

Land Adjoining and South of St Christophers Lodge, Barford Road, Bloxham

12/00926/OUT

Ward: Bloxham and Bodicote
Thirzie Smart

District Councillor: Cllr C Heath, Cllr L

Case Officer: Caroline Roche

Recommendation: Approval

Applicant: Gladman Developments

Application Description: OUTLINE – Proposed development of up to 75 residential dwellings, landscape, open space, highway improvement and associated works

Committee Referral: Major development and Departure from Development Plan

1. Site Description and Proposed Development

- 1.1 The application site is a 2.7 hectare site on the southern edge of Bloxham to the east of Barford Road, opposite Mannings Close and Gascoigne Way. The site is immediately to the south of St Christopher's Lodge and the new development accessed off Milton Road known as Woodland Gardens. The site is agricultural land but at the time of the site visit appeared to be being kept as meadow. The site slopes down away from Barford Road and is bounded by hedgerows. There is an existing pond within the site and further ponds close to the site boundaries. There are trees protected by tree preservation orders close to the site, within the garden of St Christopher's Lodge. To the east of the site but not within the site boundary is a public footpath that runs north to south between Barford Road and Milton Road.
- 1.2 The application seeks outline consent for a residential development of up to 75 dwellings including landscaping, open space, highway improvements and associated works. Given the nature of the application it is the principle of the development which the applicants are seeking approval for along with the details of the access. Other matters such as layout, design and landscaping are reserved for future consideration in the event of this application being approved.
- 1.3 The application was submitted with an appropriate suite of documentation and reports, although the quality and accuracy of some of the submission has been brought into question by members of the public and some consultees due to the presence of inaccuracies and references to place and road names that are not within the district. Such inaccuracies are unlikely to have had a significant bearing on the professional assessments made by consultees and officers.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was the 9th August 2012 although representations received after this date have been taken into consideration.

In the region of 220 letters/emails have been received objecting to the proposal, including a letter from District and County Councillors. Some letters have been signed by two or more residents. A petition has also been received with 138 signatures. Some of those that have signed the petition have also sent in letters/emails. The following Issues were raised in objection to the proposal.

Material planning comments:

- Development outside of village boundary
- Development contrary to local plan policies
- Site not allocated in any adopted or emerging planning policy
- Development not sustainable, residents isolated from village centre
- Fails tests of sustainable development set out by government
- Bloxham already had enough development, over its allocation and disproportionate to other villages
- Schools, nursery, doctors, already at capacity
- School has no room for expansion
- Not acceptable for children to have to travel long distances to alternative schools
- Roads at capacity, regularly congested, used by HGV's and unsafe
- Conflict with different types of traffic and increasing amounts of it (some photos submitted seeking to demonstrate this)
- Pollution associated with increased traffic
- Increasing number of traffic movements from Bloxham Business Centre
- Pedestrian access around the site and village inadequate and unsafe
- Similarities with recently refused case at Adderbury
- Lack of decent bus service
- Flooding within the locality will worsen, field currently used to drain from surrounding properties
- Misrepresentation within the application
- Adverse impact on wildlife and habitats, including buttercup meadow
- Proposed houses not in keeping with nature of surrounding development
- Social housing requirement already been met
- Children's play space adjacent to ponds is potentially dangerous
- Density too high
- Inappropriate mix of dwellings proposed
- Neighbouring villages haven't had same level of development
- Brown field sites should be encouraged by policy
- Lack of jobs in locality
- Blight the rural countryside and Area of High Landscape Value
- Long term damage to historic village
- Impact on views of the church
- Views of local residents should be key consideration
- Insufficient parking on site
- Village requires bungalows for the elderly
- Village Plan survey suggested that most of the respondents were against further development in the village
- Progress being made towards production of new Neighbourhood Plan
- Insufficient facilities for teenagers in the village
- Other new developments are an eyesore
- Buy to let culture results in reduced housing stock

Cumulative impacts with other developments
Footpath links between the development will encourage antisocial behaviour
Insufficient recreation facilities
Poor water pressure and loss of water
Sewerage capacity
Impact on other villages in the locality
Loss of power
Broadband capacity

Non material comments:

Purchasers been put off on Milton Road sites due to proximity of travellers site
Potential of future closure of the shops due to potential parking restrictions will adversely affect the village
Recently built houses still unoccupied
Existing affordable houses not being utilised by those with genuine village connection
Impact of construction traffic
Site more suitable for allotments
Personal circumstances influencing the ability to get children to school without relying on the use of a car
Do not want to see the same type of development as has already happened along Milton Road
Social unrest caused by non-locals moving into the affordable dwellings

One email has been received expressing support for the proposal. It sets out that having been born in Bloxham and living in the village for 25 years she was forced to leave due to a lack of houses driving up prices. Any new houses will be widely welcomed by young people.

3. Consultations

3.1 **Bloxham Parish Council: (The response extends to 13 pages therefore has been summarised for the purposes of this report)**

Residents overwhelmingly opposed to further development within the village, the Parish Council supports this view.

The Parish Council found many inaccuracies in the documents submitted by Gladman.

During last 6 years, seen the construction of an excess of badly designed and inappropriate housing development.

Bloxham played its part in supporting Cherwell District Council's need to provide and increase its housing stock.

NPPF Para 17 – New developments should be 'genuinely plan led, empowering local people to shape their surroundings – development is not plan led and has not been proposed by village residents

Draft Local Plan suggests that Bloxham should have 'minor development, infilling & conversions' – developments constitutes major development

Draft Local Plan indicates total of 500 dwellings to be distributed relatively evenly between 6 villages – average increase over the 25 year period for Bloxham to be in the region of 83 dwellings

191 dwellings have already been built in Bloxham
Submission puts sig. weight on need for affordable homes yet it has been reported that the Council has exceeded its affordable homes target.
Development contrary to Policy H18 and H19 of the adopted Cherwell Local Plan – extend the present village boundary

Flooding

Balancing ponds proposed to be located in an area prone to flooding
Site in Flood Zone 1 'Localised flooding around the pond in far northeast of the site may potentially occur during extreme rainfall
Even in drought conditions it was found that land was exhibiting bog conditions – report does not give clear evidence on how this condition will be resolved
Site accommodates drainage from Barford Road and neighbouring houses
The pumping station would have to pump up to the connection on Barford Road
Existing drainage problem on Barford Road aggravated by even minimal amount of rainfall
Confusion over treatment of existing ponds and how and by whom they will be kept safe – harmful to children's safety and becomes breeding ground for bacteria and insects

Utilities

Existing water and electricity provision far from satisfactory – no improvements made by measures put in place by other new developments
Numerous instances of loss of water and pressure – Policy ESD8 of Draft Local Plan, Thames Water has identified inability of existing wastewater infrastructure
Reports of sewage overflowing in the village

Ecology and Bio-diversity

Should ensure that further great crested newt survey is carried out
No apparent consultation with any local bat group to verify findings of report
Marked drop in frequency of bat sightings since development on Milton Road
Site is actively used and improved for agriculture
Contrary to Draft Local plan ESD10 – Development seeks to destroy viable agricultural site, destroy habitat for wildlife, increase light pollution. Future pollution in ponds may cause damage to local water sources
Site currently meadow will be replaced by concrete

Socio-Economic

Inconsistencies in Socio-Economic Report – is Bloxham a large or small village
No evidence that increase in population will reduce current high level of unemployment
No evidence of employers for the residents from this development – Banbury has very limited employment market
No guarantee that S106 money will provide additional benefits to existing Bloxham residents to compensate for drastic reduction in current provision regarding GPs dentist and education
Short term construction jobs will not solve long term employment issues
No justification as to monetary figure Gladman suggest will be generated annually as a result of the new residents

Housing

Density too high for this site and the village of Bloxham
Calculated density at 35.2 dwellings per hectare which exceeds Draft Local Plan Policy BSC2 and not in keeping with houses on Barford Road
35% affordable housing not appropriate for village community of Bloxham – breakdown of units actually exceeds the 35% indicated
Bloxham already has 106 Housing Association Rented dwellings

Bloxham has approx. 160 two bed dwellings – these should address the local need

No guarantee that affordable units will be taken up by local people

If there are people still on the housing register with links to Bloxham why were the houses on Milton Road not taken up?

Link to Woodland Estate would lead to Urban Sprawl that David Cameron indicates should NOT happen

Reference to 'townscape' and 'town' is not appropriate within the DAS

Code for Sustainable Homes Level 3 proposed – Policy ESD3 of draft Local Plan requires all new homes to be Code 4

On-site amenities

Size of play areas do not seem to comply with standards

Is on-street parking an appropriate method of traffic calming

Will narrow streets allow access for refuse collections

Not clear if sufficient garaging will be provided

Noise Assessment makes reference to unknown street names

Noise Assessment indicates that Barford Road is a well used road already overburdened with traffic

Developer acknowledges excessive noise pollution at present of Barford Road and anticipate shielding the houses – how will existing houses be shielded when exposed to additional noise pollution

Traffic and Access

Site entrance is adjacent to road narrows signs

Barford Road is narrow road used by farm vehicles and fast traffic – traffic is slowing as it reaches the site of the proposed access where the road also bends and narrows

Footpaths into the village are narrow – not wide enough for a wheelchair or buggy plus a toddler

No continuous footpath into the village, pedestrians will have to negotiate busy roundabout

Road used by HGVs, including those going to Smiths of Bloxham

Transport Assessment carried out on one day – an accurate survey should be carried out over 2 weeks and 24 hours a day

No reference to business centre which has already increased volume of traffic

Hedgerow will need to be cut back to conform to DMRD standards

Bus service along Barford Road to Banbury only runs once a week

Misleading representation as to availability of public transport

Residents working in Banbury and relying on public transport would have to work standard hours

No direct bus service to Oxford

Car sharing not practical

Cycling not a viable option

Houses still unoccupied on Milton Road therefore further impact on the roads when fully occupied

Queue length at mini roundabout refers to vehicles turning left – no reference to number of vehicles turning right towards Banbury

Peak traffic movements are significant for a narrow entrance and on blind bends

Existing junction subject to several accidents in recent years - logical that increase in road users will increase incidents of driver error accidents

Infrastructure

Insufficient infrastructure to accommodate further developments

Limited range of services – supermarket is a village store. Limited services and limited opening hours requiring trips into Banbury

Local stores accommodate existing needs and do not have room for expansion
High Street cannot accommodate further parking pressures

Schools

Bloxham Primary has no capacity for extra children and no room for expansion
Further development will limit catchment area of the Primary School meaning more children will have to be transported at the expense of OCC to other schools – leading to further congestion and anxiety to parents

References to secondary education include the private fee paying schools

Amenities

The tennis courts referred to are in private ownership and for use by the school
There is no park in Gascoigne Way

The formal open space referred to is Warriner School Playing Field

Proposed open space will be a danger more than a benefit

Whilst doctors and dentist may accept new patients they get treated in Banbury or Hook Norton

Poor utility provision

No evidence that development will benefit local economy

Infrastructure to support disabled people or people with impaired mobility does not exist

Minimal space allocated for parking, on street parking may result in oils etc being discharged to groundwater drainage systems

Street lighting will cause light pollution and be harmful to local population and wildlife habitats

A list of anomalies contained within the applicants submission has also been attached to the Parish Council's comments.

The response was also submitted with a copy of letters to and From Sir Tony Baldry relating to the matter of the Council's Housing Land supply position and the way in which it is calculated.

- 3.2 Barford St John & St Michael Parish Council:** Strongly objects. Agrees with objections set out by Bloxham Parish Council. Also consider that it will have a seriously detrimental effect on Barford St John and Barford St Michael;

Unacceptable increase in traffic through The Barfords (the Parish conducted its own traffic survey)

Roads through village unsuitable for construction vehicles

Children from Barfords may be denied school places

Housing needs – dispute between approvals and completions

Adverse impact on character and appearance of the area

Insufficient parking provision

Safety risk with play space close to ponds

- 3.3 Milcombe Parish Council:** Seriously concerned about any further development in Bloxham which has already had more than double its allocation. Reasons summarised as follows;

Totally unsustainable with regard to infrastructure – both villages suffering low water pressure, frequent power cuts, a sewage system causing problems

Traffic congestion in both villages, particularly from HGVs – little likelihood of highway improvements for either village
Main concern is that of shared facilities between the villages, doctors, dentist and schools which are at capacity
Horton General Hospital will be hard pressed to cope with additional approved developments in the pipeline
Further development in Bloxham will impact on the residents of Milcombe

3.4 South Newington Parish Council: No objections in principle as it would fill a gap in what is now the built boundary of the south western edge of Bloxham. However conscious that the view of residents of Bloxham may be different because the proposal will be a significant addition to the village which has already had several such additions. Question whether the proposal is in keeping with the proposals for the development of larger villages set out in the emerging Local plan.

3.5 Milton Parish Meeting: Received a number of comments summarised as follows;

Bloxham taken fair share of development
Further development threatening rural character
Little employment, more traffic, unsustainable
Roads congested
Inadequate public transport
Schools not able to meet the local needs
Ribbon development means new residents are further from local facilities
Affordable housing not been used for local residents but instead allocated to problem families from nearby towns – make up and character of village changing
Speed and quantity of traffic becoming increasingly dangerous

No positive responses were received by Milton Parish Meeting.

Cherwell District Council Consultees

3.6 Head of Strategic Planning and the Economy (Planning Policy): The response was 4 pages long so has been summarised for the purposes of this report;

Provision of 35% affordable housing complies with Proposed Submission Local Plan (August 2012)

South East Plan – Urban focus, plan positively to meet defined rural needs and define approach to villages based on their function

Adopted and Non-Statutory Local Plans – Site not allocated for development, lies within an area of countryside to which policies of restraint apply.

Bloxham is Category 1 village but as site lies outside the built up area categorisation policies do not apply

Proposed Submission Local Plan – Published for consultation 29 August 2012 and supersedes Housing Land Supply Position Statement approved in February 2012 and Draft Core Strategy 2012.

The Plan Carries limited weight.

Policy (Villages 2) allows for the distribution of 948 homes to 23 villages. Of the 948, a total of 500 homes is distributed to a group of 6 villages including Bloxham.

Precise number of homes to be allocated to an individual village, and the allocation of sites, will be set out in Local Neighbourhoods Development Plan Document which will take account of levels of house building that have already taken place in each village to avoid over development - will possibly include further measures to control the supply of housing

Plan anticipates that within each group of villages the total number of homes will be divided broadly equally (approximately 83 homes per village)

In advance of the Local Neighbourhood Document necessary to consider district's current housing supply situation, to be mindful of the amount of rural housing that has been allowed in particular locations and the likely impact of proposed developments on a case by case basis

Bloxham had 163 recorded housing completions from 2001 to 2011. 142 of these were built between 2006 and 2011. At 31 March 2011, another 73 had planning permission but had not been built (including 61 on land south of Milton Road). This is 10 dwellings less than the indicative pro rata total of 83 homes per village in Policy Villages 2. The only rural village with a higher number of completions between 2001 and 2011 is Yarnton with 191 homes. This includes 103 homes built during 10/11 on a large site allocated in the Non-Statutory Plan in 2011 and where development continues.

While housing requirements should not be considered a ceiling on development, Bloxham has experienced a relatively high level of development in recent years and the completion of the site to the south of Milton Road (61 homes) and the other 12 homes with permission at 31 March 2011 would reduce the village's indicative requirement to 10 homes (a separate allowance for windfall development (less than 10 dwellings) in urban and rural areas after 31 March 2011 is included in the housing trajectory)

75 homes as proposed in this application would exceed Bloxham's indicative figure by 65 dwellings. This becomes particularly significant in the context of the village's recent level of delivery.

Housing Land Supply

The district does not presently have a five year supply. The current supply to 3.2 years (2012-2017)

The NPPF states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area 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 identifies a supply of some 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. 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 to 4.0 years in the case of the latter).

The proposed development, if shown to be deliverable, could therefore contribute in the district moving back to a 5 year supply. The Proposed Submission Local Plan identifies new housing sites in the interests of both increasing near term supply and maintaining supply over the long-term.

National Planning Policy Framework (NPPF)

The NPPF introduces a presumption in favour of sustainable development and states that where the development plan is absent, silent or relevant policies are

out-of-date, planning permission should be granted 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*” (para’ 14).

Paragraph 17 of the NPPF sets out twelve core planning principles

Paragraph 47 requires LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, with an additional buffer of 5% to ensure choice and competition in the market for land (or 20% where there has been persistent under delivery).

Para’ 40 states that housing applications should be considered in the context of the presumption in favour of sustainable development and that 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.

The NPPF also states (para’ 150) that Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities, that they must be prepared with the objective of contributing to the achievement of sustainable development and should be consistent with the principles and policies set out in the NPPF.

At the current time the district has not yet returned to a five-year land supply position and a detailed assessment will need to be made as to whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, including the provision of new homes and affordable housing. The Proposed Submission Local Plan seeks to carefully manage housing distribution in rural areas in the interests of meeting the NPPF’s objectives.

Conclusion

From a Planning Policy perspective conscious of the need to increase housing supply, the merits of Bloxham as a location for limited new development relative to other villages and the rural housing distribution suggested in the Proposed Submission Local Plan

Note that Bloxham’s population is higher than other villages (other than the urban area of Kidlington).

Nevertheless, Bloxham remains a village with a rural character and setting and does not have the services and facilities of an urban area. It has experienced a comparatively high level of development in recent years, including the very recent release of a large site in 2010 to help address district wide under supply. Completion of that site contributes to meeting Bloxham’s indicative requirement and the development now proposed would result in that requirement being exceeded by some 65 homes. I am concerned that the development of a significant number of additional houses at this time would result in Bloxham disproportionately contributing to the proposed rural housing distribution without further detailed examination of village and site options through the Local Neighbourhoods DPD (formerly the Delivery DPD and the Banbury and North Cherwell Site Allocations DPD) or through a Neighbourhood Plan. I am also concerned that this would be contrary to the sustainability objectives of the NPPF

Note that at the time of writing another application for some 85 homes on a site nearby is with the Council

Consequently, at this time there is a policy objection to this application.

3.7 Design and Conservation Team Leader:

Site Character and Context

- The Design and Access statement contains an appropriate level of design analysis, which generally supports the overall design approach for the site.
- It would be helpful to have more information on the setting of Barford Road, to understand how the analysis of this area has been translated into the proposals. This is the one of the most important areas of the site as it clearly relates to the existing fabric of Bloxham. Getting the relationship with this street right is therefore critical.
- The evaluation and evolution section is helpful, though there are a few issues identified here which have not been followed through in the final plan.

Development Approach

The design principles help translate the findings of the site analysis and are generally robust. The main framework of the plan is well thought through and combines well with the open space structure. There are a couple of issues that should be considered:

- There is little variation in the density across the site. One of the key characteristics of the urban form and layout in Bloxham is that the main streets are tightly formed with high density house types, which loosens as you move to the back streets of the village. While we would not expect a direct translation of this, a clearer hierarchy between different site areas would be useful.
- A better understanding of the relationship between Barford Road and the development would be helpful.
- Improving the connections with the Barford Road would be helpful. While this could be vehicular, pedestrian and cycle connections will be essential to encourage sustainable modes of transport.
- Further information on how heights and massing varies through the site would be helpful. Again this relates to illustrating the hierarchy across the site.
- Further information explaining the principles behind how existing trees and hedgerows are integrated into the plan would be helpful.

Concept Plan

- The majority of concept plans are overlaid upon the illustrative plan. While this is not always a problem, it makes it difficult in some areas to understand the main points being raised in the drawing.

Layout Plan

The layout principles are generally good and well applied to the site. While the layout plan is only illustrative at this stage there are a couple of areas which could benefit from further consideration.

- The layout forms a long cul de sac which limits access and connectivity between the site and the rest of Bloxham. The opportunity to consider a footpath to the south east of the site should be considered. Discussions with OCC might be appropriate to establish another access point into the site.
- There are a number of plots, generally to the east and west boundary of the site where the gardens do not provide satisfactory private open space. These should be reconsidered.
- There is a substantial hedgerow to the east of the site. The dwellings to the northeast of the site front onto this feature, and the relationship works well. To the southeast of the plan the relationship is less clear.

- There are a couple of tricky relationships between buildings on the site. For example, the relationship between the detached house, to the east of St Christopher's Lodge, and the row of terraces to the north centre of the plan is difficult and would be considered unacceptable by the Council.
- In the site analysis reference is made to the importance of allowing connections between the proposed development and Woodland Gardens, but this is not translated into the Illustrative plan.
- There is no indication of the relationship between the dwellings and the street and the boundary threshold / front garden. These elements are critical to establishing a high quality scheme and the Council would expect to see information relating to this.

Movement network

- Information on the nature and form of the streets would be helpful. The Council would expect to see cross sections and an indication of materials and edge details.
- Information explaining how the site parking strategy would be helpful.

Building and mix

- The majority of units are low density detached and semi detached, with some terrace housing fronting the open space. It might be helpful to consider some terraced / townhouse types along Barford Road to provide a stronger entrance into the site and presence along this route.
- The illustrative layout show around 10% less dwellings than are proposed in the application. While there are ways of increasing the density with the established design principles, it would overall change the character of the scheme.
- It would be helpful to have further information on the principles being applied to the materials and detail design of the development. While the specification of materials is something that is best approached at a Reserved Matters stage, setting out the palette that is being considered and whether there will be variation through the scheme would be helpful at this stage.

Landscape and Public Realm

- A planting strategy will be important to support the landscape setting and articulate the public realm.
- The balancing ponds will need to be carefully designed to ensure they do not detract from the character of the open space. Are the existing ponds on the northeast boundary being retained?
- What is the role of the pumping station? Is this for surface/foul water?

General

- There is reference to the listed bridge and Canal within the document which must relate to another site.
- The illustrative material on the entrance to the site does not seem to correspond with the layout plan.

3.8 Housing Officer: There is a housing need in Bloxham. 25 households on the housing register currently live in Bloxham and there are 82 people who say they have a local connection. The people in these groups are likely to overlap. 56 of the applicants on the register with a local connection are currently in band 5 which is not generally a priority group for rented housing. Our current allocation policy gives priority for 50% of the affordable accommodation on rural section 106 sites to applicants with a proven local connection. There has been no specific housing needs survey carried out in Bloxham.

By far the majority of the need is for one and two bedroom units. There is a reasonably high level of need from older people.

Under the emerging Local Plan rural sites need to provide a contribution of 35% affordable housing. On 75 units this will result in 26 dwellings. The preferred mix will be

5 one bed downsizing flats for older people

5 two bed downsizing flats for older people

4 one bed flats for working age people

7 two bed (4person) houses

4 three bed (6 person) houses

1 four bed (7 person) houses

Of these 30% (8 units) would be shared ownership

All properties will need to adhere to current HCA design and quality standards and 50% of units will need to meet Lifetime homes standards. We would expect the housing to be fully integrated into the rest of the site in clusters of no more than 5 and be tenure blind in design.

3.9 **Landscape Officer:**

Initial response

Landscape Visual impact Appraisal

With reference to FPCR's Landscape and Visual Impact Assessment June 2012 and Gladman's Illustrative Masterplan drawing 4756-L-03 _D, May 2012.

View 2 in the LVIA

This view is experienced by Barford Road residents (8 existing detached dwellings between Manning Close and Gascoigne Way) and road users and pedestrians on Barford Road. Woodland Gardens housing development is clearly seen in the winter (when this view was recorded) with the Milton Road housing development evident just beyond this. In the mid-distance of fields, hedges and trees with view of Adderbury, approximately 3.5 km away. Bloxham Mill Business Unit, approximately 50 m east of the site boundary is partially screened by the site boundary hedgerow. This is an attractive view although the recent housing developments may have reduced its value.

The picture was taken with a wide camera angle lens which has stretched the view horizontally, making the site appear bigger than it is in reality, with the expectation of a development that has a greater landscape visual impact than may be the case.

I agree with the LVIA that the Visual Sensitivity is High and that the view for the above-mentioned residents affected by this development, depending on the respective vantage point.

I also agree that The Magnitude of the Visual Impact is deemed to be High Adverse '*Where the scheme will cause significant deterioration in the view*', again depending on the respective vantage point.

In addition, the development may be deemed, with the existing 80's housing development, Woodland Gardens and Milton Road developments, to contribute

to a cumulative detrimental landscape and visual impact to the southeast rural edge of the village.

If the housing layout of the Masterplan was implemented I am concerned that the prescribed measures for mitigation in the LVIA i.e. tree planting on the frontages the Barford Road, will be inadequate due to a) space constraints due to the houses being at distances of 4 to 10 metres from the site boundary, with the result of minimal tree planting due to structural considerations etc, and b) a reduction in light levels because of tree planting to southwest facing properties with subsequent requests by residents to remove trees.

In general, the Masterplan layout shows houses that are very close to boundary hedgerows and trees (3.5 to 8 m) with no consideration of root protection areas, light levels and impact on receptors (especially walkers on the footpath the east of the site and residents to Woodland Gardens and Milton Road: I think that residents of Milton Road will clearly see the Masterplan development from their first story windows). The hedgerows have been defined as BAP priority habitats in the ecological report and a potential flight path for protected bat species. As shown on the Masterplan some of these hedgerows are part of the garden boundaries, for example the gardens adjacent to Woodland Gardens development. Occupiers have been known to remove hedgerows to provide more growing space and improve light levels in their garden.

I am not able to support this development because of the aforementioned issues.

- 3.10 **Tree Officer:** No objections in principle on tree grounds but noted that garages and driveways should be moved away from trees within the grounds of St Christopher's Lodge and in the north eastern corner of the site to ensure the protection of trees covered by a TPO, to reduce the pressure from post development pruning/removal and to allow room for further growth.
- 3.11 **Ecology Officer:** No evidence of protected species during survey but potential for great crested newts and bats. Detailed conditions required to deal with biodiversity enhancement, tree/hedgerow protection, lighting scheme, reptile displacement methodology, protection of nesting birds.

The submitted newt survey found no evidence that great crested newts are utilising the two ponds within/adjacent to this site. Therefore no further comments to make in relation to this aspect of the application.

- 3.12 **Biodiversity and Countryside Officer:** Bloxham Footpath No 4 runs close to the eastern boundary of the proposed development site but will not be affected by the proposed development.

Oxfordshire County Council Consultees

- 3.13 **Highways Liaison Officer:** The response runs to four pages therefore it has been summarised for the purposes of this report;
Existing field access to be altered to become the vehicle access to serve the site
There is a footway (starts between Gascoigne Way and Manning Close) that runs on the opposite side of the road to the site, which links up to the rest of the

footway network at Church Street (A361) and the majority of Bloxham. Directly opposite the proposed site are a number of residential units with a footway/alley way link to Gascoigne Way between two properties. There is no footway along Barford Road between Maule Close, Gascoigne Way and to the alley link opposite the proposed site.

The village of Bloxham has a range of local facilities, however these facilities are not considered by the Local Highway Authority to be of the same level expected in a town location i.e. no large supermarket or frequent/attractive public transport links etc.

The submitted TA shows that without the proposed development the mini roundabout at the junction of the Barford Road and A361 is over capacity.

The proposed development will increase traffic movements on this mini roundabout at peak times.

The developer/applicant is expected to provide mitigation improvements on the public highway within the vicinity of the roundabout

Alternatively a financial contribution may be possible towards future improvements on this junction

Accidents that have occurred in the area appear to have been down to driver error rather than the characteristics of the highway network – considered that proposed development is unlikely to increase the number of recorded accidents in this area.

Initially it was thought that the access arrangements did not meet the required visibility standards however the vision spays have been re-measured and the required vision spays can be achieved when looking left subject to the hedge line being cut back 2m. Vision to the right remains acceptable.

Access works may also require culvert works due to existence of a ditch that runs along the frontage – drainage may be an issue due to gradient

A footway starting between Gascoigne Way and Manning Close runs on the opposite side of the road which links to the rest of the footway network at Church Street. But there is no footway along Barford Road between Maule Close, Gascoigne Way and the alley opposite the site – a new footway link will be required

As access is to be considered as part of the outline application it is important to secure pedestrian and cycle access routes to/from the site – links should be provided to the adjoining sites

Parking levels should be provided to the maximum standard – 2 off-street parking spaces per unit up to 3-bed; 4+ units on merits i.e. 2+ spaces

Garages and car ports will only be considered as spaces if minimum of 6mx3m
Layout should be in line with Manual for Streets and County Council's Residential Design Guide

Tracking Plans will be required to demonstrate refuse vehicles and cars can turn within the site

Construction Site management Plan will be required for this development

Development likely to add pressure to the existing public transport services therefore Public Transport Subsidy contribution required

General transport contribution also sought

An initial holding objection has been withdrawn and the following comments made;

No objection; subject to a S106 Agreement securing the agreed transport contributions and the recommended planning conditions that were quoted in my initial assessment being imposed.

For your records the following is confirmed:

The initial concerns with the access into the proposed site have been overcome.

The Transport Contributions have been agreed (general one and public transport). The Local Highway Authority is satisfied to accept a general transport contribution as the impact of the proposed development is not considered significant to sustain a refusal at appeal on highway safety or capacity grounds. Especially when consideration is given to the government guidance in the recent National Planning Policy Framework document. However, it is recognised there is a growing capacity issue on the junction of the Barford Road and the A361, which requires investigations to be carried by Oxfordshire County Council to assess what can be done at this location or what other measures can be introduced within the area to ease the pressures on this junction. Such investigations will cost money, which is why the transport contribution needs to be secured for a general/flexible use.

In terms of the capacity issue, the TA assessed the current design of the Barford Road and A361 junction which has shown that this junction will be operating over its design capacity within the next few years without the proposed development. With the proposed development further pressure on this junction will be increased (confirmed under page 15); therefore a contribution towards investigating/providing further transport improvements is being sought and considered reasonable.

Ideally would like to see a footway link provided opposite the development site to promote better accessibility for this development, as well enhance the existing links for the residents of Bloxham. However, cannot offer or find any evidence why such a link was never provided when the existing developments were constructed at that time. Therefore the request is withdrawn for this development to provide this link, although it does remain desirable in my opinion. One option would be to use some of the general transport contribution towards this new footway link if deemed appropriate by Council officers in the future.

The requested pedestrian and cycle links to the adjacent development sites remain very desirable and ideally should have been picked up with a master plan for the overall development proposals for Bloxham. However, not providing such links is not a reasonable reason in my opinion to object to this proposal, although it is a missed opportunity which will not come up again.

3.14 Developer Funding Officer (in summary)

Oxfordshire County Council wishes to secure a legal agreement for appropriate financial contributions to mitigate the impact this development will cause if implemented.

This will aim to overcome what would otherwise be a potential reason to refuse this application in line with policy H5 of your adopted local plan (1996), OA1 of your Non Statutory Local Plan (Dec 2004) and CC7, S3, S5 and S6 of the South East Plan.

I have regard to your Planning Obligations Draft Supplementary Planning Document (SPD) and have considered the services for Bloxham and for Banbury as the nearest town and then from the rest of Oxfordshire:-:

Education:

Primary School Infrastructure:

Children living here are most likely to attend Bloxham Primary School. This is at capacity and contributions are sought to extend primary school infrastructure serving Bloxham based on DFE [Department for Education] advice for school extensions weighted for Oxfordshire- £11,113 per child@3Q09 to include sprinklers and ICT..

Secondary School Infrastructure:

Pupils living in Bloxham attend The Warriner Secondary School. This is similarly at capacity and contributions are sought to extend secondary school infrastructure serving Bloxham based on DFE [Department for Education] advice for school extensions weighted for Oxfordshire

VI form Infrastructure:

Students living in Bloxham may have the chance to attend a new VI form in an extended Warriner School. Contributions are so sought to extend VI form school infrastructure serving Bloxham based on DFE [Department for Education] advice for school extensions weighted for Oxfordshire-

Special Educational Needs Infrastructure:

There is also likely to be an increased demand upon [SEN] special educational needs schools. 1.02% of children across Oxfordshire are educated in such separate schools.

We are advised to allow £29,278 per place in special educational needs schools.

Frank Wise in Banbury and Bardwell in Bicester provide specialist accommodation.

These are full as are other Special Needs Schools in Oxfordshire

If special educational needs schools were not provided the need would have to be borne by mainstream schools.

Children's Centres

This development will fall into the Britannia Rd Children's Centre catchment area; this is seeking to expand. Children's Centres are one stop shops for young children and their parents or guardians.

Library Infrastructure

Oxfordshire County Council has an adopted standard for public library floor space of 23m² per 1,000 head of population. Backroom space [19.6% of public area] needs to support this public space.

Our aim is to provide quality core facilities in town centres augmented by satellites in villages. Banbury library is significantly under-size in relation to its catchment population and a new, larger library is planned as part of a new Cultural Quarter in the Town Centre.

Day Resource Care Centre for the Elderly

Social & Community Services are looking to extend Day Care provision in Banbury because of extra demand on its infrastructure, including that caused by new development.

Adult Learning Centre Infrastructure:

Banbury adult learning centre needs to relocate and a brand new facility is sought.

County Museum Resource Centre Infrastructure

The Museum Resource Centre [MRC] at Standlake provides essential support for the County's Museum Service, holding exhibits in safe and controlled conditions.

This enables varied exhibitions to be organised meeting the demands of the public.

The MRC also offers IT access to various educational establishments.

The MRC is at capacity and needs to be extended to meet the educational, research and leisure demands arising from increased development in Oxfordshire

Strategic Household Waste Management Recycling Centre

The Council has statutory recycling and composting targets to meet, as well as targets to reduce the amount of waste going to landfill. New development must help rather than hinder the achievement of these targets. All developers/landowners are therefore expected to provide infrastructure and funding towards the reduction, re-use and recycling of wastes. The Waste Management Recycling Centre at Alkerton effectively needs replacement at an estimated £3m cost and will then aim to serve 20,000 dwellings.

Fire & Rescue

The provision of external fire hydrants can be dealt via a S106 agreement however Cherwell District Council have widely addressed this through a planning condition and Oxfordshire County Council ask that a condition is applied in this case.

The County Council considers the development of up to 75 new homes proposed in Barford Road Bloxham, Oxfordshire within planning application 12/00926/OUT will place additional strain on its existing community infrastructure.

In order that improvements can be made to provide for the anticipated growth in population caused by this development, it requests the Planning Authority to require the developer to make contributions towards infrastructure. I have assessed the financial contributions which the County Council considers should be the subject of a legal agreement before any planning approval is granted.

The contributions identified are necessary to protect the existing levels of infrastructure for local residents.

They are relevant to planning the incorporation of this development within the local community, if it is implemented.

They are directly related to this proposed development and to the scale and kind of the proposal.

I consider that they are reasonable and that they should ensure that this proposal is not subsidised by the community, except where sufficient capacity in infrastructure already exists which can absorb the expected impact of this proposed development.

For these reasons, they satisfy the requirements as set out in R122(2) of the Community Infrastructure Regulations.

- 3.15 **Archaeologist:** The proposal does not appear directly to affect any presently known archaeological sites. However, our records do indicate the presence of known archaeological finds nearby, and this should be borne in mind by the applicant. If archaeological finds do occur during development the applicant is asked to notify the County Archaeologist in order that he may make a site visit or otherwise advise as necessary.

This need only be an informal notification to the applicant and does not require the attachment of a planning condition.

- 3.16 **Mineral Planning Authority:** No objections on the grounds of mineral sterilisation.

Other Consultees

- 3.17 **Thames Water:** Identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application Thames water would like a Grampian Style condition imposed requiring the submission of a drainage strategy prior to work commencing. An informative is also suggested relating to water comments.
- 3.18 **Environment Agency:** Originally objected to the application based on the fact that the FRA failed to assess the residual flood risk of the potential failure of the proposed surface water pumping station and its sustainability. However a further response was received stating that there are no objections to the application submitted subject to the inclusion of a couple of conditions. Without the inclusion of the conditions we consider the development to pose an unacceptable risk to the Environment.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

- H5: Affordable housing
- H12: New housing in rural areas
- H13: Category 1 settlements
- H18: New dwellings in countryside
- TR1: Transportation funding
- R12: Provision of public open space
- C2: Protected species
- C7: Topography and character of the landscape
- C13: Area of High Landscape Value
- C27: Development in villages to respect historic settlement pattern
- C28: Layout, design and external appearance of new development
- C30: Design of new residential development

South East Plan 2009

- SP3: Urban focus and urban renaissance
- CC1: Sustainable development
- CC4: Sustainable design and construction
- CC7: Infrastructure and implementation
- H1: Regional housing provision
- H2: Managing delivery of regional housing provision
- H3: Affordable housing
- H4: Type and size of new housing
- H5: Housing design and density
- T4: Parking
- T5: Travel plans and advice
- NRM4: Sustainable flood risk management
- NRM5: Conservation and improvement of biodiversity
- C4: Landscape and countryside management
- BE1: Management for an urban renaissance

BE5: Village management

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Cherwell Local Plan - Proposed Submission (August 2012)

The draft Local Plan is out for public consultation. Although this plan does not have Development Plan status, it can be considered as a material planning consideration. The plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case:

BSC1: District wide housing distribution
BSC2: The effective and efficient use of land
BSC3: Affordable housing
BSC4: Housing mix
BSC7: Meeting education needs
BSC10: Open space, outdoor sport and recreation provision
BSC11: Local standards of provision – outdoor recreation
BSC12: Indoor sport, recreation and community facilities
ESD3: Sustainable construction
ESD6: Sustainable flood risk management
ESD7: Sustainable Drainage Systems
ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
ESD13: Local Landscape Protection and Enhancement
ESD16: The character of the built environment
Policy Villages 1: Village categorisation
Policy Villages 2: Distributing growth across the rural areas

Non-Statutory Cherwell Local Plan 2011

In December 2004 the Council resolved that all work to proceed towards the statutory adoption of a draft Cherwell Local Plan 2011 be discontinued. However, on 13 December 2004 the Council approved the Non-Statutory Cherwell Local Plan 2011 as interim planning policy for development control purposes. Therefore this plan does not have Development Plan status, but it can be considered as a material planning consideration. The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

TR5: Minimising conflict between road users

5. Appraisal

5.1 The key issues for consideration in this application are:

- Principle policy considerations

- NPPF and Sustainable Development
- Proposed Submission Cherwell Local Plan
- Landscape and visual impact
- Design and Layout
- Affordable Housing and General Housing Mix
- Highway Safety and sustainable travel patterns
- Flooding
- Ecology
- Neighbourhood Development Plan
- Planning Contribution
- Delivery of the site

Principle policy considerations

- 5.2 The site is not allocated for development in any adopted or draft plan forming part of the development plan. Bloxham is designated as a category 1 settlement in the adopted Cherwell Local Plan. Policy H13 of the Plan states that development within the village will be restricted to infilling, minor development or conversions. The site is not considered to be within the built up limits of the village therefore is within the open countryside. Policy H18 of the adopted Plan restricts new dwellings in the countryside to those which are essential for agriculture or other existing undertakings. The proposed development does not comply with these policies in the adopted Local Plan.
- 5.3 The NPPF at paragraph 47 requires that the Council identify and update annually a supply of specific deliverable sites to provide five years worth of housing with an additional buffer of 5%. As reported in the response of the Planning Policy Officer the Council does not currently have a 5 year housing land supply with the figure being at 3.2 years. In this event the NPPF requires that housing applications should be considered in the context of the presumption in favour of sustainable development and that 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.
- 5.4 The development plan (adopted Cherwell Local Plan and the South East Plan) contains no up-to-date policies addressing the supply of housing therefore it is necessary to assess the application in the context of the presumption in favour of sustainable development as required by the NPPF.
- 5.5 The guidance behind the presumption in favour of sustainable development is set out at paragraph 14 of the NPPF in which it is stated that where the development plan policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the framework taken as a whole or specific policies in the framework indicate development should be restricted.
- 5.6 The remainder of this report therefore goes on to consider if there are any material considerations that result in significant or demonstrably harm sufficient enough to justify the refusal of the application.

NPPF and Sustainable Development

- 5.7 The NPPF places great emphasis on the presumption in favour of sustainable development. Whilst it is acknowledged that Bloxham is one of the District's most sustainable villages this factor does not necessarily mean that the proposal itself constitutes sustainable development. The NPPF sets out three dimensions to sustainable development, those being economic, social and environmental.
- 5.8 In relation to the economic role the development is likely to provide jobs in the short term during the construction phases of the scheme but beyond that the economic benefit may be limited to increasing the demand and use of local shops and commercial facilities both within Bloxham, surrounding villages and Banbury as a result of the population growth. The economic role of planning is also defined by the provision of sufficient land of the right type in the right places. Whilst the scheme seeks to provide land to help meet the Council's housing land supply which weighs heavily in favour of the application there is an argument that this site may not be the right place to provide such land. The site is peripheral to the centre of the village (which raises other issues that will be discussed elsewhere in the report), and away from the District's urban centres which is contrary to the urban focussed approach to development set out in the South East Plan and the Proposed Submission Cherwell Local Plan (August 2012). As well as being in a peripheral location it is considered that now is not necessarily the right time to be permitting housing schemes in the rural villages ahead of the full assessment that comes as part of the production of a Development Plan Document. It is clear from the 2006 Issues and Options Paper that there are a number of other sites put forward for consideration for future development in Bloxham a factor also considered by the Inspector during the Inquiry for land south of Milton Road, Adderbury. The economic role also requires the provision of an appropriate level of infrastructure. This will be discussed elsewhere in the report but it is clear from the responses of the residents of Bloxham that the opinion is that there is not sufficient infrastructure within the village to accommodate the proposed development.
- 5.9 The social role to planning for sustainable development is to support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations. The Council is required to allocate land for such development and in the absence of sufficient supply this proposal will contribute to this objective. A high quality built environment and accessibility to local services required as part of this function and will be discussed in more detail elsewhere in the report. However it is worth pointing out that Bloxham has had 163 recorded housing completions from 2001 to 2011 giving rise to the concerns of many objectors that Bloxham may have had its share in new housing and that further increases will add to pressures on the local services. Objectors are concerned that a lack of capacity within the existing facilities will make it difficult for future residents to fully integrate into village life.
- 5.10 The environmental dimension to sustainable development is contributing to the protection and enhancement of the natural, built and historic environment, and as part of this, helping to improve biodiversity, amongst other things. Whilst the development of a green field site is unlikely to enhance the natural environment there are measures that can be put in place to ensure no demonstrable harm is caused to protected species and habitats. These elements of sustainable development will be considered elsewhere in the report.

- 5.11 If the proposal fails to meet the criteria set out in the NPPF (Para. 7) and summarised above, it should not be considered to constitute sustainable development as defined in the NPPF therefore the presumption in favour of the development is less favourable. However the level of harm still needs to be assessed and weight attached to such harm compared to the need to improve the Council's housing land supply.

Proposed Submission Cherwell Local Plan (August 2012)

- 5.12 This document has been published for consultation. It is therefore not an adopted document and carries limited weight. However in the absence of any other more up to date policies for the supply of housing land it sets out the Council's proposed strategy and general direction of travel. The document sets out a strategic approach with much of the new housing development being allocated towards the urban areas of Banbury and Bicester. An approach supported by South East Plan Policy SP3. However the document recognises that some development will have to be permitted in the rural villages in order to meet the needs of the rural population.
- 5.13 Policy Villages 1 of the Proposed Submission CLP designates Bloxham as a Category A village, therefore one of the district's most sustainable villages based on criteria such as the population size, number and range of services and facilities within the villages and access to public transport. Policy Villages 2 goes on to allocate a distribution growth across the rural areas setting out that Bloxham is one of 6 villages that could be expected to take a share of 500 dwellings between them. The supporting text sets out that it is expected that the distribution would be broadly equal between the villages and that the precise allocations would be set out in the Local Neighbourhoods Development Plan Document. This document, yet to be produced, would take into account the levels of building that have already taken place in each village to avoid overdevelopment.
- 5.14 The consultation response from the Head of Strategic Planning and the Economy (Planning Policy) sets out that Bloxham has already experienced a relatively high level of development in recent years and that such completions would reduce the village's indicative requirement to 10 homes. As such the proposal of up to 75 houses exceeds this indicative figure by 65 dwellings. Whilst acknowledging that the proposal would contribute to the Council's housing land supply it is on the basis of Bloxham potentially disproportionately contributing to the proposed rural housing distribution that the Head of Strategic Planning and the Economy objects to the application. The policy response is further substantiated by setting out that a detailed examination of village and site options has not been carried out through the Local Neighbourhoods DPD or through a Neighbourhood Plan potentially contrary to the sustainability objectives of the NPPF. Furthermore the response sets out that a detailed assessment will need to be made as to whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
- 5.15 The response of the Head of Strategic Planning and the Economy has been criticised by the applicant and Counsel acting on their behalf, suggesting that the objection is unsubstantiated and in part based on an argument of prematurity. It is true that this development is being considered prematurely, in advance of both the Proposed Submission Local Plan being examined and

adopted and in advance of the production of any Development Plan Documents. The publication *The Planning System: General Principles* deals with prematurity in the following way;

“17. In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD. A proposal for development which has an impact only on a small area would rarely come into this category. ...

18. Otherwise refusal of planning permission on grounds of prematurity will not usually be justified. Planning Applications should continue to be considered in the light of current policies. However, account can also be taken of policies in emerging DPDs. The weight to be attached to such policies depends upon the stage of preparation or review, increasing as successive stages are reached. For example:

- Where a DPD is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because delay which this would impose in determining the future use of the land in question.”*

It would be difficult in this case to argue that a development of this scale would be premature in a strategic context taking into account the whole of the district but there is an argument to suggest that in the context of Bloxham as a separate entity a development of this scale does have a strategic impact. However this is unlikely to hold much weight if no significant harm can be identified.

- 5.16 It is clear that the proposal is contrary to the Policies of the Proposed Submission Cherwell Local Plan however it is important to remember the document is not adopted and as such carries limited weight in the consideration of planning applications. As such a refusal based on these grounds alone is unlikely to be defensible and has to be weighed against the other material considerations. However in support of the objection raised by the Head of Strategic Planning and the Economy the NPPF does emphasise in its core planning principles at Paragraph 17 that planning should be genuinely plan led. It is clear from the foregoing paragraphs that this proposal is not plan led, a factor weighting against the proposal. However as with the previous point this is a factor that needs to be weighed against other material considerations, most significantly the pressure on the Council to demonstrate that it has a 5 year housing land supply which in many appeal cases nationally has carried the most weight in the determination of applications and appeals leading to the granting of permission.

Landscape and visual impact

- 5.17 The site is located on the edge of Bloxham and any development will clearly be an extension to the built up limits of the village. This by its very nature will result in the loss of open countryside and will extend the urban encroachment. A certain level of visual change will result from this. However, along the northern and south western boundary of the site the development would be

bordered with existing residential development of varying ages whilst towards the east, although separated by intervening land, there is Bloxham Mill Business Centre. These factors all contribute to the fact that there is already built development surrounding the site, giving the site a certain sense of enclosure despite its rural character and appearance. The detail of the scheme is not for consideration given the nature of the outline application but the submission does set out that the site would be developed with mainly two storey dwellings, with some single storey properties in the most sensitive areas. Although the majority of the hedgerows will be retained and will offer some screening, the appearance and character of the site would experience a significant change and local public views into and over the site are likely to be adversely affected as a result of losing the existing openness provided by an agricultural field. However the level of harm needs to be assessed and appraised in relation to relevant planning policies.

- 5.18 Policy C7 of the adopted Cherwell Local Plan seeks to resist development if it would result in demonstrable harm to the topography and the character of the landscape and the explanatory text explains that tight control should be exercised over all development proposals in the countryside if the character is to be retained and enhanced. The proposal runs contrary to the explanatory text and the character of the immediate landscape will change but there is not considered to be any harm to the wider landscape as there are virtually no long distance views of the site.
- 5.19 The site is within an area of High Landscape Value and as such Policy C13 of the adopted Cherwell Local Plan is relevant. The policy seeks to conserve and enhance the environment in such areas. However this designation carries less significance than national designations and this is reflected in the NPPF at Paragraph 115 where it states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The Proposed Submission Local Plan (August 2012), although it carries limited weight, sets out that the Local Plan seeks to conserve and enhance the countryside and landscape character of the whole district, and so specific designations, such as Areas of High Landscape are not proposed.
- 5.20 The development will result in some localised harm but it is not thought that it will result in harm to the wider landscape. The Council's Landscape Officer has described the proposed development as adding to a cumulative detrimental landscape and visual impact to the southeast rural edge of the village. The greatest impact identified in the submitted Landscape and Visual Impact Assessment is described as being 'moderate adverse' and this is partially a result of the receptors having a high sensitivity given that the views will be from residential properties. There will therefore be visual harm caused as a result of the development. Whilst the planning process cannot be used to protect private interests any unacceptable effect on amenities can be afforded weight.
- 5.21 Whilst some harm is identified for a small number of receptors along Barford Road, the level of harm is limited due to the lack of long distance views and the fact that the site sits between developed sites. As such it is considered that the landscape and visual impact of the development is not so great that it can be

considered to be of significant and demonstrable harm as described in the NPPF.

- 5.22 The Council has refused other housing applications on the grounds of localised visual impacts (amongst other reasons) and to date there have been varying degrees of success when seeking to defend such a reason at appeal. It is acknowledged that each case must be considered on its merits and this scheme and the site characteristics differ to other schemes that the Council has determined. However it is worth referring to an appeal decision for a site for up to 150 dwellings within Salford City Council where the following conclusion is reached;

“The secretary of State acknowledges that development of this site would result in the permanent loss of an area of open countryside enjoyed by local people; encroachment into the wildlife corridor; a significant intrusion into the setting of Walkden; and that it would seriously degrade the character and appearance of the area and amenities of neighbouring residents. The Secretary of State accepts that there is a clear conflict with UDP policies for the site, which support its retention as undeveloped land. He recognizes that one of the core planning principles in the Framework is to contribute to the conservation and enhancement of the natural environment. However he considers that the loss of this land needs to be weighed against the substantial shortfall in housing land and the contribution that the proposed development could make to reducing that shortfall in a sustainable location.”

- 5.23 Given the above summary it is clear that the permanent loss of open countryside and a serious degradation of the character and appearance of the area were not sufficient to outweigh the need for improving the housing land supply position. Therefore despite it being recognised that some localised harm will arise from the proposed scheme it is considered that this argument alone is unlikely to carry sufficient weight at appeal to lead to the appeal being dismissed and as such it is not recommended that it is used as a basis for refusing the application.

Design and Layout

- 5.24 The scheme is in outline form only and as such the layout of the development and the design of the individual buildings are not being assessed at this stage. However an outline application is required to demonstrate that a development of the size proposed can be successfully accommodated on the site, providing an adequate living environment with sufficient private and public amenity space and sufficient parking.
- 5.25 Taking the overall site area the density of dwellings is in the region of 28 dwellings per hectare. If the public amenity space and highways are taken into consideration and removed from the calculation the density will be higher. The NPPF requires that local planning authorities set their own housing densities to reflect local circumstances. The Council currently has no adopted policy relating to housing density but the proposed submission Local Plan sets out that new housing should be at a density of no less than 30 dwellings per hectare to ensure the effective and efficient use of land. The proposal achieves this draft policy requirement which reflects what was encouraged by PPS3 prior to its amendment then later deletion. It is recognised that the density is higher

than surrounding properties on Barford Road but it is similar to the other recent developments on Milton Road which may in fact more closely reflect the density of the historic village core, rather than the ribbon development that has occurred over the last 50 to 100 years.

- 5.26 The indicative layout seeks to demonstrate how the development could be appropriately accommodated in the site. There are aspects of the layout that have been revised in order to try and demonstrate that the development would result in a high quality inclusive design. The revised indicative layout is more successful in achieving a development of 75 units with what would seem to be an appropriate level of parking and the provision of adequate private amenity space.
- 5.27 It is noted that a large number of residents have raised density and design as a reason to object to the proposal. However given the above assessment and the fact that it reflects the density of similar new build developments these would not be sufficient reasons alone on which to base a refusal reason.
- 5.28 The applicant has confirmed by email of 13 August 2012 that the development is to be constructed to Code for Sustainable Homes Level 4 standard. This is a factor that would weigh in favour of the development given the increasing expectations to provide more sustainable forms of development.

Affordable Housing and General Housing mix

- 5.29 Despite the number of houses that have been built in Bloxham and across the district in the last few years and the fact that the Council has been meeting its targets for the provision of affordable housing there is still a housing need in Bloxham and the wider area. The response of the Council's Housing Officer is set out above at paragraph 3.8. The submitted mix of affordable units does not correlate with the Council's preferred mix of affordable units and as such the applicant has provided assurances that they will work with the Council to secure an appropriate mix based on evidence of affordable housing needs. Although the Council has been meeting its targets for the provision of affordable housing it is understood that demand will always outweigh the provision and as such the provision of affordable housing on new development sites remains a priority set out in adopted and draft local policy and adopted national policy. The Council's draft policy requires the provision of 35% affordable housing and this scheme proposes to provide this percentage equating to 26 dwellings. As such this is a factor that weighs heavily in favour of the proposal as it contributes to the social dimension of sustainability set out in the NPPF and complies with the Council's policies.
- 5.30 Many of the letters of objection refer to the fact that some of the affordable units provided on other new housing sites in Bloxham have been occupied by families without a direct connection to Bloxham and may not even come from the district or county. However in a response to a Freedom of Information request made by a member of the public the Housing Needs Manager has set out the allocation scheme. In short whilst a proportion of the affordable units are advertised to those with a local connection they are not necessarily all taken up by such residents where the number of applications fall short of the number of houses available. A combination of factors including lack of applications, including nomination agreements in the S106, the Council operating an open housing register and a lack of a local Housing Needs Survey

means that those without local connections can be considered for an affordable home in Bloxham (or any other part of the district).

- 5.31 In relation to the mix of the market housing, a proposed mix was set out in the Transport Assessment and appeared quite top heavy with four bedroom units. However the applicant has advised that this was done in order to assess a worst case scenario for the impacts on the highway network and also address comments received from local residents during the pre-application consultation process. However the applicant also advises that the precise mix can be agreed during the reserved matters stage and will be based on relevant policy and any other evidence available at the time.

Highway Safety and sustainable travel patterns

- 5.32 A summary of the Local Highway Authority (LHA) comments are set out at paragraph 3.14 above. There are issues that the LHA consider needed further consideration by the applicant. The principle issue of concern was the means of access and whether or not there was adequate vision when exiting the site. It has been concluded after further clarification that subject to the cutting back of a 2m section of hedgerow the appropriate vision splays can be achieved. Therefore this can be removed from the holding objection.
- 5.33 A significant amount of the public objection is based on highway safety, the safety of pedestrians and the increase in risks that may arise from the development. It would seem however that the LHA does not share these concerns and as a result using a highway safety argument in a reason for refusal may not carry significant weight without the support of the LHA. For example public objections set out that there have been a number of accidents on the highway network. However the LHA records show that these accidents have been a result of driver error rather than inadequacies with the highway network. Similarly residents express concern about the speed at which traffic enters the village along the Barford Road, close to the site access. However this section of the road is already within a 30mph area, as such traffic should respect such limits. A 30mph limit is considered appropriate for a residential area and the access provides the appropriate vision for these speeds. A third concern is the connectivity with the village by footpaths and pavements. In some places these are quite narrow and difficult for people to pass or too narrow for more than one person. However this is an existing circumstance and often a product of a historic development pattern and the actual impact of a new development on such a situation is limited. The links to the village do exist and are available for use should new residents choose to or need to utilise them. The potential to provide new lengths of footway in the vicinity of Gascoigne Way is an issue which has been identified by the Local Highway Authority but they have concluded that it would be unreasonable to require the new development to provide this as the proposal can provide a footpath as part of the scheme that leads to a crossing point in the vicinity of the existing footpath on the south side of Barford Road, linking it to the village. The planning system seeks to ensure that a new development mitigates its own impacts rather than used to solve existing concerns or problems.
- 5.34 One example of where this development will be required to mitigate against its impact if approved is in relation to the mini roundabout at the junction of Barford Road and the main road into the centre of Bloxham. The roundabout is already at capacity at peak times and during these periods the development will have a

minimal increase in the length of the queues. The LHA recognise this impact which would be more significant if another scheme being considered along the Milton Road is approved but the LHA are satisfied that a financial contribution could be put towards improvements in the highway network to mitigate the impact. The impact of other schemes will need to be considered on their merits in due course.

- 5.35 In terms of the appropriateness of the development in relation to sustainable travel patterns it is considered that Bloxham in general is one of the district's most sustainable villages, a conclusion reached partially as a result of the accessibility to facilities and modes of transport other than the car. The most frequent bus service operates from Kings Road on Monday to Saturdays and runs between Chipping Norton and Banbury and appears to be relatively frequent, although many objection letters state that it does not provide enough flexibility for those who may not work standard hours or who need to commute further afield. There are other bus services but these tend to only run once a week.
- 5.36 Whilst Bloxham itself is one of the District's most sustainable villages the site is on the periphery of the village. The walking distance from the site to the Post Office is approximately 1.2 km and the distance to the primary school is approximately 1.4km. It is likely that there are other potential development sites in Bloxham that are closer to these facilities than the application site and whilst some people may not choose to walk these distances they are comparative to other previously proposed schemes in villages such as Adderbury and Bodicote where inspectors have not considered such distances to be prohibitive to walking and as such not contrary to the sustainability objectives of the NPPF.

Flooding

- 5.37 There is significant local concern that the proposed development will result in additional flooding within the locality. Residents describe the fact that even in moderate rain Barford Road floods and that the existing open field accommodates much of the rainfall from surrounding properties. The submitted Flood Risk Assessment (FRA) acknowledges that the site is susceptible to groundwater flooding. However the submission proposes the use of surface water runoff control measures to channel water into above ground and below ground attenuation storage areas. Surface water would then be discharged to the storm water sewer in Barford Road by means of a pumping station. The measures proposed take account of the land levels across the site.
- 5.38 Members of the public and the applicant have explained that previous efforts have been made to resolve the flooding on Barford Road. However it would seem that the road is still becoming flooded. As a result the applicant has been asked to look into this issue in more detail and provide assurances that the development will not exacerbate the problem. Advice is also being sought from the Country Council as Local Highway Authority and the Drainage Authority. It is hoped that an update can be provided by the time the application is considered by members.
- 5.39 Notwithstanding the above the Environment Agency has been consulted on these proposals and subject to conditions is satisfied that appropriate measures can be put in place to avoid flood risks. Furthermore Thames Water have

identified an inability for the existing waste water infrastructure to accommodate the development. However they are satisfied that this can be appropriately dealt with by a condition requiring the submission and approval of a drainage strategy. As such this element of the proposal is considered to comply with local and national policies which seek to ensure that developments do not have an adverse impact on flooding.

Ecology

- 5.40 The application has been submitted with an ecological report. The site is not within any area designated for its special ecological value for example a SSSI. However whilst there was no evidence of protected species during the survey parts of the site were identified as having potential to support protected species in particular birds, bats and great crested newts. In relation to great crested newts a further survey was carried out which found no evidence of newts using the ponds and surrounding areas. The survey did identify that sections of the hedgerows comprise 80% native woody species and are priority habitats. The loss of such habitats would be detrimental, however the scheme proposes to maintain the majority of the existing hedgerows, protecting them during the development process and enhancing them. Residents have expressed concern that the development would result in the loss of a buttercup meadow. However buttercups are a common species not afforded any special protection. Biodiversity enhancements including the creation of an area of species rich grassland, two new water bodies and the use of bird and bat boxes, are referred to in the submission and these will be required by condition in the event of an approval.

Neighbourhood Development Plan

- 5.41 Since this application (and another along Milton Road in Bloxham) has been with the Council for consideration it has been brought to the Council's attention that Bloxham Parish Council intends to produce a Neighbourhood Development Plan. The Parish Council consider that this is an opportunity for the residents of Bloxham to have direct involvement in the design and location of all future development. The Parish Council intends to submit an application to the Council after its Parish meeting on 12th November 2012 in order to commence work on the Plan.
- 5.42 The appeal decision for a development site in Adderbury made reference to the fact that Adderbury Parish Council was in the early stages of preparing a Neighbourhood Plan. This intention, along with the core land use planning principle of decisions being genuinely plan-led, empowering local people to shape their surroundings (Para 17 of the NPPF), and other factors such as visual harm and poor design led the inspector to dismiss the appeal.
- 5.43 Whilst officers would like to place significant weight on Bloxham Parish Council's intention and the decision made at Adderbury a cautious approach is recommended given the direction of many more recent appeal decisions across the country. Even in the event of neighbourhood plans and development plan documents being part way through preparation and significant harm being identified inspectors have allowed appeals based on the fact that a Council does not have a 5 year housing land supply.
- 5.44 As part of the consideration of the application the number of letters of objection received by the Council should be taken into consideration. It is clear that a

large number of residents are opposed to the proposed development. Notwithstanding the fact that some residents who wrote in will have also signed the petition there were in the region of 350 objections to the application. This should be given weight in the consideration of the proposal but also compared with the overall population of Bloxham being over 3000 in number. Regard also has to be had for the nature of the objections being raised, most of which have been assessed throughout the consideration of the proposal and are covered in this report. The main reasons for objecting include highway safety, capacity of schools and other infrastructure and the potential for flooding. Each of these issues has been assessed by the relevant statutory consultee and no significant harm has been identified as a result. As such in weighing these issues in the balance there are no reasons to support a recommendation of refusal.

Planning Contribution

- 5.45 It is acknowledged that developments of this scale will increase demand for various elements of infrastructure and that new developments should mitigate their impact. As such the developer has been asked to provide the following either on-site or by way of contribution towards the following; affordable housing, outdoor sports, community association, local area of play including an equipped area and its future maintenance, public open space and its future maintenance, hedgerow maintenance, pond maintenance, refuse bins, public art, footpath links, highway improvements, public transport, primary, secondary and sixth form education, special needs, children's centres, adult learning, library and stock, day care for the elderly and museum resources.
- 5.46 Following the concerns of local residents that there was insufficient capacity at the doctors surgery a consultation has been sent out to the North Oxfordshire Primary Care Trust. It is considered that they are best placed to advise about capacity issues. If it is found that there are capacity issues and that the development will have an additional impact it would be justifiable to require that the developer makes financial contributions to the improvement of such services.
- 5.47 The above list will form the heads of terms although the precise figures will largely be determined by the housing mix which would be finalised at a reserved matters stage. The applicant is currently disputing some of the requests, requiring further justifications for the sums put forward. There also remains some dispute about the school contributions and the precise level of capacity as the applicant has sought to demonstrate through the submission of a specialist report that there is more capacity within the education system than the County Council have stated. However it would seem through ongoing communication with the County that they are unlikely to object to the proposal and will be able to put forward a solution to capacity issues which can be implemented through appropriate contributions. It is likely that any financial contributions within a formal agreement will be based on a per dwelling basis. A further update will be provided by the time the application is considered by Members and should further agreement not have been reached between the applicant and the Council the lack of such an agreement could form a reason for refusal.

Delivery of the site

5.48 This application has been submitted to the Council for consideration on the grounds that the Council cannot demonstrate that it has a five year housing land supply. On that basis it is important to consider whether or not, in the event of an approval, there is a realistic chance of the site being delivered within the next five years. The applicant has been asked to demonstrate how this can be achieved and has provided letters from Cala Homes and Bellway Homes which express an interest in acquiring the site. Both developers appear confident that there is a market for two storey family homes in a location such as this and that housing associations have shown an interest in the affordable element of the scheme. Whilst no timescales are set out Cala and Bellway state that if they are successful in acquiring the site they would submit a reserved matters application and following the approval of such they would commence work.

5.49 Based on this information it would appear that there are no legally binding options on the land with which a house builder is bound. This therefore has the potential to prolong the acquisition process and stall the commencement of development. However a factor in favour of the ability to deliver the site quickly is the scale of the development. It is comparable in scale to the other scheme recently built on the south side of Milton Road which was granted planning permission in July 2010 and is now almost entirely complete. The size and location of the proposal means that there are no significant ground works required and no known major infrastructure requirements that can often delay implementation on much larger development sites. However should this application be approved on the basis that it will contribute to the housing land supply shortage it would be reasonable to shorten the time limits for the submission of the reserved matters and implementation following approval of the reserved matters to help ensure that the scheme is delivered as required. Failure to meet such time scales would result in a resubmission and a potential review of the Council's decision based on the circumstances at the time.

Conclusion

5.50 The proposal does not comply with adopted local planning policies but it is recognised that the Council is required to demonstrate that it has a five year supply of housing land. The Council does not have this supply and as such is required to consider housing applications in the context of the presumption in favour of sustainable development and unless significant and demonstrable harm can be identified applications should be approved. Taking the NPPF as a whole a balance needs to be reached between the need to improve the Council housing land supply and the potential harm caused. Whilst this proposal may not wholly represent sustainable development as set out by the NPPF it is considered that there are no factors that represent significant and demonstrable harm so as to justify a refusing this application for refusal. As such the proposal is recommended for approval.

6. Recommendation

Approval, subject to:

- a) The applicants entering into an appropriate legal agreement to the satisfaction of the District Council to secure financial contributions as outlined in

paragraph(s) 5.45-5.47

- b) The expiration of the consultation period for North Oxfordshire Primary Care Trust in relation to the capacity of the existing health facilities. Should it be necessary the seeking of contributions through the S106 Agreement to address needs arising from the development.

c) the following conditions:

1. That no development shall be commenced until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason – This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

2. That in the case of the reserved matters, application for approval shall be made not later than the expiration of one year beginning with the date of this permission.

Reason – This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995. (As amended).

3. That the development to which this permission relates shall be begun not later than the expiration of one year from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Reason – This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

4. Approved plans

5. That no more than 75 dwellings shall be accommodated on the site.

Reason - In order to achieve a satisfactory form of development, to ensure that the site is not overdeveloped and to comply with Policies H5 and BE1 of the South East Plan 2009 and Policies C28 and C30 of the adopted Cherwell Local Plan.

6. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been

completed

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

7. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 18 June 2012 carried out by JPB Consultants reference MB608-67/ACJ/HB and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site in accordance with Section 6 and Table 6.2 of the FRA reference MB608-67/ACJ/HB to accommodate at least 680m³ of surface water storage

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

8. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of how the scheme shall be maintained and managed after completion
- a detailed drainage scheme based on the principles set out in the FRA carried out by JPB dated June 2012 reference MB608-67/ACJ/HB and drawing MB608/08 providing a finalised plan and associated surface water calculations.
- a management plan in the event of a pump failure to ensure there is no risk of flooding to the site and the surrounding area.

Reason

To prevent the increased risk of flooding, both on and off site.

9. That the means of access onto the Barford Road shall be located in a

position, the details (including vision splays) of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

10. That the proposed vision splays shall be formed, laid out and constructed in accordance with detailed plans which shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development and that the land and vegetation within the splay shall not be obstructed by any object, structure, planting or other material.
11. Prior to the commencement of the development the details of the new footway links shall be provided to and approved in writing by the local planning authority and prior to first occupation of the development shall be laid out, constructed, lit (if appropriate) and drained to Oxfordshire County Council's Specifications.
12. No development shall commence on site for the development until a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of development. This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during construction and a route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.
13. Prior to the commencement of work on site a Travel Plan is to be first submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority).
14. That prior to the commencement of development a biodiversity enhancement scheme, including a reptile displacement methodology, detailing features to be incorporated for bats, birds and any other wildlife such as reptiles and newts that may be present shall be submitted to and approved in writing by the Local Planning Authority.. This should also include the planting scheme for the site, which should consist of native species that will enhance the biodiversity value of the site. The approved scheme shall be implemented in accordance with a timetable of works to be included as part of the scheme.
15. Prior to the commencement of development full details of the tree/hedgerow protection measures shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved measures.
16. All site clearance (including vegetation removal should be timed so as to avoid the bird nesting/breeding season between the 1st March and 31st July inclusive.
17. The development hereby permitted shall be constructed in accordance with Code for Sustainable Homes to a 4 level

Informatives

- a. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- b. The County Archaeologist has indicated that the proposal does not appear to directly affect any presently known archaeological sites. However, the County Council's records do show the presence of known archaeological finds nearby and this should be borne in mind by the applicant. If archaeological finds do occur during development, the applicant is requested to notify the County Archaeologist in order that he may make a site visit or otherwise advise as necessary.

Summary of Reasons for the Grant of Planning Permission and Relevant Development Plan Policies

The Council, as Local Planning Authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits being of a scale appropriate in its context and will not have a detrimental effect on the neighbouring residential amenities. It will not cause significant or demonstrable harm to the visual amenities of the wider rural landscape, highway safety, ecology or flooding. Moreover, the proposal will assist the district in the delivery of affordable and market housing, and will contribute towards returning the district to having a five year housing land supply. The proposal, therefore, complies with government guidance contained in, Policies CC1, CC6, CC7, H3, H4, H5, T1, T4, C4, BE1, BE5, NRM1, NRM2, NRM4 and NRM5 of the South East Plan 2009; Policies H5, TR1, C2, C7, C13, C28 and C30 of the adopted Cherwell Local Plan and Policies BSC2, BSC4, BSC7, BSC10, BSC11, BSC12, ESD6, ESD7, ESD10, ESD13 and ESD16 of the August 2012 proposed submission draft of the Cherwell Local Plan. Whilst the proposal is contrary to the provisions of Policies H12, H13 and H18 of the adopted Cherwell Local Plan 1996, this is outweighed by the direction of the National Planning Policy Framework and the need for the district to return to a five-year housing land supply. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.

