

Land North of Station Road, Bletchington

13/00004/OUT

Ward: Kirtlington

District Councillor: Cllr Holland

Case Officer: Paul Ihringer

Recommendation: Approval

Applicant: Duchy of Cornwall

Application Description: Primary school with playing field, village hall, village shop, 18 affordable house and 40 open market houses.

Committee Referral: Major - Departure from Policy

1. Site Description, Background and Proposed Development

- 1.1 The 3.6 hectare application site occupies part of a field just beyond Bletchington's north western boundary. Roughly rectangular in shape the site is largely flat although the land does start to fall away in the north-western corner. The only other features of note are two barns in the south west corner and a footpath which cuts diagonally across the site. A large part of the southern edge of the site abuts the B4027 (Station Road), the main road running through the village. Unlike most of the rest of Bletchington the proposed development would lie outside the designated Oxford Green Belt.
- 1.2 The only other residential development on the northern side of Station Road are a 1990's affordable housing scheme, Sands Close, which comprises 8 semi-detached properties (CHS.491/94 refers) and a more recently constructed terrace of 12 more affordable properties, Springwell Close (06/00977/F refers). This later development is accessed off Springwell Hill, the road linking the village to Kirtlington. The only planning history on the application site itself is a 2008 approval (07/02607/F refers) for a new village hall which would abut the western edge of Sands Close. That permission was renewed in early 2011 (10/01712/F refers).
- 1.3 At around the time the permission for the village hall was being renewed, officers were approached by representatives of Bletchington Parochial CE Primary School who were investigating the possibility of building a replacement school.
- 1.4 The current school, accessed between houses on Weston Road, dates back to 1870 and has been extended to the front and side in the intervening years. More recently, in the 1990s, a prefabricated classroom was brought in and positioned behind the main building. However, this was only ever seen as a temporary solution which does not address the absence of a school hall or mask the fact that the main building is costly to maintain. Against this backdrop and with the demand for places increasing (local children are no longer guaranteed entry) the school governors concluded that urgent action was needed.

- 1.5 Given the existing site's restrictions, limited size and proximity to housing, the potential for redeveloping the current school site was quickly discounted. Although a number of locations on the edge of the village were examined, it quickly became apparent that the current application site had a number of advantages. These included topography, accessibility and an absence of any significant environmental constraints. Its most important credential, however, was that unlike the other options it was outside the Oxford Green Belt.
- 1.6 Following discussions between the school and the Parish Council, preliminary plans were drawn up showing how a new school could be integrated into a revised design of the village hall. The plans were forwarded to planning officers for comment. Thereafter officers had no interaction with the school until an application was submitted for seven houses and an office building in nearby Enslow (11/01071/OUT refers).
- 1.7 Officers concluded, as with other similar applications on the Enslow site, that the proposal was contrary to policy. In an attempt to overcome the policy concerns, the applicant had offered to provide a financial contribution to help fund the building of a new school in Bletchingdon. Members, however, agreed with officers that this inducement should have no bearing on the outcome of the case as such a justification could set a very unfortunate precedent for the rest of the district.
- 1.8 When refusing this application Members, who were sympathetic to the school project, invited officers to investigate ways in which the Council could help bridge the school's funding shortfall. The obvious mechanism open to officers was to allow enabling housing on land which, whilst would not ordinarily be considered for residential development, nonetheless, would represent a sustainable extension to the village.
- 1.9 As with the earlier pre-applications discussions for the new school, the application site stood out as the obvious candidate for all these potential developments. Contact was therefore quickly established with representatives of the Duchy of Cornwall, which owns the application site, to see whether they would be interested in getting involved. The proposition was warmly received and, during early discussions, it was made clear that they were keen to take an active role in the design of the project, as was the case with the aforementioned Springwell Close development.
- 1.10 *Bletchingdon Project* meetings took place on a regular basis throughout 2012. Those involved included representatives of the applicant, Bletchingdon Parish Council, the school, a local housing association, District Council Officers, County Council Officers, local Members and selected Members of the Council's Planning Committee. Maintaining a good momentum was important as it is the school's intention, should planning permission be granted, to open the new facility for the start of the 2015/16 academic year.
- 1.11 Although the school and village hall were the primary focus of the initial discussions it was quickly recognised that the development represented an opportunity to incorporate an element of affordable housing for which there was an identified need following unconnected discussions between officers, the Parish Council and the Oxfordshire Rural Housing Partnership. Although

dependent on finding someone willing to run it, a replacement shop was also added to the proposal.

1.12 To help fund the above, one of the central questions that the *Bletchington Project* had to address was how many market houses would be required to make the scheme viable? It is important to note at this point that the Duchy of Cornwall accounts have to go before Parliament for scrutiny. Whilst maximising profit is not necessarily the primary objective, the Duchy cannot be overtly altruistic; there would be an expectation that the proposed scheme would produce a reasonable return on investment.

1.13 In order to justify the agreed total of 40 market dwellings, the Duchy was required to produce a viability assessment, so that an independent consultant could advise the Council as to whether or not the level of profit that was likely to be generated was within reasonable parameters. A profit of £450,000 was calculated by taking the value of the land and build costs from the sale of the completed houses. The build costs took into account contributions from the sale of both the school and village hall sites (outline permission has been granted for the erection of four houses on the existing village hall site - 11/00333/OUT refers) as well as an additional £1 million that has been allocated by the County Council, who have been supportive of the scheme from an early stage. Obviously with so many fluctuating variables at play it is recognised that there will be a relatively wide margin of error.

	Market Houses	Affordable Houses		Total
		Rented	Shared Ownership	
One Bed Houses		4		4
Two Bed Houses	9	4	3	16
Three Bed Houses	12	5	2	19
Four Bed Houses	15			15
Five Bed Houses	4			4
Total	40	18		48

1.14 The make-up of the proposed dwellings, set out in the table above, was in part borne out of a consultation exercise with local villagers. Indeed parish councillors, often working along side the applicant, were keen to ensure that the local community were engaged in the process as the scheme developed over time.

1.15 Although all matters remain reserved, the applicant's architect has produced a detailed masterplan setting out the Duchy's aspirations for the site. The emphasis is on providing homes of a high build quality which mimic what they see as the best elements of the local built vernacular. Although not directly involved in the design of the school and village hall (this part of the scheme as been assigned to a local architectural practice who is liaising directly with the

County Council) the applicant's architect has had some input into the design principles.

- 1.16 Whilst nothing has been finalised, indeed the housing mix has changed since the masterplan was written, elements of the proposed layout will probably not alter significantly when the reserved matters are considered. The positions of the village hall, school and associated playing field have been carefully considered with other possible configurations having been discounted. The proposed siting does have an unfortunate consequence in that it will require the successful diversion of the footpath (FP 134/1) which cuts through the site.
- 1.17 Should this application be approved it is likely that the applicant will seek a footpath diversion order at the earliest opportunity. It is also likely given the timeframe for the new school that the reserved matters application for this part of the development will also be submitted in the near future.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 8th February 2013.

5 letters/emails have been received. 3 the correspondences support the application and include a letter from the former headmistress emphasising the need for a new school for the reasons set out above). The objectors raised the following issues:

Material planning comments:

- Overdevelopment in respect of rest of the village
- Highway safety issues around the school and village
- Mix of housing questionable
- Lack of financial information
- No need for a new school and village hall should be rebuilt on the existing site
- Project has not been properly thought through

Non material comments:

- Village hall should be on existing site
- Loss of view

3. Consultations

- 3.1 **Bletchingdon Parish Council:** No objections - they make the following comments:
- 1 The parish Council has provided continued advice and support since the early stages of what was initially a plan to develop a new Village Hall facility for Bletchingdon.
 - 2 The Parish Council was instrumental in bringing together the Village Hall scheme, and the rapidly developing proposals for a new School for the Parish, with the objective of presenting a single development which would benefit all aspects of community through what could

become a combined educational and social environment across the age spectrum within the community. The concept of the Bletchingdon Community Foundation was born from within this alliance.

- 3 When CDC made a tentative enquiry regarding a third social housing development in the parish, the PC embraced the concept as another natural development with the community, and when the DoC extended the opportunity with a proposal for additional homes the PC welcomed the idea as both beneficial and appropriate. It was seen to both support and enhance the community as a whole.
- 4 Our current Village Hall is a tired structure with few useful years remaining before it must be retired. The School is very successful, and has served the community well over many years, working from an aging and unsuitable building, complemented with a collection of temporary classrooms. The community life is very apparent through the School with up to four generations in some families having attended there. This is the depth of our community, but today our children deserve better facilities than are currently provided.
- 5 Social housing and the opportunities it provides for people, brought up within Bletchingdon, but who, for some reason or another, now reside elsewhere, to return to their home village in a cost effective way. New market homes will extend this opportunity, at the same time providing for new families to become part of our future community heritage.
- 6 The Parish Council has supported two very attended public consultation meetings, enabling all of the Community Project teams to interact in an entirely positive way with the community, receiving their full support. The general feeling from the community is that this a significant development, and one which should eliminate the need for any additional housing programs within the parish (excepting those already initiated) to be considered for approval in the next several years. These consultation meetings will continue to be held at all key stages of this development.

In summary, Bletchingdon Parish Council supports this entire proposal and would welcome its consent.

3.2 The Bletchingdon Community Foundation: Offer strong support for the development and make the following points:

- 1 The Trustees represent the two Bletchingdon Village charities, the Parish Council, Bletchingdon CofE Primary School and the community in general; they are unanimously in support of the proposal.
- 2 This proposal has been discussed at all stages with the Trustees who have had excellent working relationships with The Duchy of Cornwall and other project partners. The trustees have been able to put forward many comments and suggestions which have all been considered by the developer and the architect. The community has been very fully included.

- 3 The Trustees have convened a series of extremely well attended meetings for the Bletchingdon community. There have been many comments on points of detail but the overall support for the project from the community as a whole is unanimous.
- 4 This proposal meets the concerns the school governors have had for many years that the school building is well past its useful life although the call for pupil places is growing year on year.
- 5 This proposal meets the concerns of the Trustees of the Village Hall that the Hall is no longer fit for purpose and needs to be replaced.
- 6 Mainly from sale of sites, the Bletchingdon community is able to contribute one third of the estimated cost of construction.
- 7 Bletchingdon needs to grow if it is to remain a viable village in all the pressures of the modern world. This is generally recognised and agreed among the community.
- 8 The proposed new housing is in line with the rate of expansion of the village since the early 1950s. The community does not feel that it represents a disproportionate expansion to the village.
- 9 Successful implementation of this proposal will transform Bletchingdon in a number of entirely beneficial ways. The Trustees and the Bletchingdon community in general ask the CDC committee to determine in favour of this proposal.

3.3 The Bletchingdon Parochial C of E Primary School: “We would like to offer our total support for the planning application for the proposed community project incorporating a new school, village hall and housing development for Bletchingdon.

“Members of staff and governors have been fully involved in decision making during the evolution of this development and Bletchingdon School is wholeheartedly in favour of the project.

“For a number of years the school governors and head teacher have been discussing the strategic plans for Bletchingdon school and had come to the decision that, in order to offer the increasing number of children of Bletchingdon and local villages the best opportunities for education and wrap around care, that the current building is no longer suitable.

“In addition, we realise that the building is past its prime and any prospect of improvement will be very expensive with resulting facilities restricted by the current site.”

Cherwell District Council Consultees

3.4 Planning Policy Officer: “Consider in light of the PSLP 2012 but also the lack of a five year land supply. If community gain is needed and proportionate then clearly a positive consideration. Please ensure that there are exceptional

circumstances for going beyond what the plan allows for. Important that the right message is sent out about growth in the rural areas.”

- 3.5 **Urban Design Officer:** “The following comments are based on the submitted Masterplan document for the site and the Design and Access Statement. The Masterplan document was reviewed in October last year as part of the pre application process. As this has not changed since this review the majority of my comments remain the same. While it is noted that the layout is not a matter for determination within the outline application, our expectations for a scheme of this scale are that the broad principles which will structure and underpin future development are right and robust. This supports a smooth process in the consideration of Reserve Matter applications, which is especially important if development is likely to come forward in several phases.

“While there are elements of the design principles that I would recommend are reconsidered for reasons set out over the following pages, I acknowledge that the general approach to development of the site is right and appropriate and has the potential to deliver an excellent extension to the Bletchingdon community. It is also acknowledged that the proposals have been developed in close collaboration for the community and there is broad community support for the development of this area.

Site Character and Context

- “The site is located on the north west edge of Bletchingdon, a small village located to the north of Kidlington and the south west of Bicester. The site is located just west of the Bletchingdon Conservation Area.
- The brief for the site proposes 58 new homes, a new primary school and a shop / cafe. The development would constitute a substantial addition to the village, extending it to the east and developing behind the ribbon development along Springwell Hill.

Site Analysis

- “While the townscape character of surrounding areas has been examined, it would also be useful to look at the specific structure of Bletchingdon and its built form. Bletchingdon is a unique place, with a long history, where vernacular buildings sit alongside 20th century suburban development.
- The development will front onto Station Road. Understanding the nature and form of this route would be important to establish how development should relate to this route. A dry stone wall and grass verge currently provides the edge to this street and this feature should be considered in the development of any proposals.
- The landscape setting and topography is a strong feature of the site that needs to be considered in relation to future development. This also relates to understanding how the development will be viewed from different areas of the village - as you enter the village and from the footpath to the north and east of development.

Design Principles

- "While it is clear that the plans have evolved through the application of some clear design principles, these are not currently included within the Masterplan / Design and Access Statement. It would be helpful for these to be set out, so the design process is fully understood by the Council and other stakeholders.

Masterplan Framework

- "The broad development framework forms a logical structure to the site, providing a clearly defined set of development blocks and public spaces. These have a definitive edge which will front onto and clearly define the public realm.
- The general approach to massing and form, while only set out in a sketch form is in context with the surrounding village. Additional diagrams, setting out to massing and density across the site would be helpful.
- The approach to providing signature buildings which articulate the development is supported. This is something that would be helpful to diagram out in a planning application, alongside the treatment of key frontages.

"There are a number of areas where the Council recommends a reconsideration of the design principles and layout:

"The role, structure and form of the courtyard areas

- Understanding the parking strategy would be helpful. As currently drawn the plans imply that large areas of the internal block structure are given over to car parking. This is something that both the Council and the County Council are unlikely to accept due to long term functional and security issues. It would be appropriate for these issues to be properly considered at this stage, so a clear parking strategy can be established that designs the streets and public realm to accommodate appropriate levels of parking.
- In our experience, where rear parking courtyards have been built, residents typically favour parking informally on the street and will do so if possible. This leads to two problems: one, underutilised courtyards at the rear of properties which fall into disrepair and second, streets being used for informal car parking. The latter often brings problems, as parking is in inappropriate areas. These issues can be mitigated by careful consideration of the design of streets at this stage.
- The use of garages should be carefully considered. The County Council has larger standards for garages than average to ensure that they can function appropriately for parking. However, even when garages are designed to appropriate standards, many residents choose to use their garages for storage etc. leading to parking being displaced elsewhere.
- The courtyards create an ambiguity between the fronts and backs of properties. Whilst it is clear that too much parking can undermine the

quality of the public realm, removing car parking from the environment also creates its own problems.

- The courtyard areas as shown in the sketches appear both very large and highly accessible. This raises questions for security and ambiguity of ownership. Given the layout, these areas as currently shown are unlikely to have any natural surveillance, and depending on a number of factors could have problems with anti social behaviour in the future. Furthermore, Oxford County Council is unlikely to adopt a private parking courtyard.
- To the north of the site the courtyards to blocks A and E are exposed to the open countryside raising security issues and an exposed and unattractive edge to development when viewed from the north.

Development Form

“The Council positively supports the approach that has been taken to understand the nature and form of local buildings and development patterns. This is an appropriate starting point for establishing the character cues for the development proposals.

“The acknowledgement that ‘organic growth from the past is difficult to replicate and that we need to be honest in the consideration of the design for these areas...this takes deliberate design and it not disguised’, is seen as a good starting point to the design.

“The sketches / axonometrics are a useful starting point to give a feel for the design and a taste for the future character of these areas. It would however be useful if these were developed further for a planning application. Some thoughts and comments on the illustrations are set out below:

Area A – The Dell

- The form and massing of this block as illustrated is in context and appropriate for the area / location.
- Further development is required on the nature and form of cottages. The layout plan looks formal in its layout (ie very even plot sizes), but I assume that the term ‘tumbling cottages’ implies something less formal.

Area B – Main Block

- The success of the larger linked houses will depend on their design and detail. They are likely to read as a 20th / 21st century form, so consideration needs to be given as what an ‘honest’ approach to the design would be in this area.
- Concern over the large parking area at the rear of the plots.

Area C – Flats with Garage Court

- The frontage onto the green from the west reads well and the elevation is well proportioned.
- The frontage onto Station Road is one of the most important areas to get right. The sketch indicates a slightly weak grouping of buildings in this area (though it reads better in plan form) and care should be taken when working up the detail of this.

Area D – Individual Plots

- I am not convinced by the design solution in this area, and it feels incomplete.

Area E – North Crescent

- Are the link detached houses in keeping with the style and approach of the scheme? There needs to be an honesty about how you treat this modern form
- The northern edge of the site has an unsatisfactory conclusion and will provide an unsatisfactory setting. See previous comments.

Area F – North West

- The massing and form of the façade in this area is well balanced and appropriate.

The School

- The school has an interesting structure and form. Assuming that the majority of the building will be single storey, the definition of the roof will be critical to the way it fits into the scheme.

Examples

- “The sketches of historic buildings that are set out in this section show a great degree of variation and no two buildings are the same, though there will often be elements of continuity and detailing which help them fit comfortably together.
- It is often plot sizes, alongside building type, and the relationship of buildings to one another that provide stronger character cues than materials and details. The plans as currently shown often have rows of houses based upon a similar footprint, using the architectural form and detail to give interest. These forms are unusual in a historic setting, apart from where small terraces are generally only found when developed by an estate at one period such as alms houses.
- Some of the details shown, not typical of the District, though they can be found within the village. For example dormer windows are not normally found in vernacular buildings, but typically represent an accretion to buildings during the 20th C.

Materials and Details

- “Consideration should be given to the rational and order to the way that stone is used in the District, with the use of shallow courses and no jumpers.
- Lintels. The use of stone formed as ‘true arches’ would not be in context in the village. Timber lintels are often found in the villages.
- Roof pitches are often shallower than suggested, due to the type of thatch traditionally used in the area (though the roofing material has now frequently been changed to slate).
- Rooflights would be most appropriately located on the inside areas of blocks.

Buildings Mix

- How do the proposals relate to the mix and tenure set out in the Draft submission Local Plan?

Landscape and Public Realm

- "A clear approach to landscape design would be expected to be part of a Planning Application. Further information on the planting strategy for the area, including the role that street trees and lower, more ornamental planting will have on the character of the site.
- The current plans indicate that there is the potential for there to be a strong landscape framework, with the green and school square giving onto Station Road.
- Information setting out the nature and form of development thresholds. While it is anticipated that this will vary through the site, understanding the nature of these will have a clear impact on the character of the public realm
- A comprehensive SUDS strategy is expected for the site. It would be useful to understand how the existing pond at the north west of the site might relate to the larger surface water drainage feature for this site?
- What provision will be made for play areas on the site?
- The boundaries onto the public realm should be carefully considered and we would expect to see the development of threshold features and details as part of an Outline Application.
- To the rear of properties, close boarded fence would not be acceptable against public realm, including semi public areas such as the courtyards and the northern boundary.

General

- It would be helpful to have a key which explains the annotation on the layout plans
- A north point and graphic scale would be helpful on the plans."

3.6 **Conservation Officer:** No objections

3.7 **Housing Officer:** "The affordable housing requirement on this scheme is 30%, this is based on negotiations between the Council and applicant, this level is to ensure that the wider development including the school can be brought forward for the benefit of the local residents.

"Within the S106 affordable provision there should be a requirement for a 70/30 tenure split between rented and shared ownership meaning 13 should be rent and 5 for shared ownership, consisting of 4x1b2p flats, 4x2b4p Houses, 5x3b5p Houses for rent and 3x2b3p houses, 2x3b5p Houses for shared ownership.

“This unit type provision is consistent with the Housing Needs Survey which was carried out in July 2011 and has been submitted as part of this outline application. Further the mix has been discussed and agreed with the Registered Provider which is scheduled to deliver the affordable housing units on this proposed scheme.

“All of the affordable housing units need to meet a minimum of Code for Sustainable Homes Level 3, the HCA’s DQS, meeting minimum HQI standards and 50% of the units to meet Lifetime Homes Standard.

“Preliminary discussions have already taken place with a preferred RP partner who is the likely RP to take delivery of the affordable housing units. A nominations agreement will be set up between the District Council and the preferred RP in conjunction with the development of the S106.”

3.8 Environmental Protection Officer: No objections subject to condition

“I have no objections to this proposal subject to condition. I've reviewed the Integral Geotechnique Desk study report (reference 11084/VA/12/DS, dated October 2012). This report has identified a potential risk from land contamination and has proposed further site investigation works. I can confirm that these proposals are acceptable.”

3.9 Anti Social Behaviour Manager: “I can confirm that I have no objections in principle to this proposed development. Whilst I appreciate this is purely an outline submission I do have some observations to make in respect of the indicative site layout which I would wish to see taken into account at a reserved matters stage. Firstly I am assuming that the sports pitch shown will be for community use as well as for use by the school. In the indicative design this facility is shown surrounded on three sides by dwellings, two sides being made up from existing development whilst the third is part of the proposed development. Experience indicates that this arrangement may result in conflict between the amenity of the occupants of the dwellings and the users of the sports pitch, particularly at sensitive time’s e.g. Sunday mornings.

“The positioning of the village hall in association with the school buildings is not an unusual arrangement however the positioning of this joint facility within the centre of the site may also give rise to problems. It is anticipated that the village hall will wish to offer a full range of leisure activities when it is in community use. As such it can be anticipated that the premises may wish to remain open until at least midnight and possibly later. I would anticipate that this positioning may give rise to concerns over noise from the premises themselves and from users of the premises, both pedestrian and in vehicles. “In order to ensure that the amenity of residents is protected at hall in this location would need to be acoustically insulated to a high standard and be air conditioned. I would note that the indicative layout does not clearly show how car parking will be accommodated.”

3.10 Landscape Officer: The Landscape Officer has indicated that she is unhappy with the current scheme as it fails to adequately screen the development from the north. Discussions to find an appropriate resolution will recommence if the outline application receives approval.

3.11 Arboricultural Officer: “There are no trees within the identified site boundary however, there is a significant woodland shelter belt located adjacent to and parallel to the eastern boundary and a well-established copse and further individual hedgerow trees adjacent to the north-west boundary. Both arboricultural features provide a significant contribution to the landscape with the shelter belt providing a substantial and valued level of screening between an existing residential development and the proposed site and school playing field in particular. Both ‘features’ will require precautionary and appropriate levels of consideration and protection during the application / development process.

“With regards to proposed landscaping, the design indicates a significant increase in tree planting particularly to the north and west boundaries and the entire boundary around the proposed school / village hall. Although at this stage no details are required it would be appropriate to consider that the boundary plantings contain a balance and appropriate density of large tree species with suitable understorey planting to ensure screening and habitat requirements are achieved.

“Internally, although there are differences in the planting scheme between the submitted ‘A3 Masterplan’ and two ‘Perspective View’ drawings, it is clear that the design seeks to integrate proposed tree planting into the development through the provision of open space areas and verge planting. This approach is desirable and the allocation of sufficient green space to accommodate the planting of large, dominant species of tree as well as smaller more ornamental varieties on verge areas is encouraged.

“It should be noted that any proposed tree planting located on or adjacent to hard surface areas such as car parking bays, paved surfaces etc must consider the risks of future ground disturbance and consider incorporating suitable precautionary measures such root barriers and, if necessary, load-bearing structured cell planting pits. Where these below ground constraints are identified, the applicant must consider the provision of a suitable clearance from below ground services so as to avoid complications with future maintenance requirements.”

3.12 Ecology Officer: “I have no objections on ecological grounds. In general the illustrative masterplan suggests a sensitive design with regards to current ecological interest on site and it is likely that any protected species issues on site can be satisfactorily mitigated for within final plans. There is significant potential for the development to deliver biodiversity enhancements, in line with the recommendation for net gain within the NPPF, if opportunities are pursued and this should be demonstrated in future plans. I am pleased to see the current proposed additional planting on site. If conditions are followed the need for an EPS licence should be avoided.”

3.13 Biodiversity and Footpath Officer: “Bletchingdon Footpath No 1 is affected by the proposed development and a Public Path Order would be required if the current layout is approved.

“The existence of a public right of way is a material consideration. Policy R4 of the adopted Cherwell Local Plan stated that “The Council will safeguard the existing public rights of way network. Development over public footpaths will

not normally be permitted.” Policy R4 of the non-statutory Local Plan stated “The Council will safeguard and, where possible, enhance the existing public rights of way network. Development over public rights of way will not be permitted unless a suitable diversion can be secured which will not prejudice public rights”.

“The application includes a public right of way statement which says, under 1.6, that the applicant is willing to consider amending the layout to take account of the definitive route. This suggests that there are other layout options which would involve changing the location of the school playing field and, as a result, being able to accommodate the footpath through the site on its existing route. As this is an outline application, the development layout is not set in stone. To recommend that CDC make a diversion order, I would need to be persuaded that the school and its playing field absolutely have to be in the position currently indicated.

“Unless alternative layouts create insurmountable problems, the existing route of the Bletchingdon Footpath No 1 should be accommodated through the site either through open space or on a dedicated path which is suitably landscaped. Reserved matters should include details of the construction, surfacing, layout and landscaping of Bletchingdon FP No.1.”

3.14 Recycling and Waste Manager: No objections subject to appropriate S106 contribution.

Oxfordshire County Council Consultees

3.15 Highways Liaison Officer: No objections subject to condition

Location

The application site is located north of the B4027 Station Road in Bletchingdon village. This road is subject to a speed limit of 30mph, with traffic calming features in the vicinity. There is a system of street-lighting along Station Road, and some footway provision on the south side of the road, but very limited footway provision along the north side of Station Road. The village is served by public transport (services 25 and 25A). The Sustrans National Cycle Route 51 (NR51) and the Oxfordshire Cycleway run through the village.

Access

The application proposes three separate accesses onto Station Road and one access onto Springwell Hill for the new development. The LHA has concerns over whether so many new accesses are required onto Station Road, particularly the two westernmost accesses that may conflict with the priority passing traffic calming feature where the speed limit changes from 30mph to 60mph.

Details will need to be provided of the eastern proposed access (‘The Square’) on Station Road in terms of layout, road markings, visibility splays, lane segregation etc. At 30m in width, this sort of access is not generally considered appropriate. Similarly, details of the proposed access onto Springwell Hill, including visibility splays, must be submitted for consideration

and approval. It is considered that the proposed site accesses will be defined in greater detail and finalised at the detailed application stage. The new highway accesses will require separate consent from the local Highway Authority (informative).

Parking

Car and cycle parking provision must be provided in accordance with OCC standards. Parking and drop-off facilities for the school and village hall are proposed to be segregated from the remainder of the development. Again, this will be defined at the detailed planning stage. I would recommend that parking spaces for teaching staff, visitors and drop-off spaces are clearly defined. Safe and segregated pedestrian facilities will need to be provided from the drop-off area to the school for parents and children. Please see below further detailed Travel Plan Team's comments on the proposed layout of the school/ parking area.

For retail development, 1 car parking space per 14m² is required. Therefore 4 car parking spaces must be provided for the proposed shop. As the shop is proposed at the front of the development on Station Road, it is likely to attract parking on the main road and in the entrance to the estate, which is not desirable and could represent a risk to highway safety. This will need to be fully considered at the detailed design stage, and dedicated shop parking provided in an appropriate location.

The application states that the illustrative masterplan shows a layout that 'could accommodate 105 dedicated residential parking spaces, with a further 28 spaces for the school and community hall'. However, there only appear to be 60 residential parking spaces indicated on plans. OCC's residential car parking standards, which provide guidance on allocated and unallocated car parking, would require approx. 137 residential parking spaces, and these will need to be designed into the future detailed layout. Any garages must be a minimum of 3m x 6m internally.

As with all developments like this, car parking at the rear of dwellings tends to see vehicles parked on the road or verges to the front of properties giving rise to damage to adjacent verges or kerbing. This will need to be fully addressed at the detailed design stage.

Layout

All on-site roads will need to be built to an adoptable standard, including drainage, street-lighting, pedestrian facilities, visibility splays at internal junctions, access for emergency/servicing vehicles and provision of appropriate turning heads and large vehicle swept paths. A Section 38 Agreement will be required for any new public roads/footways to be provided within the development.

Public Transport Comments/S106 contributions

The Section 106 Heads of Terms identify the need for 'appropriate financial contribution based on the reasonable demand generated from the development' towards Highways/Transport Matters.

The LHA requests a transport developer contribution of £6,200 towards improving public transport infrastructure (enhancing the Blacks Head pair of bus stops, with the provision of modern bus stop poles flags and information cases and the provision of a northbound shelter, subject to the Parish assuming ongoing maintenance).

Additionally, a sum of £58,000 is requested towards improving the 25A bus service through enhanced evening services. The details of the additional evening services need to be determined through liaison with the bus operator, also taking into account funding secured from the Upper Heyford development.

Transport Assessment (TA)

A TA has been submitted and includes details of the site description, surrounding highway network, pedestrian and cycle provision, public transport provision, accident record, trip generation and distribution, observed, base and forecast traffic flows, junction analyses and proposed off-site highway works.

The proposed development is likely to generate 114 vehicular movements in the AM peak (0800-0900) and 46 in the PM peak (1700-1800) according to TRICS database.

The junction analyses indicate that the Station Road/ Lince Lane junction is not operating satisfactorily at present and will not do so in the future, with or without development-generated traffic. The proposed site access junction will operate satisfactorily during both peak hour periods in the future, with no queuing or noticeable delay, even with all development traffic using one junction. The other junctions modelled (The Causeway/ Station Road, Weston Road/ Station Road/ Islip Road/ Oxford Road, B4027/ Northbound slip and B4027/ Southbound slip) operate, and will continue to operate, within capacity with no queuing or significant delay. No mitigation is required at any of the junctions on the network surrounding the proposed development site.

The five year road collision history has been examined, with 42 road collisions reported for the surrounding area. Seven accidents occurred in Bletchingdon itself, of which the majority related to potholes and loose gravel and two related to the Station Road pinch point adjacent to the development. The TA proposes that mitigation might be introduced as part of the offsite highway works for the development in the form of a gateway feature for the village, thus rendering the pinch-point more noticeable to drivers.

A detailed pedestrian/cycle audit has been carried out and submitted with the TA. The conclusions of the audit propose various mitigation measures as follows:

11.4 The bus stop hard-standings are isolated from the footways. This requires mitigation such that all bus stops are accessible via a continuous footway and suitable crossing points.

11.5 With regard to crossing points, many dropped kerbs lack suitable tactile paving, and/or are misaligned with dropped kerbs, if they exist, on the opposite side of the road. This requires mitigation by moving dropped kerbs to

provide continuous pedestrian routes through the village. Some will require the provision of tactile paving.

11.6 There is no footway on the northern side of Station Road in the vicinity of the site. A suitable footway will need to be provided here, along with a zebra crossing on Station Road to link the development site with the main area of housing in Bletchingdon.

As part of the development proposals, the north side of Station Road from the western boundary of the site to Springwell Hill will be furnished with a 1.8m wide footway with appropriate dropped kerbs. A gateway feature will be installed at the pinch point adjacent to the westernmost boundary on Station Road. A zebra crossing will be provided adjacent to the site to provide a safe route to school for children walking from the village. Suitable dropped kerbs will be provided between the site and the village centre, and footways realigned to rationalise the route from there to the proposed development site. Where necessary, bus stops will be connected to the footways. Depending on the location(s) of the proposed site access(es) it may be necessary to move the pinch point further away from the village, together with its attendant 30mph signs. These items will need to be carried out under a Section 278 Agreement. In the opinion of the LHA, a humped zebra crossing on Station Road is required. This may require some changes to the traffic calming features/traffic regulation order, which would need to be addressed in the detailed design stage.

A Construction Traffic Management Plan (CTMP) is included in the TA, which sets out proposed measures to control and manage traffic relating to the construction element of the development. Certain details will need to be provided prior to commencement of development, as indicated in the CTMP. The proposed route for delivery vehicles is west out of the site onto the B4027, and not through Bletchingdon village itself.

Travel Plans comments

A number of documents have been submitted with this application and an audit has been performed, the results of which are:

- The Residential Travel Plan is very well written and contains the majority of information required.
- Please amend the Contents page so every section is not listed as being on Page 1.
- Once the Travel Plan Co-ordinator has been identified, can the details (name, contact number/ email) be sent to Oxfordshire County Council?
- Oxfordshire Car Share has now been rebranded to Oxfordshire Lift Share due to some confusion over the interpretation of the name. Can any references to Oxfordshire Car Share please be amended?
- In regards to cycling measures, other things that can be considered (and would be helpful to the residents) are the name and location of the nearest bicycle shops and if they service bicycles (which could be included within the Residents Travel Packs) and if the residents would be able to get an initial discount (which would need to be looked into by the Travel Plan Co-ordinator).

- Another way to try to encourage a reduction in single occupancy vehicle use is the home-working and the availability of broadband in the area. May be this could be explored by the Travel Plan Co-ordinator and promoted (if necessary) to the residents.
- Just for clarification could any short references to National Cycle Route 51 be changed from NR51 TO NCR51.
- There is concern about the proximity of the café and village hall to the School. What will the impact of the traffic coming from all of this buildings be on the area, especially during the 'pick up' and 'drop off' times for the primary school, and if the village hall is going to be partly used as a pre-school.
- Will any cycle parking be provided at the Primary School?
- A 'Drop Off Zone' for the primary school has been mentioned. Where will this be situated?
- Will there only be one access to the primary school. There is concern that if there is only one, a traffic pinch point will be created in mainly one area near to the school creating a potential safety hazard for pupils entering and leaving the school site.
- How will parking on the surrounding roads and Sands Close be discouraged? Typically parents who drive their children to school will try to park as near as possible to the site, especially if the nearby car park is full. We try to discourage parking on roads / streets around the school as it can potentially cause a safety hazard for children and residents of surrounding streets can find the extra parking a nuisance.
- The layout of the designated car park near to the school suggests that there will be a certain amount of manoeuvring to get in and out, especially if it gets full. Can the layout please be explained in more detail as there is concern that if parents wanting to drop off or pick up their children feel that it is complicated to park in the designated car park; they will be more inclined to park on the surrounding streets?
- Bletchington Primary's School Travel Plan is included as Appendix H of the TA. This Travel plan was put together in 2008 and so a lot of the targets and actions are now out of date. I would like to see an updated one which contains current figures, actions etc., which also mentions the relocation of the school. This should then to be updated again once the site has been occupied in the new location. It is of note that the original School Travel Plan identified a strong desire amongst parents and pupils to increase cycling levels to school, and this aspiration should be considered in light of the proposed new/replacement school location.

3.16 Rights of Way Officer: The application requires the diversion of Bletchington FP 1 in order to accommodate the playing field for the new primary school within the development. The diversion whilst not too great in distance seems from the plans provided, to be diverted alongside an estate road.

I would be keen to avoid this occurring as the whole nature of this path is being changed and the provision along an estate road does not safeguard or enhance the path. It would be more beneficial to the public to see a more landscaped route being provided through the estate and where possible, avoiding conflict with traffic.

It may be that this can't be achieved on the current layout as in the masterplan provided. Section 1.6 of the Public Right Of Way Statement submitted with this application does state that '...should the diversion not be acceptable the applicant is willing to consider changing the layout'. Therefore one would assume that alternative layouts are available, which may involve not diverting the footpath. I would therefore be mindful as this is an outline application, to enquire about all possible alternative site layouts before agreeing to a diversion on the current alignment.

- 3.17 **Drainage Officer:** It is acknowledged that the planning application is outline only. Suds will be required on this development. The discharge from the site should be restricted to current greenfield run-off rates or better. Prior to commencement of the development on site, full drainage details and a full design / layout will be required and approved by OCC.

Other Consultees

- 3.18 **Environment Agency:** The proposed development is located in Flood Zone 1 (low probability) based on our Flood Zone map. Whilst development may be appropriate in Flood Zone 1, paragraph 103 (footnote 20) of National Planning Policy Framework (NPPF) sets out a Flood Risk Assessment should be submitted for all developments over one hectare in size.

We note that a FRA **has** been submitted in support of the proposed development.

The West Thames Area (Environment Agency South East) is operating a risk based approach to planning consultations. As the site lies in Flood Zone 1 and is between 1 and 5 hectares we do not intend to make a bespoke response to the proposed development. The following standing advice is provided as a substantive response to you. If this advice is used to refuse a planning application, we would be prepared to support you at any subsequent appeal.

In order for the development to be acceptable in flood risk terms we would advise the following:

Surface Water Flooding

Our flood risk standing advise (http://www.environment-agency.gov.uk/static/documents/Utility/FRSA_LPA_v_3.1.pdf) contains guidance on what FRAs need to include. Key points for developments in Flood Zone 1 (cell F5) are:

- Surface water runoff should not increase flood risk to the development or third parties. This should be done by using Sustainable Drainage Systems (SuDS) to attenuate to at least pre-development runoff rates and volumes or where possible achieving betterment in the surface water runoff regime. (The applicant should contact Local Authority Drainage Departments where relevant for information on surface water flooding.)
- An allowance for climate change needs to be incorporated, which means adding an extra amount to peak rainfall (20% for commercial

development, 30% for residential). See Table 5 of Technical Guidance for NPPF.

- The residual risk of flooding needs to be addressed should any drainage features fail or if they are subjected to an extreme flood event. Overland flow routes should not put people and property at unacceptable risk. This could include measures to manage residual risk such as raising ground or floor levels where appropriate.

3.19 **Thames Water:** Concerns over waste water infrastructure and water supply to meet the expected demand. Conditions are recommended to address these issues.

3.20 **Thames Valley Police:** “Thames Valley Police are neither for nor against this application which is for outline planning permission, with all matters reserved for subsequent approval. **If however the indicated plan submitted with this outline application were to be the final plan, then Thames Valley Police will formally object to the application.**”

“The reasons for the objecting to the present indicative layout are many, and I list them below:

1. **Have not addressed crime prevention in the application:** The applicants have not addressed crime prevention as per para 132 of DCLG document, ‘*Guidance on information requirements and validation*’, issued March 2010. which says:

“PPS1 makes clear that a key objective for new developments should be that they create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion. Design and access statements for outline and detailed applications should therefore demonstrate how crime prevention measures have been considered in the design of the proposal and how the design reflects the attributes of safe, sustainable places set out in Safer Places- the Planning System and Crime Prevention (ODPM/Home Office, 2003). Further advice on ‘Secured by Design’ principles is available from the Police.”

Whilst PPS 1 is superseded by the NPPF document, the words quoted for PPS 1 are reproduced at paragraphs 58 and 69.

2. **Crime risk for the area:** Whilst the current crime risk in the area is low, there have been in the last year: 3 x drugs offences, 8 x theft, 3 x assault, 2 x theft of motor vehicles, 3 x thefts from motor vehicles, 3 x criminal damages to motor vehicles, 1 x burglary, 1 x theft from dwelling. There will be further development in and around Bletchingdon during the lifetime of the proposed dwellings for this proposed development and therefore the design should reflect designing out crime for the lifetime of the development. Allowances should be made for increases in crime which will occur with further development in the area and expansion of other nearby areas where offenders will operate. The indicative layout for this proposed development makes no allowance for this.

3. **Design faults:** There is a lack of ‘Defensible Space’; there are ‘exposed rear garden boundaries’; there is a lack of active fronts to the rear service /

parking areas; areas are provided for youths to gather without being seen and Anti Social Behaviour (ASB) ensue; there are easy escape routes provided for offenders; private areas which are not public realm where the public will have an implied right of access; with mixed housing on site and the proposed village hall this will attract youths onto the proposed development and they will use the lack of natural surveillance from ground floor active rooms to use these areas for play and ASB.

- a. The open rear parking areas and service courts appear to be based on a Poundbury model? This layout works at Poundbury due to the low crime in the area as well as the surrounding wider area. Also there is very strong management of the site, so that if families do not conform, the management actively deal with the problem. The layout that works at Poundbury will not automatically transpose everywhere else. There are other factors involved in Poundbury.
- b. Statistics show that most domestic burglaries occur from rear garden areas. With the layout of this proposed development this will assist offenders to commit crime. Once offenders realise how vulnerable dwellings are on this proposed development then word will spread and it is likely to become a comparative crime hotspot.

Each building needs two faces: a front onto public space for the most public activities and, a back where the most private activities take place. If this principle is applied consistently, streets will be overlooked by building fronts (accommodating the entrances) improving community interaction and natural surveillance, creating a safe feel for residents and passers-by. Building with an obvious relationship to a public front and private back, fundamentally have improved security through their design.

- c. There will be a shop and a village hall on the proposed development which are good for the area. Such facilities do attract youths to them who hang around outside. However the proposed layout will encourage youths to also go into the rear parking / service areas and for ASB to ensue.
- d. With the rear parking / service areas, these areas are private (i.e. not public space), but will be open to any member of the public, with an implied right of access. This causes a blurring of who will be responsible for this area and have the 'Duty of Care' for members of the public crossing these areas or just being in these areas? As the areas will be in private ownership, the Police will be under no obligation to patrol them to prevent crime and anti social behaviour. What is proposed by the developers to help discharge their 'Duty of Care', by creating these private open public areas? Who will Police these areas, to prevent crime or if anti social behaviour occurs? This is similar to private shopping centres, where the owners are responsible for the patrolling and policing of their own shopping centre, although Police will attend crimes if there is a necessity. The Police do not patrol private areas. Who will be responsible for the maintaining these areas and any lighting that is provided, etc.

- e. There are small buildings shown within the rear parking / service area, are these supposed to be garages, cycle stores, bin stores? They will prevent natural surveillance across these areas, provide recess areas where ASB can occur, facilitate crime against vehicles parked in these areas, be broken into easily and create a fear of crime as well as possibly creating an informal youth shelter.

4. Design Advice:

I reproduce below some recent research by **Design Council Cabi and the Home Office** titled "Creating safe places to live through design". The "What did we learn" findings can be found at: <http://www.designcouncil.org.uk/our-work/CABE/Localism-and-planning/Understanding-the-crime-experience-of-new-housing-schemes/>

Parking:

- The default use of rear parking courts as the main parking type, especially if large with multiple access points, should be challenged – they performed poorly for crime both of vehicle crime, assault and criminal damage in those case studies that relied upon them significantly. Also there was clear evidence of residents avoiding using particularly poorly designed courts and displaced parking causing problems elsewhere. If rear or side parking courts are used they should be small, close to owner's dwellings, well overlooked by occupied rooms, not connected to foot paths, designed to the same quality as the "fronts" of the development and should not open rear access to many dwellings...
- Specific attention should be made to where visitors are likely to park – visitors seem particularly unwilling to park in areas away from the public carriageway and will tend to park up on kerbs nearest the dwelling they are visiting.
- Some schemes had garages in unusual locations such as at the rear of properties accessed via side lanes or rear access. These appeared to have a high burglary risk so should be considered very carefully.
- Schemes where parking seemed to be working particularly well also tended to have strong management approaches to monitor and correct unofficial parking or misuse of provision.

Design Quality:

- Avoiding and eliminating weak points where crime and anti-social behaviour tends to end up, such as unoverlooked spaces adjacent to boundary fences, boundary treatment that fails to work with topography, dead ends to streets in odd corners of the site or poorly sited cycle storage. Stakeholders should challenge designers to explain every part of their development and how it will be used.
- Specific elements that need extra design input are:
 - i. Corner properties – they are at greater risk of crime and need careful resolution to ensure they provide overlooking to both streets.
 - ii. Avoiding situations that expose rear access to dwellings – all dwellings should be the right way around with a fronts and backs resolved properly for every dwelling.
 - iii. Ensure the movement network passes to the front (or if necessary overlooked sides) dwellings rather than to the rear and is logical, fitting in with wider movement routes.

Further Design Advice:

“Whilst DCLG are currently reviewing the suite of various design advice documents that are in the planning system. At annex B of the ‘*DCLG: Open consultation review of planning practice guidance*’ is listed documents that are ‘recommended for cancellation but any relevant material should be incorporated into revised guidance’. Listed in this section is ‘*Safer Places: The Planning System and Crime prevention*’, ‘*Better Places to live by design*’, ‘*By Design Urban Design in the planning System*’. At annex C of the same consultation is listed documents that are ‘recommended for retention until replaced by revised guidance’. Listed in this section is ‘*Manual for Streets*’.

“I reproduce below some of this current design advice that may well be incorporated in the new suite of design advice from DCLG:

- a. **Manual for Streets (MfS)**, makes various comments regarding car parking from page 102, but I reproduce some elements of that: Page 108, para 8.3.36 - ...

Car parking arrangements: good practice

It is recommended that the following key principles (based on *Car Parking: What Works Where*) should be followed when considering the design and location of car parking:

- the design quality of the street is paramount;
- there is no single best solution to providing car parking – a combination of on-plot, off-plot and on-street will often be appropriate;
- the street can provide a very good car park – on-street parking is efficient, understandable and can increase vitality and safety;
- parking within a block is recommended only after parking at the front and on-street has been fully considered – rear courtyards should support on-street parking, not replace it;
- car parking needs to be designed with security in mind – advice on this issue is contained in Safer Places. See also the Safer Parking Scheme initiative of ACPO; and
- consideration needs to be given to parking for visitors and disabled people.

- b. **Safer Places – The planning system and Crime Prevention’**
– Parked cars can be particularly vulnerable to crime and, unless they are in a private garage must be overlooked. The most secure place to park a car is in a home’s garage, usually followed by a driveway (preferably behind gates). If there is no in-curtilage parking, parking should be provided where cars can be seen. This could mean on-street parking, which benefits from overlooking but leaves cars more vulnerable to opportunistic crime and vandalism. A further alternative is parking courtyards, but courtyard parking that is not adequately overlooked by capable guardians should be avoided. Courtyard parking should be small in size and close to the owners’ homes. Notwithstanding the need for natural surveillance, a single, gated narrow entrance will make car crime more difficult.

- c. **‘By Design Better places to live’:** - “Servicing dwellings from within the block (such as Jesmond, Poundbury and Thorny Lane) can improve the appearance of the streetscape in terms of car parking and refuse collection and enable residents to have access to the rear of gardens. However, these advantages need to be carefully balanced against other concerns. In particular:
- (1) rear servicing can undermine the security of dwellings by allowing strangers access to the rear of the dwellings;
 - (2) without very careful attention to detailed design, rear parking courts and alleyways can become hostile places;
 - (3) rear courtyard parking can reduce the area available for back gardens and the coming and going of cars can detract from the tranquillity of garden areas.
- d. English Partnerships guide **‘Car Parking-What works where’** which is referenced in Manual for Streets says: –
Page 05 - A specific rear court design used at Poundbury (almost a lane behind homes) has led to imitation. But there are disadvantages with rear parking courts caused by the duplication of streets and rear access routes. It is inefficient as a large proportion of the land is used for roads and parking areas; the internal routes result in reduced garden sizes; there is loss of security and privacy to the rear of the home; and, with parking to the rear of the house, residents may be less likely to use their front doors with a consequent loss of activity in the street.

Conclusion:

“As said earlier Thames Valley Police are neither for nor against this application. If however the indicated plan submitted with this outline application were to be the final plan, then Thames Valley Police will formally object to the application.

“I hope the above comments are of use to you in your deliberations to determine the application and will help the development achieve the aims of the National Planning Policy Framework (NPPF) paragraphs:

- 17 – re high quality design
- 58 – re function for the lifetime of the development as well as designing against crime and fear of crime.
- 69 – re safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion”

3.21 **The Ramblers:** “The proposals look fairly harmless, and are unlikely to object unless there are nasty surprises”

3.22 **Oxford Fieldpaths Society:** “The proposals look fairly harmless, and are unlikely to object unless there are nasty surprises”

3.23 **Open Space Society:** No comments received

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

- H6: Rural exception sites
- H18: New dwellings in the countryside
- C2: Development affecting protected species
- C4 Creation of new habitats
- C7: Landscape conservation
- C8: Sporadic development in the open countryside
- C27: Development in villages to respect historic settlement pattern
- C28: Layout, design and external appearance of new development
- C30: Design of new residential development
- C31: Compatibility of proposals in residential areas
- C32: Provision of facilities for disabled people
- R12: Provision of public open space in association with new residential development
- ENV12: Contaminated land
- S28: Proposals for small shops and extensions to existing shops outside Banbury, Bicester and Kidlington shopping centres
- TR1: Transportation funding

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Cherwell Local Plan - Proposed Submission Focussed Consultation
(March 2013)

The Local Plan (March 2013) is out for a second round of 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 and are not replicated by saved Development Plan policy:

- Policy villages 2: Distributing growth across the rural areas
- Policy villages 3: Rural exception sites
- H6: Housing mix

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:

R4: Rights of way and access to the countryside

R9: Amenity areas

R11: Community facilities

TR1: Traffic generating development

TR3: Transport assessments and travel plans

TR4: Mitigation measures

TR5: Road safety

TR8: Pedestrian and cycle circulation

TR9: Provision of cycle parking

TR11: Parking

EN40: Conservation areas

D3: Local distinctiveness

D5: The design of the public realm

5. Appraisal

5.1 The key issues for consideration in this application are:

- The principle
- Footpath diversion
- Other matters
- Planning contribution

The principle

5.2 The separate elements of the scheme: village hall; shop; school; and the housing are first examined in isolation to assess their acceptability in principle.

5.3 **Village hall** - As referred to previously, there is an extant permission for a village hall on part of the application site (07/02608/F renewed by 10/01712/F refer). The case officer for these applications concluded that it complied with Policy R11 of the Non-Statutory Cherwell Local Plan 2011 (NSCLP) which supports the construction of new village halls providing that they are: conveniently located for the population they are intended to serve; are appropriate in terms of scale, siting and design; and would not lead to a significant loss of amenity to adjacent properties.

5.4 Although there is no corresponding policy in either the adopted Cherwell Local Plan (CLP) or the emerging Local Plan (ELP) Paragraph 69 of the NPPF reaffirms the commitment to development that promotes community interaction:

The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- *opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity.*

5.5 **Shop** - Bletchington's shop on Weston Road has been closed for around 8 years ago and although a subsequent application to convert it into a residential unit was resisted (09/01270/F refers) on the grounds that the applicant had not established that the shop was no longer viable, it is accepted that it is improbable that the shop will ever re-open. In the intervening time, the village pub had, until recently, sold a limited number of provisions to fill the void.

5.6 As part of the extant permission for the village hall, there was an option to use a small part of the building as a shop. The case officer cited Policy S28 of the CLP. The supporting text of which states that the policy allows 'new shops serving a small local catchment to be established in suitable locations'. As previously concluded officers are satisfied that the proposed shop accords with these provisions - the illustrative plan shows the shop located opposite the village hall and near the junction with Station Road.

5.7 **School** - Although there is no specific reference to schools in local policy the NPPF is unequivocal in its support of proposals that meet an identified need for new school places. Paragraph 72 of the NPPF reads as follows:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted.*

5.8 **Affordable housing** - Policy H6 of the CLP supports the principle of small-scale low cost housing development immediately adjacent to rural settlements, including where necessary those located in the Green Belt. The only specific caveats relate to viability and ensuring that the housing remains affordable in perpetuity. The level of need also has to be assessed by the Council's Housing Team with the input of the parish council. This consultation has already taken place and a local housing association is now in place.

5.9 As for the location itself, the fact that the land to the north of Station Road is outside the Green Belt was a key consideration when assessing the earlier applications for Sands Close and Springwell Close. These previous approvals set a strong precedent for the current application. It is therefore concluded that the affordable element of the proposed development, viability allowing, accords with Policy H6 of the CLP.

- 5.10 **Market Housing** - As the application site is located beyond the built limits of Bletchingdon and is not an allocated site, the market housing has to be assessed against Policy H18 of the adopted CLP. This limits residential development to agricultural works dwellings and affordable housing. Quite clearly the development fails to comply with this policy.
- 5.11 Policy Villages 2: Distributing Growth Across the Rural Areas of the ELP (amended in March 2013) places Bletchingdon in a group of 16 villages. There is a combined limit of 96 new homes to be built in these settlements during the period 2012-2031 for sites that comprises ten or more dwellings. This in effect means that only a maximum of nine of the villages can have such a development. Although this policy specifically states that only land outside the Green Belt will be considered in Bletchingdon, it would nonetheless be difficult to justify such a large proportion of the allocation going to a single village. It should also be noted as the group of villages includes Bloxham, should the two live appeals be successful then the whole of allocation for the next 18 years would be exhausted.
- 5.12 Of perhaps more relevance, Policy Villages 3: Rural Exception Sites of the ELP (set out below and also amended in March 2013) mirrors guidance contained within paragraph 54 of the NPPF which recognises that in order to promote affordable housing to land owners, councils should be willing to countenance an element of market housing. The rationale is that land owners can be unwilling to release land on the edge of settlements if they feel there may be a chance that the land could come forward for a market housing scheme at some point in the future.

The Council will support the identification of suitable opportunities for small scale affordable housing schemes within or immediately adjacent to villages to meet specific, identified local housing needs that cannot be met through the development of sites allocated for housing development.

Arrangements will be secured to restrict the occupancy of the housing to ensure that it continues to meet local needs in perpetuity.

Market housing for private rent or sale will only considered on rural exception sites in the following circumstances:

- *The number of market homes should not exceed 25% of the total number of homes proposed*
- *The market housing must be shown to be required to secure the viability of the proposal and development costs must be justified*
- *No alternative, suitable site is available to provide a rural exception site*
- *The market housing ensures that no additional subsidy for the scheme is required*
- *The development has the support of the local community*

- *The total number of dwellings and the scale of development is in keeping with the categorisation, character and form of the village and its local landscape setting.*
- 5.13 Obviously, whilst establishing the principle of market housing on edge of village sites, this policy could only justify a small proportion of the proposed market housing, the first and final bullet points would appear to be at odds with a development of the scale proposed.
- 5.14 Notwithstanding this policy more weight has to be attributed to the NPPF given the current status of the development plan and a deficit in the five year land supply if it can be demonstrated that the CLP is at odds with the goals of the NPPF.
- 5.15 When adjudicating on a recent appeal (APP/C3105/A/12/2183183 refers) for a development, in Chesterton, incorporating 44 houses (15 of which were affordable) the inspector, reiterated guidance in the NPPF when she stated that the *'proposal should be considered in the context of the presumption in favour of sustainable development. It should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh any benefits, when assessed against the Framework's policies taken as a whole.'*
- 5.16 This appeal decision resonates with the current application in that the Chesterton scheme included a new village hall/sports pavilion as a way of justifying the proposal. The Inspector commented as follows: *'In addition, in terms of social benefits, the proposal would result in a larger and more mixed village population to help maintain and/or improve facilities and services such as the primary school and local bus services. This, and enhanced sport, recreation and community facilities, would contribute to the village's vitality.'*
- 5.17 Although Chesterton is identified as a category 1 village in the CLP as opposed to Bletchingdon's category 2 status, both the NSCLP and the ELP give both villages the same classification. Indeed, the Cherwell Rural Area Integrated Transport and Land Use Study (CRAITLUS) of 2009 scored them equally in respect of community facilities and public transport accessibility. Chesterton, given its proximity to Bicester, did however finish above Bletchingdon in terms of car accessibility (distance to services normally only found in the larger settlements e.g. hospitals). When summing up Chesterton's sustainability credentials, particular attention was paid to how close it was to Bicester and the public transport links which would be improved as part of the S106 agreement.
- 5.18 Notwithstanding this geographical advantage and the fact the Chesterton approval was for 30% fewer houses, the Bletchingdon Project has been assessed more positively by Officers for two key reasons. The first of these is local support. Whilst public opinion was best described as mixed in Chesterton, the people of Bletchingdon are almost universally in support of the Project. To have just two objectors for such a relatively large extension to a village is most unusual.
- 5.19 The aspirations of the local community, articulated in the letters of support from various village organisations, resonates with the coalition Government's commitment to devolve more power to the local level set out in the Localism Bill

2011. In a supporting document 'A plain English guide to the Localism Act' the DCLG states that:

'We think that power should be exercised at the lowest practical level - close to the people who are affected by decisions, rather than distant from them. Local authorities can do their job best when they have genuine freedom to respond to what local people want, not what they are told to do by central government.'

- 5.20 The second reason that the application is viewed more favourably is that it is not the applicant's intention to make a large profit from the proposal but to make a 'reasonable' return on investment whilst at the same time providing the funds to meet the shortfall to enable the delivery of the school and village hall. Although the Chesterton proposal provided financial support to local community projects, no agreement was reached as to an appropriate number of market houses.
- 5.21 In order to ensure an appropriate level of financial probity, the Duchy was required to provide the Council with a viability assessment which, on receipt, was then forwarded to an independent consultant for detailed analysis. The consultant was tasked with not only scrutinising the accuracy of the figures, but also commenting on the very subjective, nebulous question; what is a 'reasonable' return on investment?
- 5.22 Recognising that there was no accepted standard in gauging a 'reasonable' return, the consultant opted for what he considered to be the industry standard and based his calculations upon *the general level of minimum prices agreed between landowners and developers with Option Agreements in the locality* (based on greenfield rather than a brownfield scenarios).
- 5.23 Despite having a meeting to discuss their differences there remained significant areas of disparity between the two parties. The consultant questions the methodology and a number of financial assumptions underpinning the viability report. As a result, the consultant is of the opinion that the gross development value has been undervalued.
- 5.24 However, he also believes that the Duchy's expectation of what constitutes a reasonable return is, by contrast, very low. As a consequence, of the four scenarios tested in his report only one marginally exceeded the consultant's own interpretation of what was a reasonable return on investment. So despite the different approaches adopted, the final paragraph of the consultant's report reads as follows:
- 'On the balance of these four scenarios, the proposed scheme will deliver the school and village hall, provide a mix of affordable housing and yield the landowner with what we generally consider to be an appropriate return on investment.'*
- 5.25 Based on the evidence available at this time, officers are satisfied that the level of profit that the applicant is likely to make, should the development progress, is of an acceptable level.

5.26 One final point that differentiates this scheme to that in Chesterton is the proposed school. Paragraph 72 appears to offer councils significant latitude on provide sufficient school places by encouraging local authorities to take a *'proactive, positive and collaborative approach to meeting this requirement'*.

5.27 **Conclusion** - Whilst the market housing element of this proposal represents a departure from policy, officers conclude that there are number of material considerations that outweigh any policy concerns and that the scheme is therefore acceptable in principle. Furthermore, officers are also satisfied that this community led development will not set a precedent which would be exploited by less scrupulous developers.

Footpath diversion

5.28 Although all matters are reserved the applicant recognises that they will have to address the possible diversion of the footpath at an early stage. Officers consistently advised the applicant to avoid the realignment of the footpath if at all possible. As the Council's Biodiversity and Footpaths Officer observes, Policy R4 of the NSCLP seeks to safeguard existing public rights of way. The supporting text argues that satisfactory alternatives will only be considered if it were not detrimental to the public enjoyment of the route.

5.29 The Biodiversity and Footpaths Officer in her comments refers to the Public Right of Way Statement which suggests that the applicant would be willing to consider alternative routes. The applicant would do so very reluctantly however, as it is felt that the chosen enclosed location will allow it to better integrate into the rest of the village.

5.30 Given this relatively rigid position, the case officer, the applicant's agent and a member of the Parish Council recently met with representatives of the local walking associations to discuss the possibility of realigning the footpath (irrespective of whether this application is approved, the applicant will still require a Footpath Diversion Order). The meetings were very constructive and it is likely that the applicant will incorporate a number of useful suggestions (e.g. greater separation of the footpath from the access road) into a future reserved matters application. The walking societies, whilst appreciating the early dialogue, still reserved their right to object to the diversion, although it is hoped that a number of their initial reservations have been allayed.

Other matters

5.31 Aside from the footpath diversion, the site itself did not through up any unexpected surprises. The Environmental Protection Officer only real interest was with the barns in the south west corner of the site. The Ecologist, whilst recommending a number of conditions, was very supportive of the applicant's commitment to promote wildlife within the site. Although Thames Water raised concerns about the capacity of the drains to deal with the additional sewage in their response to the Council, further discussions between the applicant's agent and the water company revealed that the existing infrastructure could cope. The Conservation Officer concluded that the proposed development would have limited implications for the nearby heritage assets including the Bletchington Conservation Area.

5.32 A number of consultees have however been less than enthusiastic about certain elements of the indicative design. Although the Council's Urban

Designer acknowledges that the general approach to development of the site is right and appropriate and has the potential to deliver an excellent extension to the Bletchington community her comments aren't without any criticism.

- 5.33 The Urban Designer, along with the Highways Officer and Thames Valley Police, is critical of the courtyard parking arrangement. It is argued that such areas are often underutilised with residents preferring to park their vehicles on roads fronting their properties. This behaviour is partly borne out of the lack of a lack of 'ownership' and natural surveillance in courtyards which provides greater opportunity for unlawful activity.
- 5.34 Thames Valley Police, who also object to the exposed rear boundaries, confirm that crime figures support this correlation. Their specialist advisor maintains that you cannot extrapolate the experience of Poundbury (Duchy designed scheme on the edge of Dorchester) to other locations, particularly as Poundbury has an effective management system in place to combat anti-social behaviour.
- 5.35 There is an expectation that the applicant's architect will address these, and other points raised by the specialist consultees in the comments set out in section 3 of this report.

Planning Contribution

- 5.36 Discussions were on-going at the time of writing between officers, the applicant and Oxfordshire County Council as to the level of contribution that would be acceptable given the special circumstances of this case.

Consultation with applicant

- 5.37 Discussions with the applicant, through their agent, have been on-going throughout the application process.

Conclusion

- 5.38 Based on the assessment above, it is concluded that whilst the proposed development does not accord with Local Plan policy the mitigating factors; local support; the provision of much needed community facilities; and a limited return on investment; carry sufficient weight to overcome the policy objection. This application is therefore 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 5.36,
- b) the following conditions:
 - 1 That no development shall be commenced until full details of the layout, scale, appearance, access 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 4(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.

- 2 That in the case of the reserved matters, application for approval shall be made not later than the expiration of three years 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 4(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.

- 3 That the development to which this permission relates shall be begun not later than the expiration of two years 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 4(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2010.

- 4 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the site location plan.

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

- 5 **(Condition regarding the phasing of the school, village hall and housing to be agreed with the applicant.)**

- 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 Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
- Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.
- 8 Demolition of the Southernmost barn must be carried out strictly in accordance with paragraphs 5.4 and 5.5 (page 13) within the report by BSG Ecology titled Bletchingdon, Ecological Assessment, dated December 2012. Should bats or evidence of bats be found at any point all work will cease until advice has been sought from Natural England.
- Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.
- 9 No removal of hedgerows, trees or shrubs or demolition of buildings shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.
- Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.
- 10 Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), whether a development licence is required, proposed mitigation for short and long-term disturbance or loss of foraging grounds/commuting routes and the location and timing of the provision of any protective fencing around setts/commuting routes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.
- 11 Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 12 Prior to the commencement of the development, including any demolition and any works of site clearance, full details of the role, responsibilities and operations to be overseen by a qualified supervising ecologist/licensed bat worker including demolition of buildings on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be overseen by the qualified ecologist in accordance with the approved details.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 13 Prior to the commencement of the development, including any demolition and any works of site clearance full details of a working methodology for avoidance of harm to any reptiles on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be overseen by the qualified ecologist in accordance with the approved details.

Reason - To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 14 All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason - To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Government guidance contained within the National Planning Policy Framework.

- 15 Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement and plans for enhancing biodiversity on site both within the landscaped and the built environment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy C2 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 16 A potential risk from contamination has been identified by information submitted with this application. Prior to the commencement of the

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

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 17 If contamination is found by undertaking the work carried out under condition 16, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 18 If remedial works have been identified in condition 17, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 17. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

- 19 If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Planning Notes

- 1 The public right of way must remain unobstructed and on its definitive line unless and until a Public Path Order has been confirmed and brought into effect.

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. Although the development is not considered to comply with adopted Cherwell Local Plan policy the mitigating factors supporting this application are sufficient to overcome the policy objection. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and outline planning permission granted subject to appropriate conditions, as set out above.

Statement of Engagement

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.