

Application 12/00305/OUT	No:	Ward: Chesterton	Date Valid: 20/03/2012
Applicant:	Hill Residential		
Site Address:	Land to the West and South of Numbers 7 to 26 The Green, Chesterton		

Proposal: OUTLINE – Erection of 44 dwellings, village hall/sports pavilion and associated car parking, enlarged playing pitches, new children’s play area, access and landscaping

Date site visited: 05/04/2012

1. Site Description and Proposal

- 1.1 This application is for outline planning permission for 44 dwellings and associated development as set out in the proposal above. The dwellings are proposed to be located to the western section of the site whilst the sports pitches, village hall/sports pavilion and majority of the play space is proposed to the eastern section of the site. The south western corner of the site is proposed to be maintained as informal open space. The site for housing is currently agricultural land whilst the area proposed for recreational use is currently used as such. 35% of the dwellings are proposed to be affordable units.
- 1.2 The northern boundary of the site is bounded by the rear enclosures of residential properties, the eastern boundary runs parallel with the road to Wendlebury whilst the other boundaries are defined by hedgerows beyond which is further open agricultural land. The site is relatively flat in its topography.
- 1.3 With the exception of the access and layout all other matters are reserved for consideration through the submission of reserved matters applications in the future.
- 1.4 A layout plan is submitted for consideration. Also submitted for consideration is a Design and Access Statement, Supporting Statement, Transport Statement, Flood Risk Assessment, Archaeological Evaluation, Extended Phase 1 Habitat survey and a Code for Sustainable Homes Ecological Assessment.

2. Application Publicity

- 2.1 The application has been advertised by way of three site notices and an advert in the local press. The site notices were located close to no. 8 and no. 26 The Green and at the access to the sports pitch. The final date for comment was 26th April 2012. However comments received up until the date of committee will be considered.
- 2.2 16 letters/emails of objection have been received. Full details are available electronically via the Council’s website.

The material planning considerations raised as objections are as follows:

- Lack of need for additional houses
- Loss of green fields/outside built up limits
- Won’t integrate into rest of village

- Sufficient houses being provided in Kingsmere and elsewhere in Bicester – which will also provide affordable
- Nothing has changed since the previous refusal by the Inspectorate
- Approval would set a precedent
- Poor public transport links
- Is there a genuine need for village shop
- Play area already updated and hardly used, waste of village money to demolish and rebuild
- Current village hall is sufficient for village needs, school hall already used as alternative
- Proposed hall not central to village
- Added pressure on highway infrastructure
- Cricket green should be kept independent from the pitches
- Pitches already adequate – changes should be in the best interest of village not just the football club
- Insufficient parking provided for pitches
- 44 dwellings still too many
- Village already has new sports pavilion
- Adverse neighbour impact – view, privacy, light
- Not the level of support as portrayed by the Parish Council
- Contrary to policies
- No proper consultation with the village residents
- Other sites more appropriate for development
- Village not sustainable
- Impact on rural character
- Access to the pitches should be from Alchester Road and not through the development
- School not at risk as it has a wider catchment than just the village
- Should not even entertain such an application
- Further traffic calming should be required
- The Parish Council's suggestion about the access from Alchester Road would not work.

12 letters/emails of support have been received. Matters raised in support are as follows:

- In best long term and medium term interests of the village
- Help protect village school
- New village hall/pavilion will replace outdated small village hall
- Village in need of affordable housing, new hall and sports/play facilities
- Will remove dangerous parking from the road
- Future schemes for housing are unlikely to offer the same benefits
- Need for affordable housing
- Kingsmere will not bring any benefits to Chesterton

1 letter neither supporting or objecting to the application but balancing the pros and cons of the development set out in the comments above.

3. Consultations

3.1 **Chesterton Parish Council** does not object to the application but make the following comments;

- Concerns over parking facilities for visitors to the playing field
- Currently proposed access to pitches may cause nuisance to new residents
- Insufficient parking spaces provided for weekend use of the pitches
- Provision for parking should be provided behind the new community centre with access coming off Alchester Road

3.2 **Environment Agency** comment as follows:
No objections subject to conditions.

3.3 **OCC Highways** comment as follows:

- Acceptable access arrangements, including emergency access
- Transport Statement shows there is unlikely to be an impact on the local highway network as a result of the development
- Previous accidents of Green Lane appear to have been driver error rather than a result of the characteristics of Green Lane
- Some design elements will need further consideration
- Off site works required to extend 30mph zone, relocate gateway feature and increase traffic calming measures
- Refusal on highway grounds would not be sustainable at appeal

3.4 **Head of Strategic Planning and the Economy**, Planning Policy, has made very detailed comments, which are incorporated into the main report below however the conclusions are set out here;
From a Planning Policy perspective consideration has been given to the NPPF, the South East Plan, the two existing local plans and the Proposed Submission Local Plan. Conscious of the need to balance the requirement for growth with protecting the character of the countryside, the merits of Chesterton as a location for a small amount of new development relative to other villages, the modest level of the new housing that has been developed at the village in recent years, and the relationship of the application site to the village. On balance, in this particular case, I would not wish to raise a policy objection subject to all detailed matters being satisfactory, including the visual impact of the development on the countryside, whether efficient use of land would be made, deliverability, and policies on housing, design and construction included in the Proposed Submission Local Plan.

3.5 **Head of Environmental Services** (Arboriculture, Landscape Services)
In relation to landscape and visual impact the site is not visually prominent in the wider landscape. Intervening hedgerows mitigate the impact. Glimpses of the new buildings would be visible from some public viewpoints but from other points the visual impact would be greater and the development more prominent for example from Alchester Road, the south west, the road from Little Chesterton and the western boundary. The development will have some landscape and visual impact and extend development into the countryside. The landscape officer also had comments on the layout of the scheme with some criticism of the location of the open space, the location of the play area in relation to some of the dwellings, and the future maintenance of hedgerows within private gardens.

In relation to arboricultural issues no objections are raised as there are very few trees on site and these do not have any significant value. Conditions are proposed to seek a landscaping plan which enhances the tree cover on the site.

- 3.6 **Head of Community Services** (Safer Communities, Nature Conservation, ROW)
In relation to ecology it is considered that the site has little potential for protected species, but parts of the hedgerow are species-rich therefore if any is proposed for removal it should be assessed under the hedgerow regulations. A biodiversity enhancement scheme should be submitted at reserved matters stage.
- 3.7 **Thames Valley Crime Prevention Design Advisor:**
- No reference to how development takes account of the 7 attributes of creating safer places
 - Community building and parking, driveways do not benefit from natural surveillance – redesign or maximise opportunities for surveillance by adding ground floor bay and gable windows
 - Hedges not sufficient to secure back gardens
 - Conditions and informatives proposed
 - Increased population will lead to better support of existing community facilities

4. Policy Considerations

National Planning Policy Framework

Core planning principles and the delivery of sustainable development and a presumption that where plans are absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, with particular regard to the following sections:

- 4: Promoting sustainable transport
- 6: Delivering a wide choice of high quality homes
- 7: Requiring good design
- 8: Promoting healthy communities
- 10: Meeting the challenge of climate change, flooding and coastal change
- 11: Conserving and enhancing the natural environment
- 12: Conserving and enhancing the historic environment

South East Plan 2009

Spatial Strategy - Policies

SP3: Focus for development on urban areas

Cross Cutting – Policies

CC1: Sustainable Development

CC2: Climate Change

CC4: Sustainable Design and Construction

CC6: Sustainable Communities & Character of the Environment

CC7: Infrastructure and Implementation

Housing – Policies

H1: Regional Housing Provision 2006 - 2026

H2: Managing the Delivery of the Regional Housing Provision

H3: Affordable Housing

H4: Type and Size of New Housing

H5: Housing Design and Density

Transport – Policies

T1: Manage and Invest

T4: Parking

Natural Resource Management – Policies

NRM1: Sustainable Water Resources & Groundwater Quality

NRM2: Water Quality

NRM4: Sustainable Flood Risk Management

NRM5: Conservation and Improvement of Biodiversity

Countryside and Landscape Management – Policies

C4: Landscape and Countryside Management

Management of the Built Environment – Policies

BE1: Management for an Urban Renaissance

BE5: Meeting the defined local need

BE6: Management of the historic environment

Social and Community Infrastructure – Policy

S1: Supporting Healthy Communities

S3: Education and skills

Central Oxfordshire – Policies

CO1: Core Strategy

CO3: Scale and Distribution of Housing

**Adopted Cherwell
Local Plan 1996
Saved Policies**

H5: Affordable housing

H12: Housing in rural areas

H13: Housing in Category I Settlements

H18: New dwellings in the countryside

TR1: Transportation Funding

R12: Public Open Space provision within new housing developments

C2: Protected Species

C7: Landscape conservation

C8: Sporadic development in open countryside

C9: Compatibility of development with rural location

C27: Design Considerations - Historic Settlement Pattern

C28: Design, layout etc standards

C30: Design control

**Non-Statutory
Cherwell Local Plan
2011**

Housing policies H1a, H3, H4, H7, H16, H19

Transport & Development policies TR1, TR4, TR5, TR9, TR11

Recreation & Community Facilities policies R8, R9, R10A

Conserving & Enhancing the Environment policies EN1, EN15, EN16, EN24, EN25, EN27, EN30, EN34 & EN44.

Urban Design & The Built Environment policies D1, D3, D5 & D6 and D9

General Policy OA1

**The Cherwell Local
Plan Proposed
Submission Draft May
2012**

Sustainable communities

BSC1: District wide housing distribution
BSC2: Effective and efficient use of land
BSC3: Affordable housing
BSC4: Housing mix
BSC10: Open space, sport and recreation provision
BSC11: Local standards of provision – outdoor recreation
BSC12: Indoor sport, recreation and community facilities

Sustainable development

ESD1: Mitigating and adapting to climate change
ESD6: Sustainable flood risk management
ESD7: Sustainable drainage systems
ESD8: Water resources
ESD10: Biodiversity and the natural environment
ESD13: Local landscape protection and enhancement
ESD15: Green boundaries to growth
ESD16: Character of the built environment

Policy for villages 1 – Village categorisation

Policy for villages 2 – Distributing growth across the rural areas

5. Appraisal

5.1 The key issues for consideration in this application are:

- History
- Policy Context
- Housing land supply
- Sustainability of the location
- Character and appearance
- Neighbouring amenities
- Access and highway safety
- S106
- Other matters

5.2 History

5.2.1 This application follows previous planning applications for development of up to 63 dwellings. The most recent of which (10/00547/OUT) was refused by this Council for the following reason;

5.2.2 *The proposal represents development beyond the built up limits of the settlement and will cause harm to the character and appearance of the countryside. Notwithstanding the Council's short term inability to demonstrate that it has the 5 year supply of housing land required by PPS 3 Housing, the development of this site cannot be justified on the basis of a temporary land supply deficiency alone. A*

development of this scale is inappropriate given the size of village and existing level of provision of village facilities. As such the proposed development is contrary to the saved policies H13, H18 and C7 of the adopted Cherwell Local Plan and Planning Policy Statement 3 Housing.

- 5.2.3 The application was determined by the Council at a time when the Council could not demonstrate that it had a five year housing land supply. By the time the subsequent appeal was considered by the Inspectorate (June 2011) the Council was able to demonstrate that it did have a five year housing land supply and successfully defended the appeal with the Inspector concluding;
- 5.2.4 *The potential benefits of the scheme proposed, including the contribution towards meeting affordable housing need, the provision of a replacement village hall and enhanced sporting facilities are recognised. I am also mindful that the scheme has the support of the Parish Council and that the land is immediately available for development, with no significant physical constraints that might impede delivery. However, those considerations, even when taken together, do not justify the harm that would be caused by allowing residential development in the open countryside, with the associated adverse visual impact that I have identified, without sufficient justification. In this respect, I have found that, in all likelihood, the Council is able to demonstrate a rolling five year supply of deliverable housing sites for the District. In these circumstances, there is no suggestion in PPS3 that applications for housing should be considered favourably. I conclude on balance therefore, that the appeal should not succeed.*
- 5.2.5 In the assessment of this current proposal it is relevant to consider whether or not any changes in circumstances are sufficient to reach a different conclusion to that reached by the Inspector back in June 2011. There are a number of changes in circumstances for the current application: a change in the district's housing land supply position; the approval on 28 May 2012 (subject to minor changes) of the Council's Proposed Submission Local Plan (for consultation); and the publication of the NPPF on 27 March 2012.

5.3 **Policy Context**

- 5.3.1 The village of Chesterton is identified as a Category 1 Settlement in the 1996 adopted Cherwell Local Plan but in the Non-Statutory Cherwell Local Plan adopted for development control purposes it was identified as a Category 2 village. The draft Core Strategy identified Chesterton as a Category B village and this is carried through to the more recent proposed submission draft Local Plan. Furthermore the proposed submission draft puts Chesterton in Group 3 along with 11 other villages in respect of the potential distribution of housing in the rural areas. Between them this group of villages are currently expected to provide 259 dwellings (see para 5.5.4 below).
- 5.3.2 The proposed development is located within the open countryside and as such is contrary to the development plan.
- 5.3.3 The South East Plan has an urban focus but states that LPAs should plan positively to meet defined rural needs and define the approach to villages based on their functions, accessibility, the need to protect or extend key local services and the capacity of the built form and landscape setting.

5.3.4 Paragraphs 49 and 14 of the NPPF are engaged for the purposes of this application. Para. 49 states that *'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.'* Para. 14, with regard to decision taking, states that *'where the development plan is absent, silent or relevant policies are out-of-date, local planning authorities should grant planning permission unless:- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.'*

5.3.5 Paragraph 7 of the NPPF states that one of the general principles of planning that should underpin plan-making and decision-taking is that it should be a genuinely plan-led. This development is contrary to the adopted Local Plan and proposed submission draft Local Plan contains no allocations for rural areas and no Local Neighbourhoods Development Plan Documents have been produced setting out preferred locations for new development therefore it would be fair to say that the proposal does not comply with a plan led approach.

5.4 **Housing Land Supply**

5.4.1 It is understood from reading the submitted Supporting Statement that the application has been submitted on the basis of the applicants belief that the Council now does not have a five year housing land supply and that this should weigh heavily in the consideration of the application. It is the case that the Council's housing land supply position has changed since the appeal was considered. The Council considers that the housing land supply is currently standing at 3.1 years. The NPPF still requires that Council's should be able to identify a supply of specific deliverable sites sufficient to provide five years worth of housing and that where this cannot be demonstrated relevant policies for the supply of housing land should not be considered up-to-date. The NPPF also states that housing applications should be considered in the context of the presumption in favour of sustainable development.

5.4.2 The NPPF also states that local planning authorities may make allowances for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local areas and will continue to provide a reliable source of supply. Although an allowance has not yet been formally incorporated for small sites of less than 10 dwellings, the housing trajectory in the Proposed Submission Local Plan (28 May) identifies a supply of 70 homes per year from sites of less than 10. An estimate of some 129 homes per year was included in the (now superseded) Housing Land Supply Position Statement approved by the Executive of 6 February 2012. In either case, this would not be sufficient to return the district to a 5 year supply (3.6 years in the case of the former and 4.0 years in the case of the latter).

5.4.3 This application would contribute to the housing land supply shortage and does need to weigh heavily in the balance. However it needs to be considered whether or not there are any adverse impacts that would significantly and demonstrably outweigh this benefit as required through paragraph 14 of the NPPF.

5.5 Sustainability of the Location

- 5.5.1 Chesterton is considered to be a sustainable village, although it is not one of the most sustainable villages, hence it being identified as a category B village in the more recent draft policy documents.
- 5.5.2 With specific reference to public transport it is recognised that despite the bus service only operating a two hourly service with no service on Sundays the village is in close proximity to Bicester which together with contributions which can be secured by a planning obligation the proposal does offer some opportunity to use more sustainable modes of transport than the private car. However Policy H13 of the adopted Cherwell Local Plan, in its explanatory text, requires that most housing development should take place in settlements with a reasonable range of services and community facilities. In the previous reason for refusal the Council made reference to the scale of the development being inappropriate given the size of the village and the lack of village facilities. The Inspector shared these concerns stating that in the absence of a shop and post office... "the level of village facilities is unlikely to be able to support a development of the scale proposed". In relation to the sustainability of the location the Inspector concluded that the appeal site would not provide a sustainable location for the development proposed, with future residents being, in all likelihood, largely dependent on services and facilities elsewhere to meet a significant range of everyday needs.
- 5.5.3 It would appear that the applicant's solution to this concern is to reduce the number of dwellings; hence the application is now for 44 dwellings compared to the 63 applied for in the previous application. Whilst the reduction in the number of dwellings reduces potential demand for village facilities it is difficult to see how this improves the sustainability of the locality. The proposal still includes a range of improvements to sporting facilities and a new pavilion building and whilst letters and emails from members of the public refer to the potential for a shop to establish itself in the old village hall, this is not proposed to be secured as part of the proposal and as such it is considered that the development site still does not represent a sustainable location for significant new housing development as it fails to provide for the everyday needs of the community.
- 5.5.4 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development and that the planning system is to perform certain roles, one of which is a social role. The social role can be achieved by supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. There are several aspects of this development that can be assessed against this paragraph. Firstly there is some question about the level of housing required to meet the needs of present and future generations. The current proposed submission draft Local Plan which is intended to cover a period up to 2031 sets out that between 13 villages, of which Chesterton is one, they are to accommodate 259 dwellings. The plan states that the precise number of homes to be allocated to an individual village, and that the allocation of sites, will be set out in the Local Neighbourhoods Development Plan Document which will take account of levels of house building that have already taken place in each village to avoid overdevelopment. However if distributed broadly equally between the villages as stated in supporting text any one of the

villages could be expected to accommodate in the region of 19 or 20 dwellings. It is clear that this application is for more than double that number, further supporting the previous Inspectors conclusions that the level of village facilities available in Chesterton is unlikely to be able to support a development of this scale. Whilst this document carries only little weight it provides the basis for a direction of travel in relation to meeting strategic targets in rural areas and as such is a material consideration. In relation to accessibility of local services Paragraph 7 of the NPPF is not complied with.

5.6 Character and Appearance

- 5.6.1 The site has consistently been recognised as encroaching into the open countryside although it has previously been reported that the proposal would be unlikely to result in significant visual harm, although some visual impact would occur. The Council in determining the previous application took the view that the development would harm the character and appearance of the countryside. The Inspector agreed with this view and in her decision letter made the following observations and conclusions;
- 5.6.2 *Notwithstanding the more manicured appearance of the sports ground, I saw that the rural character of the countryside, particularly the arable fields, contrasts markedly with the slightly suburban housing on Green Lane. Although the site is enclosed by hedgerows in part, the development would be visible from the wider area as a consequence of its flat topography and the proposal would, as a matter of fact, extend built development into the countryside. Even with the framework landscaping and planting proposed, there would be some visual impact, particularly in views from Alchester Road to the east, and from the lane to the south-west. The impact would have a fundamental effect on the not unattractive rural landscape that abuts this part of the village, with an adverse impact on the character and appearance of the area.*
- 5.6.3 The Inspector refers to the development being visible from the wider area which may appear to contradict previous opinions that the development would not affect the wider landscape. There may however be a simple lack of clarity in the use of such phrases. Therefore in the interests of clarity the proposal has been considered once again by the Council's Landscape Officer who believes that the 'wider' views actually only extend to a distance of about 400m, for instance where views are obtained from the south west along the road to Little Chesterton. This ties in with the conclusions of the Inspector who considered there would be views of the site from the lane to the south west. In another instance it is clear that there will be views of the development from Alchester Road to the east which lies approximately 140 metres from the residential element of the scheme. Therefore it is considered that it remains true to say that the proposal would not have significant impacts on the landscape but there would be visual harm caused to the character and appearance of the area. In previous reports this impact was not considered of sufficient weight to justify a recommendation of refusal when taking all other matters into consideration at the time but Members took a different view which was supported by the Inspectorate. Therefore this should be given considerable weight in the assessment of the current proposal and it should be considered whether or not the revised layout does anything to overcome the harm identified in relation to the previous application.
- 5.6.4 The most apparent amendment to the scheme is the removal of dwellings on the

south western and western section of the access road and their replacement with additional open space and tree planting. Whilst these amendments will help to reduce the impact of views from the south west, especially in the summer months, the properties are still likely to be exposed during winter months. Very little has changed in relation to the impact the development will have on views to the east of the site from Alchester Road. No degree of landscaping can overcome the principle concern of encroachment into the open countryside and the resultant change in character and appearance to the area.

- 5.6.5 In addition to the above points the NPPF at Paragraph 58 requires that development optimise the potential of the site to accommodate development and Policy BSC2 of the proposed submission draft Local Plan requires the effective and efficient use of land. By removing housing in an attempt to reduce the visual impact of the development raises new questions about whether the development makes the most effective and efficient use of the land. In this instance it could be argued that the land wasn't being used effectively and efficiently.

5.7 Neighbouring Amenity

- 5.7.1 Impact on the residential amenities of existing residents was considered in relation to the previous application. The Council has not previously raised concerns about such an impact and this has not formed part of a refusal reason in the past. Whilst there have been changes to the proposed layout which is to be considered as part of the outline application there are no changes that have an adverse affect on the amenities of existing residents. Whilst a couple of the distances between rear facing elevations has been reduced slightly there still remains a separation distance of 40metres, almost double the informal standard used by the Council to limit effects on privacy.

- 5.7.2 Existing residents will experience a change in outlook as the current views across open countryside will be lost, however the planning system cannot be used to protect private views.

- 5.7.3 It is considered that the layout provides a satisfactory layout in relation to the impact on residential amenities and as such this is a factor is unlikely to be defensible at appeal if it formed part of a refusal reason.

5.8 Access and Highway Safety

- 5.8.1 The Local Highway Authority has consistently stated that the highway network has sufficient capacity to cope with development on this site, that the access is acceptable and appropriate measures can be secured for alterations to the speed limit and traffic calming measures. The Inspector did not disagree with these conclusions. Given that the number of houses has been reduced from the earlier scheme it is considered that the proposal will not cause harm to highway safety.

5.9 S106

- 5.9.1 By the time the appeal was determined for the previous scheme the applicants had submitted a signed S106 agreement that was drawn up in conjunction with the Council and as such the Council was satisfied that if the development had been permitted the scheme would have secured the appropriate contributions to local infrastructure. It is expected that the applicants would be willing to either sign a

linking agreement or an amending agreement, taking into account the reduction in the number of proposed dwellings. However until this is done the lack of a signed agreement relating specifically to this application should form a reason for refusal. However in the event of a resolution to approve the scheme it should be subject to the completion of an agreement satisfactory to the Local Planning Authority.

5.10 **Other Matters**

5.10.1 The NPPF requires consideration to be had for community needs and developments that support health, social and cultural well-being. It could be argued that this development does this by providing a community pavilion, improved sports pitches and play areas and off road parking for the pitches. The development has received support from the Parish Council and some local residents and it is acknowledged that a smaller scheme of say 19 or 20 dwellings is unlikely to be viable with the provision of such facilities and improvements. To the contrary however some residents believe that the alleged benefits will not truly serve the needs of the whole community and that the Parish Council's view is not representative of the whole village. A balance therefore needs to be made between the scale of the development and its acknowledged harm and unsustainable nature versus the community benefits that will come with it, and the mixed local opinion as to whether or not the development is a good idea. Whilst the NPPF promotes the empowerment of local people in shaping their surroundings and it is very positive that the Parish Council supports this scheme the guidance in the NPPF is very much focussed on the production of local and neighbourhood plans in order to set out the visions for the future.

5.10.2 The submission has changed since the earlier applications in that the applicants now propose to provide 35% affordable housing. This has to be considered as a benefit and weighs in favour of the scheme. In a development of 44 dwellings 35% equates to 15 units. The previous scheme secured 30% affordable housing but given the overall number of houses proposed was greater 30% provision would have resulted in 19 units.

5.10.3 There have been no previous significant concerns relating to any of the above considerations that would justify recommending refusal on these grounds. However in the event of an approval conditions would need to be imposed to ensure appropriate measures are taken to mitigate against any adverse impacts.

5.11 **Conclusion**

There is a need to improve the Council's land supply position and this application would contribute towards such a need. This factor is significant in the consideration as well as the fact that the development will provide, in addition to the usual S106 requirements, improved sporting facilities, a community building and 35% affordable housing. Another significant factor is that the Parish Council and a number of local residents are in support of the proposal. However the Council and an appeal Inspector previously considered that the village did not have sufficient facilities to support a development of 63 dwellings resulting in unsustainable development and that the development would result in harm to the character and appearance of the area. Whilst it is acknowledged that the scheme has been amended to reduce the number of dwellings on the site it is not considered that this is sufficient to overcome the two principle concerns and that on balance and despite the need to improve the Council's housing land supply the application should be refused.

6. Recommendation

Refusal, for the following reasons:

The proposal represents development beyond the built up limits of the settlement and will cause harm to the character and appearance of the surrounding area. Notwithstanding the Council's short term inability to demonstrate that it has the 5 year supply of housing land required by Paragraph 47 of the NPPF, the development of this site cannot be justified on the basis of a temporary land supply deficiency alone. Notwithstanding the amendments made since the previous application (10/00547/OUT) a development of this scale is remains inappropriate given the size of village and existing level of provision of village facilities. As such the proposed development is contrary to the saved policies H13, H18 and C7 of the adopted Cherwell Local Plan, policies H16, H19 and EN34 of the Non-Statutory Cherwell Local Plan and the core planning principle of delivering sustainable development and Paragraph 17 of the National Planning Policy Framework.

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