

Applicant: Hallam Land Management Ltd

Proposal: Up to 130 dwellings; open spaces for recreation (including children's play spaces and outdoor sports); a sports pavilion; community orchard and allotments; new vehicular and pedestrian access off Blackthorn Road and associated landscaping, parking, engineering works (including ground re-modelling), demolition and infrastructure

Ward: Bicester South And Ambrosden

Councillors: Cllr David Anderson
Cllr Nick Cotter
Cllr Dan Sames

Reason for Referral: Major development

Expiry Date: 24 March 2017

Committee Date: 13 April 2017

Recommendation: Refuse

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site comprises 17.1ha of generally flat agricultural land on the north eastern edge of the village of Ambrosden. The site is bound by Blackthorn Road to the south east and the B4011 to the north east. The site adjoins existing (former MOD) residential development and the Bicester Barrison Officer's Mess to the south and south west. The site extends into agricultural fields to the north west and the wider surrounding area to the north east and south east beyond the B4011 are also in agricultural use.
- 1.2. The site is bound by established mature hedgerow with some trees and tree groups and a drainage ditch runs along the boundary with Blackthorn Road.
- 1.3. A public bridleway runs from Ploughley Road up through and to the rear of houses on West Hawthorn Road and through the north western part of the application site towards the B4011.
- 1.4. Part of the site is designated as an area of archaeological interest.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks outline planning consent for the development of the site for up to 130 residential dwellings. All matters are reserved except access.
- 2.2. The Illustrative Concept Plan proposes that the development would be split into two areas with a defined residential development area of 4.2ha located closest to

Blackthorn Road. This indicates a density of 31dph and assumed provision of 46 affordable homes (35%).

- 2.3. The remaining 13ha site area is proposed to provide landscaping and community facilities in the form of formal and informal leisure and recreation including sports pitches and associated sports pavilion, allotments and community orchard.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal.

4. PRE-APPLICATION DISCUSSIONS

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

<u>Application Ref.</u>	<u>Proposal</u>
16/00190/PREAPP	Pre-Application Advice - Residential development of up to 130 new dwellings open spaces for recreation including children's play spaces and outdoor sports a sports pavilion community building community orchard and allotments new vehicular and pedestrian access off Blackthorn Road and associated landscaping, parking, engineering works, including ground remodelling and infrastructure

- 4.2. Officers raised concern regarding the extent of the site and the number of houses proposed relative to recent rates of construction within the village. Concern was also raised relating to the landscape and visual impact of the development and transport and highway matters. Officers concluded that positive support could not be given based on the planning policy considerations.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 02.02.2017, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. No comments have been received by third parties.

6. RESPONSE TO CONSULTATION

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

Ambrosden Parish Council – No Objection

The Parish Council support the application subject to confirmation and guarantee that the proposed community facilities are provided for the Parish. The provision of traffic calming and road humps on Blackthorn Road is also supported.

Blackthorn Parish Council – Objection

The Parish Council has concerns over the impact on drainage due to the gradient of the land and increased demand on existing culverting from new developments.

Cherwell District Council (Internal Consultees):

Planning Policy – Ambrosden is one of the district's more sustainable villages and has been making a contribution to both meeting overall plan requirements (2011-2031) and Policy Villages 2 requirements (2014-2031). There is some concern that the current proposal would result in over-dependence on Ambrosden for meeting rural housing needs over the plan period, thereby providing less opportunity for homes to be provided in other sustainable rural locations in accordance with the Local Plan. There is no pressing housing need for additional land release at this time. Detailed consideration would need to be given as to whether the proposed development would be out of scale with the village (having regard to any cumulative impact) , and to whether it could lead to some coalescence with neighbouring Blackthorn, The proposals would also result in the loss of open countryside.

Strategic Housing – The application is subject to a 35% affordable housing requirement equating to 46 units. Of those 46 units, 70% should be for affordable rent and 30% for shared ownership. An indicative mix is provided as follows;

Affordable Rented

8x1b2pM
16x2b4pH
6x3b5pH
1x4b6pH
1x3b5pB

Shared Ownership

12x2b4pH
2x3b5pH

The units should be in clusters of no more than 15 units. The 2, 3 and 4 bed units should have a minimum of 2 parking spaces each.

The affordable units will need to be built to the government's Nationally Described Space Standard (Technical Housing Standards).

50% of the rented units will need to meet Building Regulations Requirement M4 (2) Category 2: Accessible and Adaptable Dwellings requirement. The bungalow will need to meet Building Regulations Requirement M4 (2) Category 3: full wheelchair dwelling standards.

The Registered Provider which takes on the affordable housing should be discussed and agreed with the Council.

Recreation and Leisure – The following contributions will be sought for on-site and off-site provision as follows;

Sports Facilities Provision: A minimum on-site requirement of 0.351ha. The proposed sports pavilion is to be built in line with current Sport England guidelines and sports pitches must have adequate drainage and meet all other Sport England guidelines.

An off-site contribution is required towards increasing the capacity of Bicester Leisure Centre or other indoor facilities in Bicester. Based on 130 dwellings x 2.39 person x £314.26 per person = £97,640.58

Community Halls Provision: A contribution is required towards helping the local community hall accommodate an increase in capacity will be based on a sum per dwelling. These are:

Unit	Contribution
1 bed	£104.73
2 bed	£151.21
3 bed	£235.39
4+ bed	£323.70

Community Development: A contribution of £23,287.64 will be sought to support the establishment/strengthening of community infrastructure in Ambrosden.

Community Development Worker: Contribution to a community development worker to be considered based on the need to help new residents settle into their new community. A contribution of £36,402.32 based on 2016/17 figures (plus any additional inflation as appropriate) is based on a community development worker for 15 hours per week for 30 months.

Public Art Provision: There will be a requirement to provide public art either on site to enhance a new communal area of community resource or off site to encourage community cohesion and improve cultural infrastructure. A sum of £150 per dwelling will be sought with an agreed public art plan, sited on all public art commissioning or a £200 per dwelling contribution to enable CDC to take on development and delivery of appropriate public art intervention.

Landscape Officer – The Landscape and Visual Impact appraisal is a comprehensive landscape study that requires further clarification of the landscape and visual effects with photomontages/visualisations in respect of the localised views from the PRoW 131/6/10 to the east. This evidence then needs to be assessed against the current Masterplan with proposed ridge heights, scale and massing of the dwellings including informal open space, sports pitch, play area etc..

I am supportive of the sport pitch for this development. However, I am concerned about the cut and fill implications on the existing gradient and the localised visual impact/effects of this. Cross-sectional drawing through the slope with proposed levels superimposed on existing levels is necessary to provide clarification of these impacts/effects and user and landscape maintenance accessibility of cut and fill gradients. The developer must confirm if the sports pitch is to be flood light to extend the use of the facility during darker evenings, and therefore visually assess the implications of sport pitch flood lighting for visual and landscape receptors.

Planning obligation needed to secure provision and long term maintenance of public open space, play areas, SuDS features, ditch, existing trees and new woodland.

Tree Officer – The tree survey gives adequate consideration to the scheme, yet we would hope to see further liaison between the developer/Authority to ensure adequate delivery of the scheme over the course of any works.

Ecology Officer –

Biodiversity impact

The ecological appraisal states that the overall biodiversity value of the retained open space will be maximised via the creation of adjacent attenuation ponds. These will be designed to have shallow margins that will either be planted using a wetland/marginal seed mix such as British Seed Houses WFG9 or similar or alternatively marginal vegetation will be allowed to establish naturally. The BIA indicates that the proposed attenuation ponds will be acid/neutral flush habitat;

however this is unlikely to be achievable as flush habitat typically supports species-poor vegetation consisting of Sphagnum (moss) carpet and typically is found in mire habitats and associated with water flow. Similarly the existing habitat adjacent to the southern boundary hedgerow is likely not to be flush habitat from the description in the report, but swamp habitat. However, overall this does not have an impact on the BIA calculation and the development is still expected to result in an overall net gain to biodiversity, which is welcomed in line with NPPF.

The habitats on site of most value include swamp habitat, semi-improved grassland and the existing hedgerows, which provide suitable habitats for a number of protected species. The grassland of the south-eastern grassland has a moderate species diversity, containing species including ragged robin, meadow buttercup and red clover. The two new attenuation ponds should be carefully designed and managed to provide biodiversity gain, by providing water bodies which provide standing water all year round, as habitat for species such as amphibians, reptiles and invertebrates.

The BIA also proposes the creation of 3.45 ha of semi-improved grassland in moderate condition and the enhancement of 3.6 ha of existing improved grassland to restore this to semi-improved grassland in good condition. It is not clear where the grassland habitats are located, however I presume that the grassland in good condition is within the northern open space area of the site where there is scope to reach the target condition of "good". The grassland will need to be appropriately managed through cutting/mowing after the wildflowers have set seed to allow a species diverse sward to develop, and all arisings removed. Full details of the management for the site should be provided in a Landscape and Ecological Management Plan (LEMP) and secured by **condition**.

Bats

The bat survey was undertaken in line with Bat Conservation Trust survey guidelines and included five transect surveys undertaken during 2014 - 2016 and use of static bat detectors in the same period. A number of bat species were recorded on site, comprising common pipistrelle, soprano pipistrelle, noctule, *Myotis* species, brown long-eared, barbastelle and indeterminate species. Barbastelle is a nationally rare species and listed on Annex II of the Habitats Directive. Although the majority of the existing hedgerows are proposed to be retained, all of Hedgerow H2 and sections of H4 and H7 will be removed. I generally agree with the conclusions drawn in the bat report. The site boundaries were found to be the most important foraging and commuting features for bats and these should be retained and enhanced through additional native planting within the development. I would also recommend a buffer zone of at least 2m from the hedgerows are maintained within the development to protect the hedgerows and maintain these as wildlife corridors.

One tree within the site, a semi-mature ash, was identified with bat roosting potential. An ash in the same location at the northern end of the southern boundary (T1) has been identified in the arboricultural report to be removed. We would recommend that should this tree require removal, a bat survey will be required prior to any works in line with the details of paragraph 4.13 of the ecological appraisal. Provided that the lighting design across the whole site is strictly controlled both during construction periods and within the design of the development, the proposals are not expected to have a significant impact on local bat populations. We would also recommend a bat box scheme for integrated bat boxes within the new buildings (details to be included within the LEMP). We would recommend that the detailed lighting scheme is secured by **condition** of any approval granted.

Bird survey

Four red-listed bird species and three amber-listed bird species (species of conservation concern due to significant declines in populations) were recorded on site, including song thrush, linnet, skylark, yellowhammer, dunnoek, reed bunting and willow warbler. These were all either probably or possibly breeding on site. As such the proposals will result in the loss of suitable habitat for farmland species skylark, yellowhammer, linnet and reed bunting. It will be important to ensure that works to remove trees and the hedgerows and also grassland (due to presence of skylark) are timed to avoid the nesting bird season (approx March to August). I would recommend such timing of works, along with appropriate mitigation measures for other protected species and the existing hedgerows, can be covered by a **condition** for submission a Construction Environmental Management Plan (CEMP) to be written by a suitably qualified ecologist in line with the British Standard for Biodiversity 42020:2013. Suitable mitigation to provide habitat enhancements for nesting birds, such as appropriate management of the existing hedgerows should be provided in the overall LEMP. A nesting bird box scheme, ideally to include integrated bird boxes on the proposed new buildings, should also be included within the LEMP with the aim of achieving no net loss for biodiversity. In light of nearby records, I would recommend this includes swift nest boxes or bricks, and the swift conservation officer would be happy to provide further advice to the applicant on this (www.cherwell-swifts.org/).

As such we would recommend that the following conditions be attached to any permission granted to safeguard protected species and sites and to achieve a biodiversity net gain as a result of the development:

K12 Nesting Birds: No Works Between March and August Unless Agreed

No removal of hedgerows, trees or shrubs nor ground clearance works, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or 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.

K20 Landscape and Ecological Management Plan (LEMP)

Prior to the [commencement of the/first occupation 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.

K21 Construction Environmental Management Plans (CEMP) for Biodiversity

Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, 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 CEMP.

Waste and Recycling – The developer will have to satisfy the local authority that they have adequate provision for waste and recycling storage, before the application is agreed. If the developer needs any more advice please refer to: Waste and Recycling guidance which can be found on the Cherwell District Council website <http://www.cherwell.gov.uk/index.cfm?articleid=1735> Section 106 contribution of £106.00 per property will also be required. Thanks

Oxfordshire County Council:

Transport – Objection

- The development proposals would have a severe impact on the highway network.
- Insufficient information has been supplied to demonstrate the feasibility of providing safe and suitable vehicular and pedestrian access.
- Site is well beyond acceptable walking distance from bus stops, meaning safe and suitable access cannot be provided for all people, including older people and others who cannot walk far.

Key issues:

- There are some areas of doubt with the methodology in the Transport Assessment. However, the traffic modelling results contained in it shows that the development would result in a severe impact on congestion.
- Further information is needed before we can be confident that sufficient visibility splays can be achieved at the site access and that the proposed footway/cycleway is deliverable.
- There is no bus service along Blackthorn Road. Village bus stops will be beyond the reach of many people, as they are well beyond the recommended walking distance.

Further supporting information was submitted by the applicant following receipt of the County Council transport comments. OCC reviewed the submitted information and have responded as follows:

We have reviewed the attached response from Markides and are not in a position to remove our objection on the basis of severe traffic impact.

The traffic count data on Ploughley Road has been corrected, but all Oxford bound traffic has now been assigned via the minor routes through the villages, to avoid the A41. This is unrealistic and although I didn't specify a split I would expect a proportion to use the A41 and a proportion to use the villages route. Not knowing this proportion, 50:50 would be acceptable.

As requested, the assessment years have been changed and we now have a 2024 scenario. As requested, flows from the Bicester Transport Model have been used, which demonstrate that in the 2024 base case (which includes local plan development) there will be very severe congestion at the Ploughley Road junction. This development would add traffic to this junction, making a severe situation even worse. Some additional traffic would be added if the distribution is corrected as above.

Adding even the relatively small amount of queuing and delay from this development is considered a severe cumulative impact, which cannot be mitigated except by a major change to the junction. At this point in time there is no scheme agreed for this junction. For this reason we cannot remove our objection.

Markides makes some strong arguments against our objection on the basis of walking distance from bus stops. However, we maintain that the walking distances to bus stops and many local facilities, although within the CIHT's 'preferred maximum walking distance', would be a deterrent to walking, and residents would be very likely to drive to the local shop and avoid using the bus service because of this walk. Whilst the walk is possible for most people, it would result in the car being the preferred mode for commuting and for many local trips. The note describes alternative services for people who cannot walk this far, and I would point out that

these are likely to be very limited in availability and restrictive in terms of times of travel.

I am reasonably confident that the proposed footway/cycleway could be implemented, which should help encourage sustainable travel into the village.

Notwithstanding the above, if the LPA is minded to grant planning permission, the following would be required as well as conditions imposed:

- A contribution of £1000 per dwelling to enhance the bus service linking Arncott, Ambrosden and Bicester.
- Travel plan monitoring fees of £1,240 to allow the travel plan to be monitored and reviewed for a five-year period.
- Highway works to deliver the site access junction, a 2.5m footway/cycleway linking the site access and Ploughley Road, and cycle parking at the nearest bus stops on Ploughley Road – these works to be carried out by the developer under a S278 agreement.

Drainage – No objection

There are some issues with the FRA. A condition is recommended to secure a surface water drainage scheme for the site.

Education – No objection

Based on the unit mix stated in the application, this proposed development has been estimated to generate 8.12 Nursery Pupils, 39 primary pupils, 28 secondary pupils and 0.7 pupils requiring education at an SEN school.

Primary education

£493,896 Section 106 required for the necessary expansion of permanent primary school capacity serving the area, at Five Acres Primary School.

Secondary education

£699,776 Section 106 required for the necessary expansion of permanent secondary school capacity serving the area, contributing to the cost of new secondary capacity planned for construction in Bicester.

Special Educational Needs (SEN) education

OCC is not seeking Education contributions to mitigate the impact of this development on SEN school infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended), and the need to reserve our ability to seek contributions from larger developments than this in the area in future.

Early Years education

OCC is not seeking Education contributions to mitigate the impact of this development on early years education. Existing nursery education provision is forecast to be sufficient, taking into account this proposed development and other development already approved.

Legal Agreement required to secure:

£493,896 Section 106 developer contributions towards the expansion of Five Acres Primary School. This is based on Department for Education (DfE) advice weighted for Oxfordshire, including an allowance for ICT at £12,664 per pupil place and 39 pupils being generated. This is to be index linked from 4th Quarter 2014 using PUBSEC Tender Price Index. £699,776 Section 106 developer contributions towards the cost of building a new secondary school in Bicester. This is based on

the current cost estimate for a 600 place school of £14.995m, equivalent to £24,992 per pupil place, and 28 secondary pupils being generated. This is to be index linked from 4th Quarter 2014 using PUBSEC Tender Price Index.

Property – No objection

Fire and Rescue Service

Provision of fire hydrants to be secured through planning condition and it is recommended that new dwellings should be constructed with sprinkler systems.

Local Library

This development is served by Bicester Library.

This provision is significantly under-size in relation to its catchment population and this development will therefore place additional pressures on the library service.

The development proposal would generate the need to increase the core book stock held by 2 volumes per additional resident. The price per volume is £10.00; this equates to £20 per resident.

• The contribution for the provision of library infrastructure and supplementary core book stock in respect of this application would therefore be based on the following formula:

$$£20 \times 324 \text{ (the forecast number of new residents)} = £6,480.00$$

Archaeology – No objection

The site is located in an area of archaeological interest as identified by an archaeological evaluation. A programme of archaeological evaluation and mitigation will need to be undertaken ahead of any development. This can be secured through an appropriately worded condition on a planning permission.

External Consultees

Natural England – Based on the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. We have not assessed the application for impacts on protected species. Natural England has published Standing Advice on protected species which should be applied to the application as a material planning consideration.

Thames Water – No objection

7. RELEVANT PLANNING POLICY AND GUIDANCE

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

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

- PSD1 – Presumption in favour of sustainable development

- BSC1 - District Wide Housing distribution
- BSC2 - The Effective and Efficient Use of Land
- BSC3 - Affordable Housing
- BSC4 - Housing Mix
- BSC10 - Open Space, Outdoor Sport & Recreation Provision
- BSC11 - Local Standards of Provision - Outdoor Recreation
- BSC12 - Indoor Sport, Recreation and Community Facilities
- BSC9 - Public Services and Utilities
- ESD1 - Mitigating and Adapting to Climate Change
- ESD2 - Energy Hierarchy
- ESD3 - Sustainable Construction
- ESD5 - Renewable Energy
- ESD6 - Sustainable Flood Risk Management
- ESD7 - Sustainable Drainage Systems (SuDS)
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD11 - Conservation Target Areas
- ESD13 - Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built Environment
- ESD17 - Green Infrastructure
- INF1 - Infrastructure
- VIL1 - Village Categorisation
- VIL2 - Distributing Growth Across the Rural Areas

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18 – New dwellings in the countryside
- C28 – Layout, design and external appearance of new development
- C8 - Sporadic development in the open countryside
- C28 - Layout, design and external appearance of new development
- C31 - Compatibility of proposals in residential areas

7.3. Other Material Planning Considerations

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

8. APPRAISAL

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

- Principle of Development;
- Access and Transport Impacts;
- Design, Layout and Appearance;
- Landscape and Visual Impact;
- Flood Risk and Drainage;
- Ecology;
- Archaeology;
- Trees/Landscaping;
- Energy Efficiency/Sustainability
- On/Off Site Infrastructure
- Planning Obligations
- Other Matters

Principle of Development

- 8.2. Through its planning policies the Cherwell Local Plan 2011-2031 Part 1 (CLPP1) recognises that new homes outside the largest settlements in the District will be further from the facilities, services, leisure, employment and transportation links necessary to achieve genuinely sustainable development. As a result, the CLPP1 seeks to limit new housing in the rural areas whilst concentrating new housing growth to Bicester, Banbury and to a lesser extent Heyford. Through its planning policies the CLPP1 seeks to ensure sustainable delivery of sufficient number of new homes to meet the objectively assessed needs of the District through to 2031 and as a result is consistent with national planning policy contained within the NPPF. Furthermore, as the supply of new homes within the District has recently been strong and is projected to be similarly strong over the next five year period, the Council can demonstrate in excess of a five year supply of housing with the consequence that the housing supply policies in the CLPP1 are up-to-date and attract full weight.
- 8.3. Policy Villages 1 categorises the villages of the District based on their respective sustainability merits to accommodate some housing growth. There are three categories – A, B and C – which relatively crudely classify villages based on their capacity to accommodate new housing by assessing matters such as their size and access to services, facilities, employment and public transport. Policy Villages 1 classifies Ambrosden as a Category A settlement given that it is one of the larger villages in the District with a shop, post office, primary school and public house. It is also served by a commercially viable bus service that runs between Oxford and Bicester.
- 8.4. Policy Villages 1 however only provides policy support for conversions, infilling and minor residential development in the Category A settlements. As the application site cannot reasonably be described as minor and is clearly outside the Ambrosden settlement boundaries, Policy Villages 1 does not provide support for the proposed development.
- 8.5. Policy Villages 2 however provides a general housing allocation of 750 dwellings (on top of those dwellings approved under Policy Villages 1) at Category A settlements from 2014-2031. It further adds that the sites comprising the 750 dwellings would be identified through preparation of development plan documents or, where applicable, the determination of applications for planning permission. As of 31st March 2016 a total of 538 dwellings had been completed under the provisions of Policy Villages 2 with extant but unimplemented planning permissions for a further 50 dwellings. A total of 588 dwellings have therefore been committed/delivered under the Policy Villages 2 allocation leaving only a residual figure of 162 over the remainder of the plan period.
- 8.6. Whilst Policy Villages 2 does not include specific requirements relating to phasing or distribution of the housing across the 24 Category A settlements, it has been established through recent appeal decisions that excessively early delivery of the rural housing allocation in the plan period together with overconcentration of housing in a small number of settlements would be prejudicial to the overall sustainable housing growth strategy inherent to Policy Villages 2 and the CLPP1 generally. With 24 rural settlements available to share in the benefits of new housing where needed, early delivery and overconcentration of new housing would remove the ability to be able to respond appropriately to housing needs in the future without creating a situation where there this would be in direct conflict with the development plan.
- 8.7. The provisions of Policy Villages 2 apply from the 1st April 2014. Since this date, 45 dwellings have been approved in Ambrosden with those currently being constructed.

Whilst approved shortly prior to the 1st April 2014, the adjacent Springfield Farm development (which totals a further 90 dwellings) was recently constructed and therefore completed in a broadly contemporaneous time period and is therefore considered to be material albeit not directly part of the 750 allocation. The approval and delivery of the proposed development would see a total of 175 dwellings provided in Ambrosden through Policy Villages 2 which – given that it is 1 of 24 Category A settlements – is a very substantial proportion of the total. If approved, the proposed development would be expected to take approximately three years to complete meaning that by 2020/21 there would only be a residual figure of 32 dwellings left to be provided across the 24 Category A settlements over the following 10 years of the plan period. This also assumes that no further planning permissions are granted in the intervening period under the provisions of Policy Villages 2. Planning application reference 16/02370/F also proposes residential development in Ambrosden (85 dwellings) and is similarly scheduled to be reported to the 13th April Planning Committee. If both planning applications were to be approved, taken together the total allocation in Policy Villages 2 would be exceeded very early in the plan period and would see 260 of the allocated 750 homes delivered (i.e. 35%) in just one of the 24 Category A settlements. Officers suggest that this would be a highly undesirable position for the Council to find itself in and would fundamentally prejudice the housing growth strategy of the CLPP1.

- 8.8. For this reason officers have concluded that the scale, timing and location of the proposed development is therefore inappropriate bearing in mind the above and consequently in direct conflict with the objectives of the CLPP1 and Policy Villages 2.
- 8.9. In considering the acceptability of the principle of the proposed development, in addition to the strategy implicit within CLPP1 generally, it is specifically Policy Villages 2 that is the development plan policy of primary relevance. In this regard there is a set of criteria against which planning application proposals need to be considered to determine whether they are suitable to deliver part of the rural housing allocation. Through its various chapters and heading this report will appraise the proposals against these criteria as well as other relevant considerations.
- 8.10. It is however necessary to consider that the proposed development involves direct loss of farmland that forms part of the open countryside and therefore has intrinsic beauty. Whilst not within an area of designated landscape value, such harm should not occur without benefits that clearly outweigh the environmental harm associated with its development. Indeed Policy C8 of the Cherwell Local Plan 1996 (CLP 1996) resists sporadic development into the open countryside in order to protect its attractive, open and rural character. Whilst this policy pre-dates the publication of the NPPF, it forms part of the development plan and has material (if not full weight) given that the Council has a 5+ year supply of housing. The proposals would evidently result in encroachment into the open countryside and as such they are in conflict with the requirements of Policy C8 of the CLP 1996.
- 8.11. In summary on matters of principle, officers have found that having regard to the amount and distribution of housing delivered and committed within Ambrosden and across the District's Category A, the scale, location and timing of the development proposed would be in conflict with the objectives and strategy for housing growth inherent within the CLPP1 as well as Policy Villages 2. Together these seek to redistribute new housing away from the District's villages with only limited new housing provided at the 'more sustainable' villages over the plan period to meet residual need. Furthermore, the proposals would result in direct encroachment into the open countryside to the detriment of local landscape character and the inherent beauty of the natural landscape with such harm not being outweighed by the benefits of the scheme given the sufficient supply of new housing within the District.

In this respect the proposals are therefore considered to be contrary to the requirements of Policies Villages 2 and ESD13 of the CLPP1 as well as Policy C8 of the CLP 1996.

Access and Transport Impacts

- 8.12. Policy SLE4 of the CLPP1 reflects national policy set out in the NPPF by requiring new development to facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. It also seeks to resist development where it would have a severe traffic impact. The NPPF also adds that planning decisions should take account of whether safe and suitable access to development can be achieved for all people.
- 8.13. Vehicular access to the development is proposed to be directly onto Blackthorn Road with a new 2.5m shared pedestrian and cycle connection proposed along Blackthorn Road.
- 8.14. The village is served by a commercially viable bus service (the S5 between Bicester and Oxford) and, if the application were to be approved, OCC has requested a financial contribution of £1000/dwelling (index linked) towards improving the frequency of the service to Ambrosden. This will ensure that the opportunities for residents to use sustainable modes of transport are maximised in accordance with the requirements of Policy SLE4 of the CLPP1.
- 8.15. However, the proposed new pedestrian and cycle connection would be the only pedestrian route to the village, except for the existing bridleway. Walking distances along either the new route or the existing bridleway to the facilities in the village centre including the nearest bus stop on Ploughley Road would be longer than the County Council's recommended 400m walking distance. The distance of approximately 1000m from the centre of the site would make walking to services or to make use of the local bus service unattractive to most residents so that the proposed development is likely to be more reliant on unsustainable transport modes.
- 8.16. Officers have concerns about the wider transport impact of the development. Traffic modelling undertaken identifies severe congestion during peak hours at the junction between Ploughley Road and the A41 both at the expected completion date of the development and particularly by 2024. The severe congestion would occur irrespective of whether the proposed development proceeds or not but the traffic generated by the proposed new homes would only exacerbate this severe impact. Increases in queueing at the junction not only further adversely affects existing drivers commuting times but also increases the prospect of drivers becoming impatient and taking unnecessary risks to exit the junction thereby prejudicing highway safety.
- 8.17. Adding even the relatively small amount of queueing and delay from this development is considered a severe cumulative impact, which cannot be mitigated except by a major change to the junction. At this point in time there is no scheme agreed for this junction and the applicant has not proposed any highway works that would mitigate the adverse impact at this junction.
- 8.18. Nevertheless, a comprehensive re-engineering of this junction is unlikely to be proportionate to the impact of the proposed development and could well affect the overall financial viability of the scheme as well as the Council's ability to lawfully secure it through a s106 agreement. However, in the absence of a scheme of highway works that can be shown to effectively mitigate the impact of the proposed development, officers have concluded that the proposals would exacerbate existing severe traffic impacts on the local highway network and so should be resisted in

accordance with the requirements of Policy SLE4 of the CLPP1 as well as national policy set out in the NPPF.

Design, Layout and Appearance

- 8.19. Policy ESD15 of the CLPP1 requires new development to complement and enhance the character of its context through sensitive siting, layout and high quality design. Furthermore, Policy ESD15 replicates national policy in the NPPF by requiring all new development proposals to be designed to improve the quality and appearance of an area and the way it functions. Policy ESD15 also requires new development to contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting the natural landscape setting. Policy ESD15 includes further requirements including that new development reflect local distinctiveness including through materials and design detailing whilst also promoting permeable and accessible places.
- 8.20. The application seeks outline planning consent and no details have been submitted as to the detailed design and appearance of the proposed built form. The illustrative concept layout concentrates the housing in a 4.2ha parcel adjoining Blackthorn Road and the B4011 with an extensive area of open space including formal and informal opportunities for sports and recreation. Green spaces are also incorporated within the residential area of the site and the Design and Access Statement indicates predominantly 2 storey development with the opportunity for 2.5 storeys.
- 8.21. As set out above, the site lacks connections with the existing neighbouring residential areas and limited opportunity will be created within the layout to provide integration and links through to those existing areas so that the proposed development would represent an isolated addition on the edge of the existing village and fails to promote pedestrian movement and integration. Therefore officers have found that in this regard the proposals fail to accord with the requirements of Policy ESD15 of CLPP1, Policy C28 of the CLP 1996 as well as national policy and guidance set out in the NPPF and PPG.
- 8.22. Notwithstanding the above, it is considered, given the location of the site and the proposed arrangement of residential development within the site, it is unlikely that no undue detrimental impact would occur to neighbouring residential amenity as a result of the proposal. As an outline proposal it is considered that there is adequate scope within the application site to bring forward an acceptable detailed reserved matter application that would safeguard the amenity of existing residential occupiers as well as the neighbouring MOD Officer's Mess in conformity with of Policy ESD15 of CLPP1, Policy C30 of the CLP 1996. Similarly adequate standards of residential amenity for new occupiers should also be able to be achieved through an appropriately designed layout.

Landscape and Visual Impact

- 8.23. Policy ESD13 of the CLPP1 resists undue visual intrusion into the countryside as well as development that is inconsistent with local character. Policy Villages 2 also includes an assessment criteria relating to whether development proposals would give rise to significant adverse landscape impacts. The Oxfordshire Wildlife and Landscape Study of 2004 (OWLS) is the most detailed and up to date assessment of landscape character types within the District. It defines the site as lying partly within Clay Vale (typified by flat low lying landform dominated by pastureland and small to medium sized hedged fields) and partly within Pasture Hills landscape types (typified by prominent hills standing out for the surrounding landscape, predominantly small grassland fields enclosed by prominent hedges). The Cherwell Landscape Assessment (1995) defines the site as lying within the Otmoor Lowlands

landscape character area which it concludes is comprised primarily of flat, wet, low lying arable field network surrounded by ditches and hedges.

- 8.24. Without being of intrinsically high landscape value, the application site is considered to complement the identified local landscape character given that it comprises large open arable fields, established hedgerows and mature trees which supports the rural character and setting of Ambrosden as a village. As a result, its development in the manner proposed would undoubtedly be harmful to local landscape character and the natural beauty of the countryside. Having regard to the strong housing supply position within the District and the amount of housing approved already under the provisions of Policy Villages 2, the benefits associated with delivery of further housing (notwithstanding other concerns about the proposals as expressed elsewhere in this report) is not considered to be sufficient to outweigh the unnecessary harm caused to the natural landscape as a result of its development. Consequently officers have found that the principle of the proposed development is also unacceptable in this regard.

Flood Risk and Drainage

- 8.25. Policy ESD6 of the CLPP1 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk. In short, this policy resists development where it would increase the risk of flooding and seeks to guide vulnerable developments (such as residential) towards areas at lower risk of flooding.
- 8.26. A site-specific Flood Risk Assessment (FRA) has been submitted to support the application. The Environment Agency's flood maps indicate that the site is located in Flood Zone 1 at lowest risk from flooding. However, such mapping is not based on detailed hydraulic flood modelling and neither does it take into account flooding from other sources than rivers and canals.
- 8.27. Whilst OCC have highlighted a number of points which require further clarification within the submitted FRA including concern relating to potential flooding to the ditch adjacent Blackthorn Road as well as drainage across the site, no objection has been raised and a condition is recommended to secure a surface water drainage strategy. As such it is considered that an adequate scheme could be secured and that there would be no increased risk of flooding as a result of the development.

Ecology

- 8.28. Policy ESD10 of the CLPP1 seeks the protection and enhancement of biodiversity and the natural environment including trees, valuable ecological habitat and priority/protected species. This is reflective of national policy set out in the NPPF which, inter alia, seeks net gains for nature through the planning system. Policy Villages 2 is also material in this respect as one of its criteria for assessment of rural housing developments is whether the proposals would avoid significant adverse impact on wildlife assets. The Council also has statutory duties to both have regard to the purpose of conserving biodiversity as well as considering whether adequate provision is made for the preservation or planting of trees.
- 8.29. An ecology report has been submitted as part of the application and has been undertaken in accordance with appropriate methodology. The habitats on site of most value include swamp habitat, semi-improved grassland and the existing hedgerows, which provide suitable habitats for a number of protected species. The grassland of the south-eastern grassland has a moderate species diversity, containing species including ragged robin, meadow buttercup and red clover.

- 8.30. As the proposals involve the loss of arable habitat which is of low ecological value and the retention of habitats of higher value (in particular the boundary hedgerows, all trees and the pond in the north east corner) the proposals should not have a significant adverse impact on biodiversity and the Ecology Officer has concluded that the development is expected to result in an overall net gain to biodiversity, which is welcomed in line with NPPF.
- 8.31. Officers are therefore satisfied that subject to conditions, habitat can be conserved and enhanced as part of the development to achieve a net gain in biodiversity in accordance with the requirements of Policies ESD10 and ESD11 of the CLPP1 as well as national policy contained in the NPPF.

Archaeology

- 8.32. Policy ESD15 of the CLPP1 requires that new development should conserve, sustain and enhance designated heritage assets including archaeology and should ensure that new development is sensitively sited and integrated in accordance with the NPPF and NPPG.
- 8.33. The site is located in an area of archaeological interest and a series of Roam ditches and pits have been recorded through field evaluation on the site. Further Roman and Iron Age features and deposits have been found in the vicinity of the site. As such further archaeological mitigation will be required ahead of any development on the site. OCC Archaeologist has confirmed that this can be undertaken and secured through a planning condition should planning permission be approved.
- 8.34. Officers are therefore satisfied that subject to conditions, archaeological assets can be conserved as part of the development in accordance with the requirements of Policy ESD15 of the CLPP1 as well as national policy and guidance contained in the NPPF and NPPG.

Trees/Landscaping

- 8.35. Policy ESD15 of the CLPP1 requires new development to respect local topography and landscape features including significant trees, hedgerows and views. Policy ESD10 has similar requirements including the objective of protecting existing trees as well as increasing the number of trees overall within the District.
- 8.36. The application proposes the retention of much of the existing and established hedgerows and trees to the edge of the site. However a small number of trees and several sections of hedgerow are proposed to be removed to facilitate the development. These are identified as being of low arboricultural value within the submitted Arboricultural assessment.
- 8.37. Given the extensive areas of open space proposed within the application and the areas of reinforced boundary planting shown on the illustrative concept plan, it is considered that the loss of trees and hedgerows could be easily mitigated as part of a comprehensive landscaping scheme for the site. Officers are therefore satisfied that the proposal safeguard existing features of landscape and provide positive enhancement of trees and hedgerows as well as other bvegetation as part of the development of the site in accordance with policies ESD10 and ESD15 of the CLPP1.

Energy Efficiency/Sustainability

- 8.38. Policy ESD3 of the CLPP1 is no longer up-to-date with national planning policy given the cancelling of zero carbon national policy as well as Code for Sustainable Homes (CfSH). However, building regulations are in the process of incorporating the energy performance standards inherent to Level 4 of the CfSH though this is not yet the case. In the meantime, and in accordance with the relevant Written Ministerial Statement, officers are recommending that development should achieve energy performance equivalent to the former Code Level 4. If planning permission was to be granted, a condition would be needed to this effect.
- 8.39. Policy ESD3 is however still up-to-date with respect to water efficiency. This requires new homes to be designed to achieve a limit of 110 litres/person/day. A condition would be required to this effect in the event that planning permission was to be granted.

On/Off Site Infrastructure

- 8.40. Policy INF1 of the CLPP1 requires development proposals to demonstrate that infrastructure requirements can be met to mitigate the impacts of the development including the provision of transport, education, health, social and community facilities.
- 8.41. With respect to on-site infrastructure, Policy BSC11 of CLPP1 requires that development proposals contribute towards the provision of open space, sport and recreation. The proposal for up to 130 dwellings would trigger the requirement for the provision of general public amenity space as well as a Local Area of Play (LAP), Local Equipped Area of Play (LEAP) and Neighbourhood Equipped Area of Play (NEAP or Multi-use games area (MUGA)).
- 8.42. The illustrative concept plan identifies areas for children's play and incorporates an extensive area of open space for outdoor recreation. Provision would need to be secured through legal agreement together with arrangements for future maintenance in order to satisfy the requirements of Policy BSC11 in this regard. There is no suggestion that the applicant is unwilling to provide this.
- 8.43. Policies BSC10 and BSC12 of the CLPP1 also require new residential developments to contribute towards off-site indoor and outdoor sports provision in the local area where they would have an adverse impact on existing capacity. Whilst officers have identified a capacity issue with the existing community hall and a short fall in the provision of a community hall on the existing Springfield Farm development within Ambrosden, the illustrative concept plan indicates that a sports pavilion would be provided as part of the proposed development to serve the outdoor recreation facilities on the site. This would need to be secured through a legal agreement and if secured may release the applicant from the requirement to contribute to the provision of the community hall on the Springfield Farm site/enhancement of the existing community hall.
- 8.44. OCC has concluded that the proposed development would give rise to a need for increased capacity at the nearby Five Acres Primary School as well as additional demand for secondary school places. For this reason, in the event that planning permission was to be granted, OCC is seeking financial contributions towards capital projects in this respect to ensure increased capacity is delivered. OCC is also seeking a financial contribution towards increasing book stock at local libraries to serve the new population.

- 8.45. A combination of on and off site infrastructure needs to be secured through a legal agreement to mitigate the impact of the proposed development. Whilst the applicant has indicated support for provision of some of the above infrastructure, this has not been discussed in detail or informally agreed. Without the above infrastructure being secured through a legal agreement the proposed development would not deliver an appropriate quality of new residential development for its occupants and would have an unacceptable impact on existing public/community infrastructure and should be resisted.

Planning Obligation(s)

- 8.46. Where on and off site infrastructure/measures need to be secured through a planning obligation (i.e. legal agreement) they must meet statutory tests set out in regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). These tests are that each obligation must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development;
- c) fairly and reasonable related in scale and kind to the development.

- 8.47. Where planning obligations do not meet the above statutory tests, they cannot be taken into account in reaching a decision. To do so would potentially render any decision susceptible to legal challenge. In short, these tests exist to ensure that local planning authorities do not seek disproportionate and/or unjustified infrastructure or financial contributions as part of deciding to grant planning permission. The statutory tests also ensure that planning permissions cannot lawfully be 'bought' by developers offering unrelated, disproportionate but nonetheless attractive contributions to try to achieve a planning permission that would otherwise not be granted. Officers have had regard to the statutory tests of planning obligations in considering the application and Members must also have regard to them to ensure that any decision reached is lawful.

- 8.48. Having regard to the above and notwithstanding officers' recommendation for refusal, in the event that Members were to resolve to grant planning permission, the following items would in officers' view need to be secured via a legal agreement with both Cherwell District Council and Oxfordshire County Council in order to mitigate the impact of the proposed development:

Cherwell District Council

- Provision of public amenity space and future maintenance arrangements;
- Provision of LAP/LEAP/NEAP/MUGA together with future maintenance arrangements;
- Maintenance arrangements for on-site trees, hedgerows, ponds, ditches and drainage features;
- Provision of 35% affordable housing together with 70:30 tenure split between affordable/social rented and intermediate housing;
- Financial contributions towards improvements to off-site indoor and outdoor sports facilities;
- Financial contribution providing the full residual sum necessary (currently undetermined) to complete the construction of a new community/village hall facility on the Springfield Farm development/Contribution towards increasing capacity of existing local community hall;
- Contribution towards community development in Ambrosden;
- Public Art provision.

Oxfordshire County Council

- Financial contributions towards increasing primary and secondary education

capacity in the local area;

- Financial contribution to increase local library book stock;
- Secure £1000/dwelling (index linked) towards improving the frequency of the local bus service;
- Financial contribution towards the costs of monitoring the Travel Plan;
- To secure entry into a s278 agreement (Highways Act 1980) to deliver new vehicular access, combined footway/cycleway and speed limit changes together with associated village entry treatments.

- 8.49 In addition to the above, the applicants have offered to provide further financial contributions towards traffic calming works on Blackthorn Road (in the vicinity of the site) as well as a contribution towards promoting a speed limit order and traffic calming on Blackthorn Road (in the vicinity of the site). These have apparently been discussed directly with Ambrosden Parish Council. In addition, the current level of outdoor recreation provision proposed as part of the application is significantly in excess of what would reasonably be required to mitigate the impact of the development. Officers consider these financial contributions to be neither necessary to make the development acceptable in planning terms nor directly related to the impact of the proposed development. As such, they would not meet the statutory tests of a planning obligation and to attach weight to these offers would therefore be unlawful. Nevertheless, whilst Members cannot have regard to them in their decision making, if Committee were to resolve to approve the application then they could be secured within the legal agreement.

Other Matters

- 8.75 The proposed development has the potential to attract New Homes Bonus. It is estimated that this development has the potential to attract New Homes Bonus of £658,771 over 4 years under current arrangements for the Council. Local finance considerations such as this can be material in the determination of planning applications. A local finance consideration includes, inter alia, a grant or other financial assistance that would or could be provided to a relevant authority by a Minister of the Crown such as New Homes Bonus. However, Government guidance set out in the PPG is clear that whether a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. Government guidance goes on to state that *'it would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body.'*
- 8.76 In the case of the proposed development, it is not clear how the New Homes Bonus payment would either directly or indirectly make the development acceptable in planning terms. As a result it should not be afforded material weight in the determination of this application. In any event, officers do not think it appropriate that the harmful impacts of a development should be balanced against direct financial gain for the Council and to do so would jeopardise public confidence in the planning system.

9. PLANNING BALANCE AND CONCLUSION

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined against the provisions of the development plan unless material considerations indicate otherwise. For reasons already explained in this report, the proposed development would lead to unnecessary development of open countryside and the overprovision of new housing in a single rural settlement early in the plan period to the detriment of the sustainable housing growth strategy of the development plan. Furthermore, the proposals would comprise development which would have an adverse visual impact within the wider landscape in a location which is poorly connected to the existing settlement and does not offer the opportunity to provide pedestrian or vehicular links thus resulting in an isolated development that would not be cohesive with the existing community and would place an over reliance on private modes of transport to reach even local services within the village. Moreover, the proposed development has been found to exacerbate existing severe congestion on the local road network without proposing adequate mitigation and fails to commit to adequately mitigate its impact on other local public infrastructure. For this reason, the proposals are considered to be in conflict with the overall development plan and numerous specific planning policies within it. For this reason and in accordance with relevant legislation, planning permission should be refused unless material considerations indicate otherwise.
- 9.2 As current central Government planning policy, the NPPF is a material planning consideration of significant weight. The NPPF reinforces the plan-led system and reaffirms that the starting point is to refuse planning permission where a proposal is contrary to the development plan. The CLPP1 was produced, examined and adopted post publication of the NPPF and both its strategy and planning policies are therefore up-to-date. Moreover, as the District can demonstrate a minimum five year supply of housing delivery, the housing supply policies within the CLPP1 are also up-to-date and full weight must be afforded to them. As the proposals have been found to be in conflict with an up-to-date development plan, paragraph 14 of the NPPF is not engaged and so the harm identified does not need to significantly outweigh benefits in order to justify refusal.
- 9.3 Nevertheless, the NPPF is still a material planning consideration and it is necessary to consider where national policy within it would indicate coming to a different decision than to follow the provisions of the development plan and refuse planning permission. At its heart the NPPF includes a presumption in favour of sustainable development and as such there may be occasions where a proposal is in conflict with the development plan but nonetheless considered to be sustainable given that it delivers a combination of environmental, social and economic benefits that outweigh its harm. Recent court judgements have however concluded that such a case must be compelling and supported by very clear evidence in order to justify overriding conflict with an up-to-date development plan given that this represents the adopted sustainable growth strategy for an area.
- 9.4 The proposals would generate some economic benefits by providing construction employment and add a new population to the local economy. The development would also add to the supply of housing and genuine weight should be attached to this though given the generous supply of housing in the District the weight should not be significant. Whilst new on-site play areas and amenity spaces as well as financial contributions towards off-site improvements would be sought, these have not yet been committed to by the applicant and in any event would technically only mitigate impact and not deliver benefits though the wider public may benefit from additional recreational facilities. New Homes Bonus would also be received from the Government which could potentially deliver some local social, economic and/or environmental benefits dependent on how the Council would choose to spend such

funds. Some net ecological benefits could be delivered too through securing provision and management of new habitat on the site.

- 9.5 The proposals would however result in significant environmental, economic and social harm for reasons already discussed in this report. Officers' consider that such harm would substantially outweigh the abovementioned benefits associated with the development such that the proposals cannot be considered sustainable. As a result, the presumption in favour of sustainable development inherent within the NPPF does not apply in relation to these development proposals with the result that there is no reason for departing from the development plan. As a consequence, and in the absence of any other material planning considerations indicating to the contrary, planning permission should be refused.

10. RECOMMENDATION

- 10.1 The Planning Committee should resolve to refuse to grant planning permission for the following reasons:

1 That cumulatively with other recently approved/delivered new housing developments, the proposed development would cause the level, scale and intensity of new housing growth in the village of Ambrosden to be inappropriate and significantly prejudicial to the objectives of the strategy inherent within the Cherwell Local Plan 2011-2031 Part 1 and Policy Villages 2 to distribute limited housing growth across the rural areas over the plan period to enable all settlements to participate in sustainable growth.

2 Having regard to the District's strong housing supply and delivery position both generally within the urban and rural areas, the proposals would result in the unnecessary development of greenfield land forming part of the open countryside and are therefore detrimental to the intrinsic natural beauty of the countryside causing undue visual intrusion into the open countryside. The proposals therefore conflict with the requirements of Policy Villages 2 and ESD13 of the Cherwell Local Plan 2011-2031 Part 1 as well as Policy C8 of the Cherwell Local Plan 1996 and Government guidance contained in the National Planning Policy Framework.

3 In the absence of a robust Transport Assessment and lack of proposed off-site highway improvements, the proposals must be assumed to give rise to additional traffic at the Ploughley Road/A41 junction which would compound existing severe traffic congestion and thus have a further adverse impact on the safety and operability of this junction to the detriment of drivers and other users of the local road network. In this regard the proposals are therefore found to be contrary to the requirements of Policy SLE4 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance contained in the National Planning Policy Framework.

4 The application site is located some distance from the centre of the village and the proposed development does not provide for links through to the adjacent residential areas to form the necessary connections to create a permeable, accessible and cohesive development and community. This would create a new community isolated from the existing village and services and would place heavy reliance on unsustainable car use to reach even local services within the village such as the school and shop. Similarly, the location of new recreational facilities at this location would not be easily accessible or convenient for existing residents. This lack of connectivity with the existing settlement would result in an isolated form of unsustainable development which would be contrary to Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance contained in

the National Planning Policy Framework.

5 In the absence of a satisfactory completed legal agreement, the development fails to adequately provide for on and off-site infrastructure necessary to mitigate its impact including in terms of provision/maintenance of the following: affordable housing, play and public amenity facilities, indoor/outdoor sports facilities, community facilities, access and transport mitigation, on-site drainage features, primary and secondary education and library book stock. As a consequence the proposed development would lead to unacceptable on-site conditions as well as significant adverse impact on wider public infrastructure to the detriment of the local community contrary to the requirements of Policies BSC9 and INF1 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance in the National Planning Policy Framework.

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