re-interpret local distinctiveness.
- 9.17. Policy ESD13 of the Cherwell Local Plan Part 1 states that: “Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would Cause undue visual intrusion into the open countryside or be inconsistent with local character”. Policy Villages 2 also states regard will be had to whether a proposal would contribute to enhancing the built environment and whether significant adverse landscape and visual impacts can be avoided in determining applications under that policy.
- 9.18. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. The Cherwell Residential Guide SPD (2018) builds on the above policies and provides a framework to deliver high quality locally distinctive development.
- 9.19. Policy CC1, CC2 and CC3 of the HNNP also state development must be designed to be visually accommodated into its surroundings and provide a positive contribution to the locally distinctive character of Hook Norton. This includes taking into account the extent and amount of development; scale; layout; open spaces; appearance; and materials and retaining hedgerows and trees. The HNNP further states proposals should incorporate features to improve the environmental performance of buildings and reduce carbon emissions. It also states that there should be variety in buildings and buildings should be predominantly constructed in ironstone. Policy H3 of the HNNP states that the maintenance of local character has a higher significance than achieving a minimum housing density figure and in each case development should be in character with the local surrounding area.

Assessment

- 9.20. The application site is well contained in the wider landscape by the existing built form to the north, east and south of the site and the sports facilities to the west. This means the wider landscape and visual impacts of the development would be relatively limited and it is more appropriate in this case to consider the more localised impacts.
- 9.21. The scheme is relatively small in size. There is modern development to the north and more spacious post-war, semi-detached properties to the south and east of the site. The character of the surroundings and site is also impacted upon by the sporting facilities to the west of the site which includes various elements of infrastructure including a multi-use games area (MUGA) with fencing and flood lighting immediately to the west of the site. This gives the area a mixed and rather disjointed character and appearance with no prevailing sense of character or uniform density in the immediate locality.
- 9.22. The proposed development seeks to provide a contemporary designed scheme, which would provide a different and contrasting design approach to the surrounding

properties. However, given the factors outlined above it is considered that the provision of a high quality, higher density scheme may be supportable on the site subject to it being well designed and locally distinctive.

- 9.23. The layout of the scheme has evolved since the earlier pre-app on the site. One of the major constraints to the layout of the scheme is the relationship of the new residential development with the existing multi-use games area (MUGA) to the west of the site.
- 9.24. This is an existing facility that is flood lit and can be used into the evening (up to 22:00) and it is important that the provision of new housing on the application site does not prejudice the use of the MUGA as this would detrimentally impact on sporting provision in the village (the issues regarding noise and disturbance and light pollution are discussed at further length in the residential amenity section of this report).
- 9.25. This is a significant constraint and the impact on the layout of the site has resulted in the parking area serving the new residential units being located adjacent to this to act as a buffer between the dwellings and the MUGA and ensure the likelihood of future conflict in terms of noise and light pollution is reduced.
- 9.26. Whilst this is not ideal in design terms as the parking area is rather dominant in this area it is an important constraint that is considered to justify the layout. The applicant has attempted to break up the parking area with landscaping and provide surveillance over the parking area from the southern terrace.
- 9.27. Given the focus of the parking on the western part of the site it does allow for the remainder of the space to be free from vehicles and provides a more attractive shared pedestrian space focused around the central green space and the community building to reinforce the sense of communal living and shared spaces the applicant wishes to promote. The layout of the remainder of the site is considered to provide a high quality public realm. The northern terrace and community building/guest accommodation would face onto the public open space creating a well-integrated open space and provide a clear sense of surveillance. The applicant contends that the arrangement of uses and dwellings seeks to provide an environment which would increase social contact and provide a more communal way of living with shared amenity spaces, community building, shared guest spaces and outdoor spaces. Officers consider the proposed layout achieves this.
- 9.28. The layout of the site does somewhat turn its back on the new development to the north with the rear elevations of the northern terrace facing onto the northern boundary. Some planting currently exists on this boundary albeit that some of this would be lost as a result of the proposals. Officers consider it is important that this northern boundary be appropriately landscaped and softened and it is considered that this can be controlled through a revised landscaping condition. This would also help address some of the concerns of the Crime Prevention Design Advisor who has raised concern regarding the use of post and wire fencing on this boundary. The location of the southern terrace, open space and orientation of the community building all help to address and integrate the development when entering it from the north.
- 9.29. The main vehicular access to the site would be from the north of the site via Cascade Road. A pedestrian link is also proposed into Cascade Road to the west of the entrance which would link into the new path around the attenuation feature in the relatively new Taylor Wimpey scheme to the north. Neighbours to the north of the site have indicated that this existing footpath links to a private drive so would be of little use to residents. This is likely to mean that people using this link would not

have a continuous footpath link to the north and would need to cross over grass to continue their journey. However, whilst this is far from ideal it relates to land which is outside of the control of the applicant and is a product of the layout of the housing development to the north. Additional pedestrian links are also proposed through the site with a new access to the south east of the site into The Bourne and new accesses across the ditch to the west into the sports grounds.

- 9.30. Overall, whilst the lack of footpath link to the north is not ideal, the overall extent of pedestrian links proposed is considered to be positive elements of the scheme and provide a high degree of pedestrian permeability to integrate the development into the surrounding movement network and allow for journeys on foot to other parts of the village.
- 9.31. In terms of the detailed design and form of the dwellings they are different to the surrounding properties which include more traditionally designed modern housing to the north and a mix of predominantly post-war, semi-detached properties on more spacious plots to the south and east. The sports and social club located to the west includes various functional elements of infrastructure. Overall, it is considered that the application site is located in an area of transition where a more contemporary approach to development may be appropriate.
- 9.32. The height of the proposed dwellings would be 2.5 storey with rooms in the roof space. Given this and their more compact form in the arrangement of terraces the development would appear denser than the surrounding pattern of development and would also have greater cumulative massing. However, the character of the area is mixed and given the relatively small scale of the development this is not considered to appear incongruous in the locality. Section plans have also been submitted demonstrating the properties would not be significantly in excess of the height of other surrounding properties given the accommodation would be provided largely in the roof space.
- 9.33. The form of the northern terrace includes the use of a repetitive gable form which is not a strong characteristic of the area. However, it does provide a contemporary appearance to the scheme and a pleasing sense of rhythm using a relatively simple linear form. The applicant reasonably contends that the form of the building references Almshouses in Chipping Norton and this does link back to the scheme being a community led affordable housing project. This form of contemporary response is considered more appropriate for the site than flat roof dwellings which may appear more stark. The balconies to the front of the buildings also help to break up the scale and massing of the elevations of the building in a contemporary manner.
- 9.34. The proposal uses a mix of local ironstone on the ground floor of the dwellings and on other parts of buildings throughout the scheme, which is a locally distinctive material and would help to root the development into its context. Softwood timber cladding is used on the upper floor of the building and reclaimed slate on the roof. The community building and southern terrace are constructed of the same palette of materials and whilst the buildings are different in design this does provide a sense of unity and distinctiveness to the development as a whole, which affords an individual character to the scheme and provides a sense of place. The fenestration of the building also reinforces the contemporary approach to the development with large areas of glazing and is considered to be appropriate given the design approach adopted. Whilst timber cladding is not used widely in the area, given (1) the contemporary design approach used, (2) the site's relative lack of visibility and lack of visual impact on its surroundings, and (3) the design and detailing of the scheme, on balance it is considered to be acceptable in this case.

- 9.35. Areas of landscaping around the development help to soften the built form and the use of different ground surface materials including resin bound gravel, Cotswold colour asphalt and pavers all help to soften the spaces around the buildings and provide an attractive public realm.
- 9.36. Overall it is considered that the scheme provides a contemporary development response to the local area, which would be appropriate on this transition site where the surrounding development provides a varied context. The layout of the scheme responds to its context and along with the buildings provide a high quality contemporary development having regard to the constraints of the site. The proposal is therefore considered to comply with the design policies outlined above.

Residential amenity

Policy context

- 9.37. Policy ESD 15 of the CLP 2031 (Part 1) requires new development to consider the amenity of both existing and future occupants, including matters of privacy, outlook, lighting, noise, ventilation, and indoor and outdoor space. Saved Policy ENV1 of the CLP (1996) states development which is likely to cause materially detrimental levels of noise and other types of environmental pollution will not be permitted. The NPPF also seeks to ensure a good standard of amenity for occupiers of land and buildings and ensures that proposals do not give rise to significant adverse impacts on health and quality of life from noise pollution and don't give rise to unacceptable light pollution. The Planning Practice Guidance (PPG) has been updated to include the 'agent of change' principle in regard to noise. In this respect it states:

Development proposed in the vicinity of existing businesses, community facilities or other activities may need to put suitable mitigation measures in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme.

In these circumstances the applicant (or 'agent of change') will need to clearly identify the effects of existing businesses that may cause a nuisance (including noise, but also dust, odours, vibration and other sources of pollution) and the likelihood that they could have a significant adverse effect on new residents/users. In doing so, the agent of change will need to take into account not only the current activities that may cause a nuisance, but also those activities that businesses or other facilities are permitted to carry out, even if they are not occurring at the time of the application being made. Paragraph: 009 Reference ID: 30-009-20190722

- 9.38. Policy COM1 of the HNNP states that proposals which would adversely affect locally valued resources such as the playing fields will not normally be permitted.

Assessment

- 9.39. The first matter to consider in this respect is whether the development would provide a good standard of amenity for proposed residents.
- 9.40. The application site lies immediately to the east of the sports fields. This includes an artificial grass sports pitch immediately adjacent to the western boundary of the site and tennis courts further to the north. Both of these are floodlit and can be used up until 21:30hrs and 22:00hrs respectively (subject to planning conditions). There is also a games wall immediately adjacent to the MUGA. The use of all these areas is likely to create a high level of noise pollution as well as light pollution at certain times of the day, which could impact on the amenity of the proposed dwellings and therefore needs to be considered as this would not only impact on the amenity of the

proposed residents but may lead to pressure to reduce the use of the existing play areas, which would be to the detriment of the existing sports clubs and residents and by extension the vitality and sustainability of the village. This is a matter that was raised with the applicant at pre-application stage and subsequently the applicant has now undertaken noise monitoring at the site and also monitoring of the flood lighting and has submitted relevant reports with this application.

- 9.41. The Noise Report has included on site monitoring and a modelling exercise to determine the likely impact on the proposed dwellings taking into account the proposed layout. This notes that during daytime the target noise levels (as derived from the World Health Organization and British Standard 8233) would be exceeded were the properties to have their windows open. However, the scheme proposes to use mechanical ventilation with heat recovery and triple glazing and it is considered that this would allow for suitable internal noise environment.
- 9.42. In regard to the external noise environment for the private amenity areas (gardens and balconies) these are generally predicted to be below the relevant BS 8233 guideline value of 55dB Laeq, 16 hours although the first floor balcony of the southern terrace would be marginally above this. However, this assessment and modelling is based on a worst case 1 hour period of use of the MUGA with full use of the MUGA across all hours during the daytime. The results of the monitoring at the site indicate that the overall noise levels adjacent to the MUGA were typically lower than the worse case adopted in the modelling.
- 9.43. The Council's Environmental Protection Officer has reviewed the assessment and is satisfied that it demonstrates that noise from the MUGA is unlikely to cause significant nuisance and has therefore raised no objection in this respect. In light of this, officers consider, on balance, that the relationship of the proposed development with the adjacent sporting facilities would be acceptable and the proposal would not give rise to Significant Observed Adverse Effects in terms of noise.
- 9.44. The application also includes a lighting assessment to understand the potential impacts of the existing flood lighting at the adjacent sports facilities on the proposed properties. This has included monitoring at the site to understand the existing light environment and it considered the site should be classified as Environmental Zone E2 – Low district brightness area' in accordance is the Institute of Lighting guidance. Based on this the worst-case permitted light trespass limit at any proposed or existing property in the pre-curfew period (typically considered to be 07:00-23:00) is 5 lux and in the post curfew period (typically considered to be 23:00-07:00) is 1 lux. The flood lighting is the predominant source of lighting on the site and is conditioned to be switched off at 22:00 on other planning consents. Based on the monitoring and site layout none of the properties would have an exceedance of the 5 lux threshold. The Council's Environmental Protection Officer has reviewed this and has raised no objection and officers have no reason to disagree.
- 9.45. The proposed development is considered to create a good standard of amenity for future residents. Whilst not a policy requirement in the district the proposed internal layout of the dwellings meet the National Space Standard and would provide good sized accommodation for future residents. The external amenity space is more limited with relatively small gardens and balcony spaces. However, the concept of the scheme is to promote a more social contact between residents and there is a open space to the centre of the site and the of provision a small areas for growing plants. Provision is also made for each property to have access to storage facilities and bike stores on site. Overall the provision of external amenity space is therefore considered to be acceptable.

- 9.46. Turning to the impact of the development on existing residents. The development has been designed with the eaves of the proposed buildings adjacent to the boundaries of the neighbouring property to reduce the impact on the outlook to neighbouring properties and gardens.
- 9.47. The community building would be situated on the rear boundary of the gardens of 9 and 10 The Bourne to the south west of the site and would clearly impact on their outlook, particularly number 10 where the building runs the entire length of their rear garden. The building is designed with a 3 metre ironstone wall to these properties and a flat roof sedum roof section to the rear of the community building to attempt to reduce the impact and bulk and mass of the building. The gardens of these existing properties are relatively generous in terms of width and depth and the building would be approximately 15 metres from the rear of these houses at the closest point. On balance, given these factors and the single storey scale of this building, the proposal is considered not to result in a level of harm to the outlook to such a degree which would warrant refusal.
- 9.48. The first floor bedroom windows on the rear of the southern terrace would provide views over the gardens to the south including 8 The Bourne. At the closest point these windows would be approximately 6 metres from the boundary however these windows would overlook the most rear part of the garden furthest from the house and given the distance and angle to the main property (approx. 30 metres) it is not considered that the proposal would result in an unacceptable level of overlooking to this property or garden. A second floor bedroom window is also proposed in the side elevation of this terrace facing towards 9 and 10 The Bourne; however, given the distances involved (approx. 25 metres) this is not considered, on balance to result in significant harm to their amenity.
- 9.49. The proposals include the provision of balconies to the front of the northern and southern terraces at first floor level. Where these are closest to the neighbouring properties these may result in harmful levels of overlooking to private garden areas as they offer a space where future residents may spend prolonged periods of time overlooking in an elevated position. It is therefore recommended that privacy screens be required by condition, to be provided to the balconies on the most easterly end of the northern and southern terraces where they are closest to neighbours. The community building would screen some of the views from the balconies on the northern terrace to the properties to the south and given the distances (in excess of 19m to the closest part of the garden) this overlooking is not considered to result in significant harm.
- 9.50. Concerns have been raised by existing residents over the noise and disturbance and traffic during the construction period. Whilst these concerns are noted given the relatively small scale of the proposal and the temporary nature of these impacts which arise from any housing development, these impacts are considered to be acceptable.
- 9.51. In conclusion on this matter the proposal is considered to be acceptable in regard to the impact on the amenity of existing neighbouring properties and provide a good standard of amenity for future residents. The proposal therefore complies with the relevant planning policy in this respect.

Highways

Policy context

- 9.52. Policy ESD15 of the Cherwell Local Plan Part 1 states that: "New development proposals should be designed to deliver high quality safe, attractive, durable and

healthy places to live and work. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.” Policy SLE4 states that: “All development where reasonable to do so, should facilitate the use of sustainable modes of transport (and) development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.”

- 9.53. The NPPF advises that development should provide safe and suitable access for all and development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.
- 9.54. Policy T1 of the HNNP proposals to provide access to the local road network which is suitable and sympathetic to the surroundings and requires new development to provide sufficient off-road car parking taking account of Oxfordshire County Council’s (OCC) parking standards. Policy T2 states that opportunities will be sought to improve the local footpath/cycleway network and provide developer contributions towards the provision of an enhanced bus service for Hook Norton where possible.

Assessment

- 9.55. Vehicular access into the site will be from the north, via Cascade Road, which is constructed up to the site boundary and will be extended into the site. The carriageway leading into the site is 5.5m wide but widens out to 6m adjacent to the car parking spaces. Although the carriageway will be designed to be a shared surface there will also be a separate pedestrian access from Cascade Road 10m west of the vehicular access.
- 9.56. It is estimated that the residential proposal would result in 56 daily movements (two-way) with 6 vehicle movements in the morning peak and 4 in the evening peak. The community building is estimated to generate 22 daily movements. However, in this case it is likely to be lower due to the encouragement of walking and the fact that no parking would be provided on site for this. This level of traffic is relatively modest and the Local Highway Authority (LHA) is satisfied with the proposed access and has raised no objection to the use of the access in terms of the capacity of the highway or highway safety and officers consider the use of this access would be acceptable to serve the development. Residents have raised concerns over the use of the access along Cascade Road as it is not part of the adopted highway. It is understood this remains in the ownership of Taylor Wimpey and the applicant has served the relevant ownership certificates and would need to satisfy themselves outside of the planning system that they have suitable access rights to use this access.
- 9.57. The application also seeks to provide pedestrian links to the land to the north, south east and west of the site as outlined elsewhere in this report. The provision of such links is actively encouraged by Policy T2 of the HNNP and ensures that the development is integrated and permeable. This is likely to encourage more journeys on foot to other parts of the village. Whilst all these accesses are not ideal, they need to be considered in the constraints of the site (see paragraph 9.25 regarding the limitations of the northern access). Therefore, the pedestrian accessibility is considered to be acceptable.
- 9.58. The proposal includes 17 parking spaces which would be provided on an unallocated basis which provides greater flexibility in the use of these spaces. This level of parking is broadly accordance with OCC Parking Standards for the proposed mix of dwellings (which requires 17.2 spaces). However, no additional parking is provided for the community building.

- 9.59. When the application was first submitted the applicant was also proposing that the Hook Norton Car Club would use 3 to 5 of these spaces for their vehicles which would have further reduced the number of spaces available to residents. Whilst the wishes of the applicant to provide a low carbon development with low car ownership is supported in principle, both officers and the LHA had considerable reservations as to whether the level of parking serving the site would be adequate to meet the needs of future residents particularly given the rural location of the proposal.
- 9.60. Following discussions with the applicant the proposal no longer proposes use by the Hook Norton Car Club and therefore there would be 17 spaces for the 12 dwellings provided. This would comply with the OCC Parking Standards for the residential element of the scheme so long as the parking remains unallocated and this can be controlled through a car parking management plan which can be secure by planning condition.
- 9.61. In relation to the community building the applicant has agreed the use of the neighbouring parking area with the sports club whereby the car parking facilities at the sports club can be used by visitors of the community centre. Whilst this is not secured in perpetuity there appears to be a clear intention to manage the site on this basis and footpath links are proposed to this area and these links can be secured by condition. The community building is also relatively modest in size and is likely to largely serve residents of the village given its scale. With the proposed provision of pedestrian connections to the surrounding areas of land it is considered many people would be able to walk to this. The LHA also raises no objection in this respect. On balance, given these factors, this matter is therefore considered to be acceptable.
- 9.62. The plans demonstrate that a refuse vehicle would be able to enter and leave the site in a forward gear and cycle parking provision is made for residents and visitors on the site.
- 9.63. Discussions regarding the S106 request for the bus service are outlined in the 'Impacts on Infrastructure' section of this report.
- 9.64. In conclusion the access arrangements are considered to be acceptable and opportunities have been taken to integrate the development into the surrounding context. On balance the parking requirement for the site is considered to be acceptable.

Affordable Housing and Housing Mix

Policy

- 9.65. Policy BSC3 of the Cherwell Local Plan (2011-2031) states that development on the site should make provision for 35% affordable housing with 70% of the affordable housing being for rent and 30% as intermediate homes such as shared ownership. Policy BSC4 states that new development will be expected to provide a mix of homes to meet current and expected future demand creating socially mixed and inclusive communities.
- 9.66. Policy H4 of HNNP requires proposals of this scale to include a statement as to how the proposed housing types, sizes and tenures comply with the most up to date Strategic Housing Market Assessment (SHMA) and Local Housing Needs Survey. Policy HN5 of the HNNP states where affordable housing is provided under a legal agreement the maximum proportion possible of the total units provided under Cherwell District Council's Allocation Scheme shall be allocated to people meeting

Hook Norton Needs or Connections Criteria (as set out in Appendix D of the Neighbourhood Plan) in perpetuity.

Assessment

- 9.67. Based on the policy requirements the proposed development would be required to provide 4.2 affordable homes (as defined in the NPPF) on the site. In this case the application is an affordable housing led scheme and proposes to provide 8 of the new dwellings as affordable including 3 affordable rent properties and 5 shared ownership properties. This would be controlled by S106. This is significantly in excess of the policy requirement and is a significant benefit stemming from the proposal. In accordance with Policy HN5 the affordable dwellings would also have a local connection to favour people with local connections where appropriate under the Councils Allocation Scheme.
- 9.68. During the course of the application the amount of housing meeting the definition of affordable housing in the NPPF has been clarified as outlined above. It is also stated that the applicant (Hook Norton Community Land Trust) proposes to maintain a minimum of 20% of the equity of the other 4 dwellings on the site as a community housing project. However, this would not meet the definition of affordable housing in the NPPF.
- 9.69. In terms of housing mix the proposal includes:
- 2 x 1 bed maisonette
 - 8 x 2 bed maisonette
 - 2 x 3 bed maisonette
- 9.70. This mix has been determined through a housing needs survey and is designed to meet the identified need. A survey was carried out in partnership with Cherwell District Council in September 2018 where demand was highest for 1 and 2 bedroom homes. Of the 15 respondents completing the full information including financial eligibility information, 12 needed either 1 or 2 bed homes. A further informal survey by the applicant of potential residents through an online survey in November 2019 provided a split of potential demand with 64% seeking 2-bed properties; 18% 1-bed properties and 18% 3-bed properties however it is understood this did not include financial eligibility information. Overall the proposal is predominantly for 2 bed roomed properties with some 1 and 3 bed properties and the proposed housing mix is broadly in accordance with up to date evidence regarding housing need.
- 9.71. The Council's Strategic Housing Officer did also request the consideration be given to providing some 1 bedroom ground floor units that would be accessible. This has not been possible, but the applicant has now agreed to include 1 of the 2 bedroom ground floor units as affordable rent to better reflect the identified housing need. Overall the Council's Strategic Housing Officer is satisfied with the housing mix.
- 9.72. During the course of the application queries were also raised by the Strategic Housing Officer regarding how the provision of the community buildings and guest accommodation may impact on the affordability of the unit by way of service charges etc. The applicant has responded stating that the affordable rented units would be capped at Local Housing Allowance levels and that the Community Land Trust would be responsible for any service charges or costs associated with the provision and on-going use of the community building and its facilities, without obligations being placed on the affordable housing residents of the scheme. This would help to keep the costs for all residents at an affordable level and is therefore acceptable.

- 9.73. Overall the level of affordable housing provided by the scheme is in excess of the local policy requirement and broadly meets the identified housing mix. This is considered to be a significant benefit arising from the scheme and weights significantly in favour of the development.

Ecology and Landscaping

Legislative context

- 9.74. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.75. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

- 9.76. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity.
- 9.77. Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 9.78. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.79. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.80. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.81. The application is accompanied by a Preliminary Ecological Appraisal, which outlines the site consists of scrub and small areas of amenity grassland. The hedges to the western and northern boundaries of the site are species poor and overall it is considered that the site is of low wildlife interest. The Council's Ecologist is broadly satisfied with the proposal and raises no objection but advises that a Construction Environmental Management Plan be conditioned to protect reptiles and nesting birds during site clearance and ensure the ditch and vegetation are protected.
- 9.82. In terms of biodiversity enhancement and achieving a net gain on the site the proposal includes trees and landscaping throughout the site to encourage wildlife and green roofs on the community building and storage building. The proposals include the provision of bird and bat boxes on the buildings within the scheme and these can be secured through a condition. The Council's Ecologist is satisfied with this.
- 9.83. The proposal would lead to the loss of a number of trees including 1 no category B Ash tree on the northern boundary. However, the category B tree (T11) is highlighted as being at the lower end of the grading due to its form and appears to have been coppiced in the past. The Council's Arborist has therefore raised no objection to the removal of the tree and on balance the loss of this tree is considered to be acceptable subject to appropriate mitigation planting. The planting plans show the provision of a number of new trees throughout the scheme to provide mitigation in this respect and as outlined elsewhere in this report it is considered that further planting is required on the northern boundary to provide a more robust landscaped boundary to Cascade Road. The landscape officer has also raised some concern regarding the details of the landscaping scheme and the applicant has agreed a revised scheme can be conditioned.
- 9.84. The Arboriculture report also highlights that the footprint of the northern terrace falls close to the root protection area of T12 (a Cat B Ash tree on the northern boundary) which will need to be protected during construction. Details of this can also be secured by condition.

Flooding Risk and Drainage

- 9.85. Policy ESD6 of the CLP 2015 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk. In short, this policy resists development where it would increase the risk of flooding and seeks to guide vulnerable developments (such as residential) towards areas at lower risk of flooding. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems (SUDS) to manage surface water drainage. This is all with the aim to manage and reduce flood risk in the District.

Assessment

- 9.86. The site is located in Flood Zone 1 which has the lowest probability of flooding and residential development is considered to be acceptable in such areas. The Environment Agency surface water flood maps show the site to be at low risk of surface water flooding.
- 9.87. A drainage ditch is located to the western boundary of the site and it is proposed to control all flows from the site to existing greenfield rates to ensure it would not have an negative impact on this ditch. The applicant states it has sufficient capacity to take the flows generated from the development; however, there is currently a blockage within the ditch obstructing flows passing downstream.
- 9.88. The proposal includes the use of Sustainable Urban Drainage (SUDS) to manage the increase in surface water on the site taking into account climate change. The proposal includes the provision of green roofs on some of the buildings to reduce runoff. The strategy seeks to manage rainfall close to the building and direct water from the roofs to the sub-base of external surfaces prior to releasing it to the drainage ditch on the western boundary at greenfield rate. There is also the use of living roofs to reduce run-off and it has been demonstrated that infiltration is not possible on the site due to ground conditions. A number of technical queries have been raised from the Lead Local Flood Authority, which currently objects to the scheme and further information on this is awaited and will be provided through updates to Committee.
- 9.89. Foul water would be discharged to the existing foul sewer to the south east of the site using a pumping station and Thames Waters has advised that the waste water network and sewage treatment works have capacity to accommodate the development.

Sustainable Construction

- 9.90. Policy ESD1 of the CLP 2031 states that measures should be taken to mitigate the impact of development within the District on climate change, and Policy ESD2 of the CLP 2031 seeks to achieve carbon emission reductions. Policy ESD3 of the CLP 2031 encourages sustainable construction methods. The reference to allowable solutions in Policy ESD2 and 'zero carbon' are no longer being pursued by the government so are no longer relevant. However, the water usage requirements of ESD3 are still required to be met. In regard to energy efficiency the Council now seeks to secure in excess of that required under the 2013 Building Regulations.
- 9.91. In this case the applicant proposes to go significantly beyond the local plan requirement and seeks to achieve carbon neutrality both during construction and occupation and provide an exemplar scheme in this respect. The applicant proposes to achieve Passivhaus (or equivalent) standard (buildings that use very little energy for heating and cooling). They also propose to use solar arrays on the

building, Mechanical Ventilation Heat Recovery systems, air source heat pumps and low impact materials. They are also seeking to provide a micro-grid on the site to store energy produced on site and from the Sports and Social Club building in a battery to optimise the use of locally generated renewable energy from the site to use at peak times or export back to the grid. The applicants initial modelling for this indicate that both terraces will be 'energy positive' net exporters of energy over the year.

- 9.92. The applicant is also looking to reduce the amount of embodied energy during the construction period and materials. Officers consider that the proposal is an exciting and innovative scheme in terms of reducing carbon emissions and would go significantly in excess of the requirements and offer an exemplar scheme.

Impact on Local Infrastructure

Policy Context

- 9.93. Policy INF1 of the CLP 2015 states that: *“Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.”*
- 9.94. Policy BSC11 of the CLP 2015 states that: *“Development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The amount, type and form of open space will be determined having regard to the nature and size of development proposed and the community needs generated by it. Provision should usually be made on site in accordance with the minimum standards of provision set out in ‘Local Standards of Provision – Outdoor Recreation’. Where this is not possible or appropriate, a financial contribution towards suitable new provision or enhancement of existing facilities off site will be sought, secured through a legal agreement.”* Policy BSD12 requires new development to contribute to indoor sport, recreation and community facilities.
- 9.95. The Developer Contributions Supplementary Planning Document (SPD) sets out the position in respect of requiring financial and onsite contributions towards ensuring the necessary infrastructure or service requirements are provided to meet the needs of development, and to ensure the additional pressure placed on existing services and infrastructure is mitigated. This is the starting point for negotiations in respect of completing S106 Agreements.
- 9.96. Policy T2 of the HNNP states where possible opportunities will be sought to provide developer contributions towards the provision of an enhanced bus service for Hook Norton. Policy SLE4 of the CLP states that new development will be required to provide financial or in kind contributions to mitigate transport impacts of development and all development should facilitate the use of sustainable mode of transport.

Assessment

- 9.97. Where on and off-site infrastructure/measures need to be secured through a planning obligation (i.e. legal agreement) they must meet statutory tests set out in regulation 122 of the Community Infrastructure Ley (CIL) Regulations 2010 (as amended). These tests are that each obligation must be:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development;
 - c) Fairly and reasonably related in scale and kind to the development.

- 9.98. Where planning obligations do not meet the above statutory tests, they cannot be taken into account in reaching a decision. In short, these tests exist to ensure that local planning authorities do not seek disproportionate and/or unjustified infrastructure or financial contributions as part of deciding to grant planning permission. Officers have had regard to the statutory tests of planning obligations in considering the application and Members must also have regard to them to ensure that any decision reached is lawful.
- 9.99. Having regard to the above, in the event that Members were to resolve to grant planning permission, the following items would in officers' view need to be secured via a legal agreement with both Cherwell District Council and Oxfordshire County Council in order to secure an appropriate quality of development as well as adequately mitigate its adverse impacts:

Cherwell District Council

- The Councils Recreation and Leisure Officer originally requested contributions towards local community facilities, off-site indoor sport and off-site outdoor sport facilities. However, in light of the applicant providing a new community building as part of their proposal which will provide community and recreation opportunities to the wider village these contributions are not being sought. Given this it is considered important that the delivery of the community building be secured through the S106. In regard to the outdoor off-site sports provision the applicant has provided information that they have provided funds to the Hook Norton Sports and Social Club to provide solar panels on their pavilion building and also made contributions towards the upgrading of the access and parking areas serving the sports club. On balance this is considered acceptable.
- The provision, management and maintenance arrangements of the public open space
- £106 per dwelling for bins
- Affordable housing provision – 8 units with a local connection criteria (3 affordable rent and 5 shared ownership)

Oxfordshire County Council

- The County Council has requested a contribution of £862 per dwelling towards the local bus service (488- Chipping Norton to Banbury) which they state relies on S106 contributions to stay in operation. This provides an approximately hourly service between 07:00 to 18:00 Monday to Saturday. The bus service is considered to be important to the sustainability of the village as it provides access to a wider range of employment opportunities and services in facilities in the adjacent towns. Discussions are ongoing with the applicant regarding this.
- Contributions to expansion of Hook Norton Primary School. As noted in OCC Educations consultation response Hook Norton Primary School has recently been extended to meet the demand expected from the cumulative effect of planned and permitted housing in the area. Without this additional accommodation, Oxfordshire County Council would not be able to meet its statutory school sufficiency duty in the Hook Norton area, including meeting the expected increase in demand for places as a result of this application. The proposed development is estimated to generate a need of 2.14 primary pupils and therefore a contribution is sought to cover the cost of this based on overall cost of the extension (£36,868). Discussions are ongoing with the applicant and the County Council regarding this matter.

Other Matters

- 9.100. Policy BSC10 and BSC11 of the Cherwell Local Plan 2015 require new development to contribute to the provision of open space, sport and recreation together with securing arrangements for its long term management and maintenance. In this case when assessed against the policy requirement the proposal would require the provision of an unequipped local area of play (400m² including 100m² activity zone) and the provision of 0.08ha of general green space. The proposed development includes the provision of a circular grass area to the centre of the site and a community green house and growing beds. The open space will include tree planting and different areas for communal use including informal play. Whilst the level of open space is not fully compliant with the policy the provision of the other community spaces and provision of a larger quantum of affordable housing is considered to outweigh this. The close proximity of the sports ground to the west are is also a factor that weighs into consideration of this issue. Details of the ongoing management and maintenance of public open space can be secured through the legal agreement.
- 9.101. Saved Policy ENV12 of the CLP1996 sets out that development on land which is known or suspect to be contaminated will only be permitted if,
- (i) Adequate measures can be taken to remove any threat of contamination to future occupiers of the site.
 - (ii) The development is not likely to result in contamination of surface or underground water resources
 - (iii) The proposed use does not conflict with other policies in the plan.
- 9.102. The site is on land which is potentially contaminated, and the submitted Desk Based Study and Preliminary Risk Assessment concludes further investigation is required. The Council's Environmental Protection Officer (EPO) has therefore recommended that phased contaminated land conditions need to be attached should permission be granted. Officers agree with this assessment.
- 9.103. The Council's EPO has requested a condition in regard to the installation of Electric Vehicle charging infrastructure in order to make resident parking places EV ready for future demand. The NPPF and Policies SLE4 and ESD1 of the CLP 2015 encourage and support the incorporation of measures into new development that promote more sustainable forms of transport. It is considered reasonable and necessary for this to be secured through a condition of any permission given.

PLANNING BALANCE AND CONCLUSION

- 10.1. The proposed development would be located within the built limits of Hook Norton which is a Category A settlement with a range of services and facilities and some public transport options. The scale of the scheme is considered to be appropriate for the size of the village and would not undermine the Council's rural housing strategy.
- 10.2. The proposal would provide some modest economic benefits associated with the provision of new housing and increase expenditure in the area which are given limited weight in favour of the development.
- 10.3. In terms of the social aspects of the scheme it would provide a high level of affordable housing and is supported by a housing needs survey. This matter carries significant weight in favour of the development.

- 10.4. In terms of the environment aspect the proposal would provide a good quality contemporary designed scheme which would have a sense of local distinctiveness and whilst the density of the scheme would be higher than the surroundings given the mixed nature of the area this is considered to be acceptable. It would also provide a high level of building sustainability and some advanced approaches to renewable energy on the site including a small microgrid.
- 10.5. There are outstanding matters regarding the surface water drainage scheme and also the financial contributions towards public transport and educations. Subject to these matters being resolved it is recommended that the application is approved subject to conditions and a legal agreement.

10. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE RECEIPT OF SATISFACTORY FURTHER INFORMATION/DISCUSSION IN REGARD TO DRAINAGE AND FINANCIAL CONTRIBUTION (SCHOOL AND PUBLIC TRANSPORT) AND CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- a) Provision of 8 affordable home including local connection criteria
- b) Provision of open space and details of management and maintenance arrangements
- c) Provision of community centre
- d) £106 per dwelling for bins
- e) contributions towards expansion of Hook Norton Primary (TBC)
- f) contributions towards bus service (TBC)

CONDITIONS

Time Limit

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application forms and drawing numbers: **TBC**

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Levels

3. No development shall take place until details of all finished floor levels in relation

to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved levels.

Reason: In order to safeguard the visual amenities of the area in accordance with advice within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Land Investigation

4. Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

5. If contamination is found by undertaking the work carried out under condition 4, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. If remedial works have been identified in condition 5, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 10. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy

Framework.

Tree Method Statement

7. The development shall be undertaken in accordance with the Sylva Consultancy Arboricultural Report (ref: 20002). Prior to the commencement of the development an Arboricultural Method Statement including the location of the tree protection fencing shall be submitted and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To protect the trees which are retained on site in accordance with Policy BSC10 and ESD15 of Cherwell Local Plan 2011-2031 Part 1 and advice in the National Planning Policy Framework.

Footpath connections

8. Prior to the commencement of development above slab level full details of the proposed footpath connections to the sports and social club and Bourne View and Cascade Road shall be submitted and approved in writing by the Local Planning Authority. The approved footpath connections shall be provided in accordance with the approved details prior to the first occupation of any building on the site and shall be retained as such thereafter.

Reason: To ensure the development is adequately connected to the surrounding parcels of land in accordance with Policies SLE4 and ESD15 of the Cherwell Local Plan (2011 - 2031) Part 1, the Hook Norton Neighbourhood Plan and Government guidance contained within the National Planning Policy Framework.

Stone sample panel

9. Prior to any construction of any building above slab level, a stone sample panel (minimum 1m² in size) shall be constructed on site in natural stone and shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the dwellings shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel and shall be retained as such thereafter.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy ESD15 of the Cherwell Local Plan (2011 - 2031) Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Timber cladding

10. Prior to the installation of any external timber cladding, sample of the proposed timber cladding, shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of any of the dwellings.

Reason: To ensure that the development is constructed and finished in materials which are in harmony with the materials used in the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Slate samples

11. Samples of the slates to be used in the covering of the roof of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above eaves level. The development shall be carried out in accordance with the samples so approved and shall be retained as such thereafter.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Detailing

12. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the development, together with the eaves and verge treatment, and details of the balconies and shades shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. This shall also include details of privacy screens on the most easterly first floor balconies on northern and southern terrace. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the development and shall be retained as such thereafter.

Reason: In order to safeguard the visual amenities of the area and achieve a high quality design and protect the amenity of neighbouring properties in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. Notwithstanding the details on the submitted plans, details of the construction, including cross sections, cill, headers, reveal and colour / finish of the proposed windows and doors to a scale of not less than 1:10 shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that work. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: In order to safeguard the visual amenities of the area and provide a high quality design in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Hard and soft landscaping

14. Notwithstanding the details on the approved plans prior to any works above slab level, a revised landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,

b) details of the boundary treatments including their materials, appearance and height

d) Detail of the hard surface areas including finish and appearance

The development shall be carried out in accordance with the approved landscaping scheme and the hard landscape elements and boundary treatments shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development, to protect the amenity of properties and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Management plan

15. Prior to the occupation of any part of the site a management plan for the use and operation of the community laundry and guest rooms demonstrating how they will remain ancillary to the proposed housing on the application site only and not separately let or sold shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved management plan.

Reason: To ensure the uses remain ancillary to the housing development and to retain control over the use of these areas in the future in the interests of amenity and parking.

Parking and access

16. The proposed access and parking, turning areas shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access, parking and turning facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking to comply with Government guidance in Section 12 of the National Planning Policy Framework.

17. Prior to the first occupation of any building a car parking management plan shall be submitted and approved in writing by the Local Planning Authority demonstrating that the parking serving the development will be retained on an unallocated basis for residents and not conveyed to separate individual properties. Thereafter the parking areas shall be managed in accordance with the approved details.

Reason: To ensure the parking provision on the site is adequate to serve the needs of the development.

Cycle and bin stores

18. Prior to the first occupation of any building on the site the bin store enclosures and cycle stores shall be provided on site in accordance with the approved details and permanently retained as ancillary to development and used for no other purpose whatsoever.

Reason: In the interest of well planned development and visual amenity of the area and in order to encourage sustainable forms of travel in accordance with Policies SLE4 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Ecological protection and enhancement

19. The proposed development shall be carried out in accordance with the recommendations outlined at Section 4.2 of the Cotswold Wildlife Surveys Preliminary Ecological Appraisal (Ref 3000-CWS-01) and in accordance with the biodiversity enhancements outlined in the Cotswold Wildlife Surveys letter dated 7th February 2020 submitted with the application. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage and secure a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Sustainable construction

20. The development shall be carried out in accordance with the principles and incorporate the technologies outlined in the approved 'Sustainability and Energy Statement – Hook Norton Housing' unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of environmental sustainability in construction in accordance with the requirements of Policy ESD2, 3 and 5 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Water efficiency

21. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason: In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Electric vehicle charging points

22. No development shall commence above slab level until a scheme for a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve each dwelling or a scheme showing the provision of electrical vehicle charging points for each parking space has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the first

occupation of any building.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

CASE OFFICER: James Kirkham

TEL: 01295 221896