

**OS Parcel 9100 Adjoining And East Of Last House
Adjoining And North Of
Berry Hill Road
Adderbury**

17/02394/OUT

Applicant: Hollins Strategic Land LLP

Proposal: Outline planning permission for up to 55 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Ward: Adderbury, Bloxham And Bodicote

Councillors: Cllr Mike Bishop
Cllr Chris Heath
Cllr Andrew McHugh

Reason for Referral: Major development

Expiry Date: 2 March 2018 **Committee Date:** 24 May 2018

Recommendation: Refusal

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is to the south of the village of Adderbury to the north side of Berry Hill Road, close to the A4095 but separated from it by a field and a public right of way. The land extends to 4ha in area and is currently agricultural land surrounded by field hedgerows and trees. To the eastern side of the site is a stable and haybarn and part of the land is currently used for associated equestrian purposes. To the south and east of the site are agricultural fields, to the west is residential development in the form of a ribbon of detached houses set back from Berry Hill Road and to the north is further agricultural land with a sewerage treatment works close to the northern boundary of the site.
- 1.2. In terms of recorded site constraints, the site has some potential for naturally occurring contamination, there are ecological records nearby and a public right of way runs along the northern edge of the site (and to the eastern side but outside of the site). In terms of heritage assets, the Adderbury Conservation area boundary is approximately 180m to the north of the site and there are views available from Berry Hill Road towards the Grade I listed Church of St Mary. Otherwise there are naturally occurring constraints including the topography of the land, which slopes to the north and the field boundaries of hedgerows/ trees.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks outline planning permission for a residential development of up to 55 dwellings (as amended – to be explained later). All matters are reserved for later approval apart from access which requires consideration now. The application is accompanied by a raft of information including technical assessments and an

indicative layout to demonstrate that the development applied for can be accommodated.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
02/01009/F	Erection of stable and hay barn and a menage and track to existing access	Application Permitted
05/01468/F	1 No. bungalow with associated access and re-site existing stables	Application Refused
06/00712/OUT	OUTLINE application for 5 No. detached dwellings, two terraces of 6 No. dwellings for affordable housing. New access, screened parking and amenity area.	Application Refused
06/00005/SO	Screening Opinion - Residential Development - 06/00712/OUT	Screening Opinion not requesting EIA
17/00089/SO	Screening opinion to 17/02394/OUT - Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road	Screening Opinion not requesting EIA

3.2. Application 06/00712/OUT was the subject of a planning appeal, which was subsequently dismissed. The reasons for the appeal being dismissed were predominately due to the Inspector finding that the development would have a significant adverse impact on the character and appearance of the area and would conflict with policies which aim to control residential development within the countryside and that the proposed houses would be provided in an unsustainable location.

3.3. More detailed reasoning from this appeal decision is referred to where relevant in the following appraisal.

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal.

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 (amend as appropriate). The final date for comments was 23.03.2018, although comments received after this date and before finalising this report have also been taken into account.

5.2. The comments raised by third parties (39 in total) are summarised as follows:

- Strongly object – there are a number of sites currently under construction. New developments are destroying the village and 180 new homes have been approved in the past 5 years in the village
- This does not comply with the Neighbourhood Plan in particular the site lies outside of the settlement boundary within the open countryside where there is a presumption in favour of local landscape protection and enhancement.
- This does not comply with Local Plan Policies
- The site was rejected in the 2014 Strategic Housing Land Availability Assessment.
- There has been previous refusals on this site including one dismissed at appeal and those reasons for refusal have not been overcome
- The site falls outside the natural boundary of the village and will result in development beyond the built up limits of the village
- The site provides an attractive rural gateway to the village and the development would be detrimental to the visual amenities of the area, detract from the rural landscape and would destroy a view of the church and conservation area
- The development is out of keeping with the character of Berry Hill Road being substantial properties set back from the road
- The proposed development will result in excessive urbanisation of what is currently open countryside, destroying the rural nature of this entrance to the village.
- The location is unsustainable and is remote from the village centre and local school and it is at the extremity of an already sprawling village. Future occupiers would be reliant on private cars for commuting and shopping. Nearby rights of way are unpaved and unlit and not suitable for providing regular access to village facilities. This would result in a development that significantly compromises the principles of sustainable development.
- The village has a small convenience store some distance from the shop but there is no post office and other local shops are destination retailers.
- The lower part of the field is often subject to noxious smells in the summer months from the adjacent water works
- The school would be put under further pressure
- The roads have difficulty in coping with the current traffic levels and would be put under further pressure
- Berry Hill Road is substandard in construction and is of a rural nature. It is in a poor state mainly due to the increased heavy traffic associated with the nearby developments. This has increased noise and pollution. There are no footways along Berry Hill Road.
- There will be an increased risk of accident

- The proposed 2m wide footpath is of urban proportions and unsuitable for a rural setting. Concern over the suitability of the position of the crossing point and safety for pedestrians. The path and crossing extend into the conservation area and in front of listed buildings. The urban character of this proposal would cause a significant negative impact on the character and appearance of this area.
- The area is important for local wildlife and the site adjoins other fields that provide a valuable habitat and corridor for wildlife.
- The proposal would increase demand on the Horton Hospital which is facing cuts and could have a negative impact on the service available.
- The land is likely to be contaminated.
- There is a risk of increased flooding if surface water is not appropriately dealt with.
- The site lies a few hundred metres from pre-historic remains and therefore an archaeological field evaluation should be undertaken.
- The reduction in dwelling numbers proposed does not alter the previous comments made.
- Adderbury Parish Council has recently undertaken traffic surveys to inform its view on the traffic problems within Adderbury. There were significant variations between the application figures and the Parish's traffic survey. Should a more detailed traffic assessment be carried out as it is suggested that there is a problem. This development would add to the cumulative build-up of traffic on Berry Hill Road, Horn Hill Road and through the village.
- The Heritage Statement failed to address the prehistoric findings found on the site to the west of the site. An archaeological survey should be required due to its proximity to known prehistoric finds in close proximity.
- A pedestrian refuge on the Oxford Road would cause substantial visibility problems. This feature is also unlikely to reduce the speed of vehicles along the road. Encouraging pedestrians to cross this road is highly irresponsible.
- The connection at Horn Hill Road is unclear and there is no mention of the impact of this on the setting of the listed buildings and the conservation area.

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

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.

PARISH COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **Adderbury Parish Council** – Objection for the following reasons:

- There is no requirement in Cherwell District Council's Local Plan for further development in the rural areas such as Adderbury and Cherwell District Council (CDC) has demonstrated a 5.6 year housing land supply.
- The site is outside the village built up settlement area and is in open countryside, therefore development is contrary to CDC policies as well as the emerging Adderbury Neighbourhood Plan.
- A proposal of 60 houses is over development of the site.
- This area is designated as being of High Landscape Value and housing would detract from the rural landscape. This is an important open and rural area on the approach to the village and it would be detrimental to the approach to the village from the south.
- Development on this site would detract from important views of the Church and the original and historic centre of the village, being detrimental to the visual amenities of the site. The importance of views of the Church has been stated elsewhere by Historic England and the same points apply here.
- It would be detrimental to the amenity value of a number of footpaths and bridleways which cross this part of the parish.
- The proposed design does not reflect the character of the existing dwellings along Berry Hill Road and might encourage further applications for development in land adjacent to this, behind the other Berry Hill Road properties.
- This is not a sustainable site being some distance from the main village facilities and having no good footpaths or cycle ways to reach the centre, pedestrians would have to walk along very busy roads or use cars.
- A gasometer was removed for this site around 40 years ago, therefore the ground could be polluted.
- If Cherwell District Council is minded to approve this application, Adderbury Parish Council would request that there is a provision for community benefit and the Parish Council's requests are attached.

CHERWELL DISTRICT COUNCIL

- 6.3. **Investment and Growth Team** – On a development of 60 units, 21 of these must be for affordable housing in line with the 35% for developments in rural villages in Cherwell as stated in the adopted Cherwell Local Plan Part 1 Policy BSC3. An indicative mix is provided, which represents a 70/30 split between affordable rented units and shared ownership units. Affordable housing should be indistinguishable in terms of external design from the market housing and be integrated throughout the site. Advice is provided regarding clustering; the percentage of dwellings required to be accessible and adaptable and that all should be built to the Government's Nationally Described Space Standard. Parking requirements are also provided.

Second response – The revised application has reduced the number of units to 53 and so the number of affordable units would be reduced proportionately (and given the now increase in numbers, the required number would be increased further).

6.4. **Recreation and Leisure** – contributions are sought towards off-site outdoor sports facilities, towards offsite indoor sports facilities, towards community halls and towards public art.

6.5. **Ecology** – (first response) The Extended Phase 1 habitat survey was undertaken at an appropriate time of year and in line with appropriate methodology. Overall the site is considered to have low-moderate ecological value with the northern most area of the site which is to be retained of the highest value. The retention as public space as well as creation of an area of species rich grassland managed for ecological enhancement is likely to result in some conflicts. The hedgerow boundaries and a number of mature trees are of high ecological value and provide wildlife corridors and they should be retained. A biodiversity impact assessment calculation should be provided prior to the determination of the application to inform if a biodiversity gain is expected within the site which must be sought in line with the NPPF and local plan policy ESD10. At present the proposals appear to be a borderline loss/ gain. There has been a recently recorded great crested newt record which was not picked up during the ecological assessment and so there is potential for GCN to be present on site. However, the concern is reduced given the northern part of the site is to be retained and enhanced and therefore the distance between the ponds and the area proposed for housing. If works to the north of the site are required, then further GCN surveys are required. The two trees with bat roosting potential are present in the hedgerow along the northern boundary of the site and these are proposed to be retained, however surveys would be required if these trees are to be felled. A pre-commencement badger check will be required and the inclusion of habitat boxes for bats, birds and invertebrates within the built environment are supported. Lighting should be kept to a minimum particularly along hedgerows.

Second response – The habitat survey is appropriate in scale and depth. The recommendations made are sufficient to protect and accommodate current ecological interest on site. A BIA metric has also been submitted to help assess whether there would be an overall gain for biodiversity from the proposals. This was discussed and agreed with a previous Ecologist, including an illustrative masterplan. Whilst this would be addressed as part of a reserved matters application, the areas of habitats proposed will need to be accommodated and this would involve some areas to be fenced off to achieve a better quality of created habitat. A net loss to biodiversity was still the result and a net gain should be achieved. It is important that further biodiversity enhancements are included on site both within the green spaces and the built environment.

6.6. **Design and Conservation** – The proposed site lies outside the Adderbury Conservation area but the appraisal is of relevance in understanding the development of the settlement. It is clear from an analysis of the settlement where areas of modern development have disrupted the defined historic settlement pattern and this proposed development would exacerbate this trend. It would be seen as positive for the development to replicate earlier patterns of modern development. There are concerns with the principle of development on this land as it forms a non-traditional extension to the settlement pattern. In addition, there are concerns with the proposed layout which shows suburban layout with non-linear streets.

In addition to the impact on the general settlement pattern of Adderbury, the proposed development would block views of the Grade I listed Church of St Marys from across open countryside. The impact would be significant from Berry Hill Road but also compromise the setting of both the church and village from the public footpaths surrounding the site. The Adderbury Conservation Area appraisal describes the significance of the church and it is a prominent feature within the settlement and is visible from a number of locations. A previous appeal was

dismissed partially due to the impact on an attractive view of the village church. The proposed development would cause harm to the setting of the grade I listed building and compromise the visual relationship between the church, village and surrounding countryside. There is not considered to be sufficient public benefit to outweigh this harm.

Second response – The development would stand alone in the landscape and is a non-traditional extension to the settlement. The additional information provided confirms this. The proposed layout is suburban and does not follow any historic, traditional or local parameters. The development is located at some distance from the conservation area and will not really impact on its setting but it remains a poorly considered urban extension which does not integrate well with the remainder of the settlement.

The heritage statement describes the view of the church spire as incidental and identifies that it is not one of the key views outlined in the conservation area appraisal. However, as Historic England point out, the church spire was designed to be seen from significant distances in the landscape to reinforce the social and community significance of the religious building. The illustrative layout shows view lines leading through to the church however due to the suburban nature of the layout of the site these appear incidental rather than funnelled. There is little sense of the significance of the church that is usually seen in more traditional and historical settlement layouts.

- 6.7. **Landscape Services** – Further assessment within the LVIA is required as there are no viewpoints taken from any points beyond the boundary of the site. The assessment is required to produce a greater depth of analysis and the impact upon the conservation area must be assessed. There is no indication of heights of the proposed dwellings. There is no surface water attenuation shown. The site is located in open countryside and the LVIA needs to examine this. In 2007, a Planning Inspector concluded that development on the site would have a significant adverse impact on the character and appearance of the area. A comprehensive LVIA should examine this.

Second response – The viewpoints assessed in the LVIA are critiqued. It is concluded that whilst the development has limited visibility in the wider landscape, there are many reasons why it is undesirable:

- The site is surrounded by open countryside apart from one dwelling adjacent at one corner. Last House and the dwelling opposite mark the end of the built up area of Adderbury. As you turn off Oxford Road, it is not clear where the village of Adderbury starts. The site is an important green open space on the edge of the settlement that makes a significant contribution to the character and appearance of Adderbury.
- The proposed development is out on a limb visually and intrudes into open countryside.
- The existing settlement pattern along Berry Hill Road is one of low density large detached houses with long drives and large gardens. This development does not follow that pattern and is out of character with it. The urban form will not integrate into the existing settlement pattern.
- The site allows an attractive view of the church which would mostly be lost; it would only be available as a fleeting glimpse from Berry Hill Road.

- The hedge along Berry Hill Road is a weak screen being thin at the base, gappy and leggy. It is like a line of weak trees which would require works that would make it less effective as a screen. Reinforcing this would be difficult as planting in the shade of other trees is not effective. Sections will be removed for visibility splays and provision of a footpath link. The remainder is likely to be reduced in height, weakening the screen.
- The development would result in Adderbury village starting as soon as you turn off Oxford Road which would negatively affect the setting of the village.
- The DAS does not include principles that inform the detailed landscape design.
- The play area should be located within the development so that it is overlooked.

6.8. **Planning Policy – Objection.**

- Adderbury is a Category A village, one of the more sustainable villages in the District (Policy Villages 1).
- Policy Villages 2 provides for a total of 750 homes to be delivered at the Category A villages on new sites of 10 or more dwellings (in addition to the rural allowance for small site ‘windfalls’ and planning permissions as at 31 March 2014).
- The proposal would assist in meeting overall Policy Villages 2 housing requirements and could contribute to the provision of affordable housing.
- The 2017 AMR (December 2017) shows there are 86 dwellings, out of the 750 allocated for the rural areas, remaining to be identified. The AMR also demonstrates that the District presently has a 5.5 year housing supply for the period 2017-2022 (commencing 1 April 2017). However, this will increase to 5.7 for the period 2018 to 2023 (commencing April 2018).
- For the period 2011 to 2017 there have been 144 recorded housing completions in the village.
- For the period 1 April 2014 (the date from which the 750 dwelling allocation in Policy Villages 2 applies) to 31 March 2017 there were 94 recorded housing completions in Adderbury.
- There is therefore no pressing need to release additional greenfield land at this time.
- The consultation period for the Adderbury Neighbourhood Plan (Submission Plan) concluded on 24 November 2017 and Adderbury Parish Council is currently preparing a list of minor modifications prior to submitting the plan for examination. The application site is not allocated for development within the Neighbourhood Plan and the Neighbourhood Plan has limited weight as a material planning consideration prior to adoption.
- The draft Housing and Economic Land Availability Assessment (HELAA) dated August 2017 identifies the application site as HELAA012 and concludes that this site would be unsuitable for development.

- Although the application site is not located within the designated Adderbury Conservation Area, Adderbury is an historic village and development is required by Policy ESD 15 to complement and enhance the character of its context through sensitive siting, layout and high quality design and to respect traditional patterns of development. It also requires development to conserve, sustain and enhance heritage assets. The advice of the Design and Conservation team should therefore be sought.
- In conclusion, Adderbury is a sustainable village and Policy Villages 2 does make provision for some development to take place in such settlements. However, the draft HELAA suggests that this is an unsuitable site for development. The merits of providing additional housing (including affordable homes) need to be considered alongside issues such as the loss of open countryside, the impact on the existing settlement pattern and the impact on heritage assets.

6.9. **Arboriculture** – It is proposed that the majority of trees on site are retained. The only trees for refusal are of low value and this category of trees should not normally pose a constraint for development. The section of hawthorn hedge is currently unmanaged and its removal will not have a significant impact on views into the site. The applicant will need to produce an arboricultural method statement with details of the proposed protective fencing and a finalised tree protection plan. Based on the illustrative masterplan there appears to be plenty of space for the planting of trees on site and details of this and tree planting pits will be required. No objections are raised subject to a number of recommended planning conditions being imposed.

6.10. **Environmental Protection** – There is a sewage pumping station, previously a sewage works until 1999 located 50m to the north east of the site. There is the potential for odour, nuisance and residual contamination to affect the development at this close proximity and there is insufficient information as part of the application to provide assurances that the risk is acceptable and any potential risks have been mitigated.

In response to queries from the applicant, further advice was provided as follows: the position that no dwelling would be closer than 150m from the pumping station is noted and this provides more separation distance than the 50m referred to and this reduces risk. Whilst the prevailing wind is south west this means the pumping station is upwind of the development for the greatest proportion of time. Non prevailing conditions are often accompanied by temperature inversions and atmospheric conditions most likely to prevent odour dispersion. A favourable prevailing wind direction does not therefore necessarily prevent nuisance. If it is assumed that the pumping station operates to standards expected of a 1999 design and construction and the former sewage works were decommissioned to minimise residual nuisance or contamination, the risk of odour nuisance should be minimal but in the absence of contamination from the sewerage undertaker, further advice cannot be confirmed.

Second response – In respect of noise, a condition to require a construction environment management plan should be imposed to require details to ensure that construction works do not adversely affect residential properties nearby. The full contaminated land conditions should be imposed. In respect of air quality, a condition is recommended to require the provision of ducting to allow for the future installation of EV charging infrastructure

OXFORDSHIRE COUNTY COUNCIL

6.11. **Transport** – (first response) Objection for the following main reasons:

- Feasibility of the footway between development site and Horn Hill Road must be demonstrated. This footway is regarded as an essential provision for a development site with relatively poor sustainability credentials and so its delivery must be established.
- Quantification of existing traffic levels is not presented in the Transport Statement. The impact within the immediate proposed development area is only considered. The trip rates derived and the resultant trip generation estimates are acceptable. No further impact or distribution assessments have been carried out on the surrounding highway network (such as the Berry Hill Road/ A4260 Oxford Road junction). A junction assessment to evaluate the impact will be required.
- The accident analysis presented in the Transport Statement is deficient. More comprehensive information should be provided with regard to the accident history of the Berry Hill Road/ A4260 junction.
- Provisions for vision splays require revision as they must be based on Design Manual for Roads and Bridges standards not Manual for Streets. The requirement for a highway trees to be felled for the vision splay also needs to be checked.
- Further drainage information is required. Whilst there is no objection in principle to the drainage proposals, the preferred option stated is to use SuDS infiltration to ground as a means of disposal of surface water at the site in accordance with the SuDS hierarchy. However this is unproven through soakage testing as a workable solution. The viability of this option needs to be proven by carrying out infiltration testing at the site to standard BRE 365. The alternative option to discharge to the off-site watercourse would involve transiting third party land and the applicant would be required to confirm the offsite surface water arrangements and right to cross third party land and consents. This issue is considered too critical to be left to be dealt with by a condition of planning permission.
- A number of S106 contributions are requested and justification provided. A number of planning conditions are also recommended.

Additional comments:

- OCC supports plans to provide a new crossing point with a pedestrian refuge, dropped kerbs and tactile paving on the A4260 Oxford Road, as well as a new footway on the northern side of Berry Hill Road from the site access to the junction with Horn Hill Road and extending south-east of the site access and around the corner on the A4260 Oxford Road. However, the safety of the crossing must be assessed. There is no mention of any potential public rights of way that may be connected to or near to the proposed site.
- Clarity over the use of the northern part of the site was required.
- The TS presents various pieces of evidence to establish a preferred maximum walking distance of 2km, however this is a maximum distance and so is unlikely to represent accessibility to all pedestrians on a regular basis. This is also reliant on the provision of the footway between the development site and Horn Hill Road. The accessibility of the site is considered poor for the following reasons:

- Most of the facilities in Adderbury are within the acceptable maximum walking distance only, which is unlikely to represent accessibility to all pedestrians on a regular basis.
- Bus services do not represent a commuter standard frequency.
- Access to the rail network is via Banbury train station which requires both walk and bus journeys.
- Travel Plan Statement and a Travel Information Pack will be required. Both these elements could be the subject of a planning condition.
- A speed survey would be needed on the A4260 and this may lead to re-positioning of the proposed pedestrian crossing to achieve required visibility.

Second response – Continued objection:

- Feasibility of the footway link between the development site and the existing pedestrian network is still not demonstrated. Whilst some of the footway appears that it can be accommodated on highway land, the extent of highway land does not reach as far as the intended tie in with the existing footway on Horn Hill Road. Further clarification is required.
- Further examination of personal injury accident data is required. Whilst the second submission uses the personal injury accident analysis from OCC, it fails to acknowledge the potential significance of the fact that all three of the incidents involved the same turning movement and this requires further examination especially in connection with the proposed pedestrian facility at the junction.
- Turning count data needs to be checked and verified. The surveyed flows appear considering lower than automatic link counts taken to the north in October 2017. It is difficult to compare the flows and this requires further examination. Once traffic flow data has been confirmed, the traffic analysis can be confirmed.
- Visibility splay amendments are required and consistent plans submitted. The plan in the TA and the separately submitted access plan must be consistent. The potential tree within vision splay still needs to be confirmed. The vision splays continue to be based on Manual for Streets and not DMRB. DMRB is required.
- The pedestrian refuge is acceptable in principle but it will need to be a minimum size and meet a number of other technical requirements.
- Further drainage information required. The additional information does not address the comments raised previously by OCC.

Third Response – Continued objection due to the need for further drainage information and this does not address comments previously raised. In respect of the other outstanding matters:

- The further response presents further insight into the personal inquiry accident analysis and this is accepted.
- The plan provided shows the extent of highway land on Berry Hill Road, which demonstrates that there is sufficient highway land to provide the

footway link between the proposed site access and the existing footway network on Horn Hill Road and this is accepted.

- The further plan demonstrates that adequate visibility splays can be provided without being interrupted by trees and this is accepted. The plan also shows DMRB compliant visibility splays and this is also accepted.
- The information provides adequate explanation of the dimensions of the proposed pedestrian refuge and this is accepted.

6.12. **Education** – No objection subject to S106 contributions towards nursery and primary education (expanding the provision at Christopher Rawlins CE (VA) Primary School) and secondary education (expanding secondary provision at The Warriner School).

Second response – No objection subject to S106 contributions as set out and for the same purposes as reported in the initial response (these contributions would need checking with OCC given the slight increase in dwelling number back to 55 dwellings).

6.13. **Archaeology** – in response to local concerns raised, the following advice was provided:

This site is located 500m south east of the important remains mentioned in this letter. Although these important features are likely to extend beyond the excavated area it is unlikely that they would extend this far. An archaeological evaluation was undertaken immediately east of this proposed site for the Deddington Transfer Main in 1992 which did not record any trace of archaeological features.

Lidar images also show that the site is located on the edge of the slope heading down from the south to the north.

As such we do not feel that there is a likelihood of archaeological deposits being present on this site and did not recommend any archaeological investigations.

OTHER EXTERNAL CONSULTEES

6.14. **Historic England** – the proposals raise concern owing to the obscuring of views of St Mary's Church spire. The Church, within East Adderbury, is clearly observed from Berry Hill Road and would be seen even more clearly within the application site. As a historical waymarker, the visibility of the church spire is an important part of the significance of the church as an historic landscape feature, reflecting the social importance of religion in the middle ages and the way that communities used churches to mark their presence in the landscape. Development along Berry Hill Road would inevitably obscure these views; causing a degree of harm to the significance of the grade I listed building. The site is not allocated for housing (or any other development purpose) in the Adopted Cherwell Local Plan 1996 but Adderbury is a category A village, where minor development will be considered subject to criteria being met. One such criteria of Policy Villages 2 includes whether significant adverse impact on heritage could be avoided. The draft Housing and Economic Land Availability Assessment sets out that the application site is not suitable for development, one reason being the impact on the setting of the church. The NPPF requires that any harm must have clear and convincing justification and that this must be weighed against the public benefits of the application. The proposal puts forward a site for housing, which would cause harm to a Grade I listed building and the historical landscape character of the area. Whilst new housing,

including affordable housing is proposed, the obscuring of views across to St Mary's and harm to the historic landscape character are not justified.

Second response – Further information has been submitted in support of the application, including a heritage statement and amended indicative layouts. The amended layout acknowledges and establishes the importance of views of the church from Berry Hill Road, which is welcomed and it is also acknowledged that allowing public access to proposed green space in the north of the site would enable new, clear views of the church which would allow for a better appreciation of the building in the landscape. However the additional information and amended layout do not fully address the concerns. The amended masterplan suggests 2 channelled views of the church from the access points to the proposed estate but the separation gap between dwellings appears too close to ensure that these views are clear. Furthermore, the views are over landscaped areas or front gardens, which would potentially be planted with trees or filled with paraphernalia and provides little certainty of views being maintained over the long term. In order to minimise the harm to the significance of the church, the layout of the scheme needs to be further amended to provide clear sufficiently broad and permanent views from Berry Hill Road towards St Mary's.

- 6.15. **Thames Water** – Thames Water have identified an inability of the existing waste water infrastructure to accommodate the needs of the application. Thames Water recommend a planning condition to require a drainage strategy prior to the commencement of development. In respect of surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. The advice could form part of a planning note. In respect of water supply infrastructure, the advice is that the existing has insufficient capacity to meet the additional demands for the proposed development and Thames Water recommend a planning condition be imposed to require impact studies of the existing water supply infrastructure and details of any additional capacity.

Second response – the second response identifies that there is no objection with regard to sewerage infrastructure capacity. The same advice is provided in respect of surface water drainage. In respect of water infrastructure, an informative is recommended relating to water pressure.

- 6.16. **Oxfordshire Clinical Commissioning Group** – Primary medical care in the North Oxfordshire locality is mostly at capacity and further housing growth will require additional or expanded infrastructure to be in place. A developer contribution is required and this would be used towards enhancing existing primary care medical infrastructure to meet the needs of a growing population.

Second response – the contribution is revised to reflect the reduced number of homes proposed. The justification remains the same.

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. Also part of the Development Plan are Neighbourhood Plans once they are adopted. 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
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient Use of Land
- BSC3 – Affordable Housing
- BSC4 – Housing Mix
- BSC8 – Securing Health and Wellbeing
- BSC9 – Public Services and Utilities
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD5 – Renewable Energy
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Policy Villages 1 – Village Categorisation
- Policy Villages 2 – Distributing Growth across the Rural Areas
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18 – New Dwellings in the Countryside
- 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 control
- C33 – Protection of important gaps of undeveloped land

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031
- Adderbury Conservation Area Appraisal
- Annual Monitoring Report (December 2017)
- Draft Housing and Economic Land Availability Assessment (2017)

8. APPRAISAL

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

- Principle of Development;
- Landscape and Visual Impact;

- Design and layout;
- Impact on Heritage Assets;
- Housing Mix/Affordable Housing;
- Effect on Neighbouring Amenity;
- Transport and Sustainability of the site;
- Flood Risk and drainage;
- Trees, Landscaping and open space;
- Ecological Implications;
- Environmental Matters;
- Sustainability and Energy Efficiency;
- Planning Obligations;
- Local Finance Considerations

Principle of the Development

- 8.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.3. The Development Plan for Cherwell includes the Cherwell Local Plan 2011-2031 (adopted in July 2015), the saved policies of the Cherwell Local Plan 1996 and two adopted Neighbourhood Plans (Bloxham and Hook Norton). Adderbury Parish Council has prepared a Neighbourhood Development Plan for the Parish of Adderbury, which has been subject to public consultation and has been examined by an Independent Examiner who has recommended that the Plan proceed to Public Referendum with a number of required modifications. The Lead Member for Planning has approved the Plan with the proposed modifications and the referendum is scheduled for the 21 June 2018. Once a Neighbourhood Plan has been examined, there is a statutory duty under S70 of the Town and Country Planning Act 1990 which requires that in dealing with applications a Local Planning Authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application. Whilst the Neighbourhood Plan is not yet adopted, it is notable that the Framework is clear (at paragraph 198) that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.
- 8.4. The site is not allocated for development in any adopted or emerging policy document forming part of the Development Plan and is not previously developed other than the current stables. The site sits outside the built up limits of the village beyond the defined Adderbury Settlement Boundary as set out in the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031.

Adopted Cherwell Local Plan

- 8.5. The Cherwell Local Plan 2011-2031 seeks to allocate sufficient land to meet District Wide Housing needs. The overall housing strategy is to focus strategic housing growth at the towns of Banbury and Bicester and a small number of strategic sites outside of these towns. Policy ESD1 identifies that in mitigating the impact of development within the district on climate change, growth will be distributed to the most sustainable locations as defined in the Plan and to deliver development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars.
- 8.6. In recognising that there is a need within the rural areas to meet local and Cherwell wide housing needs, the Local Plan at Policy BSC1 identifies 2,350 homes for the

'Rest of the District'. Of these, 1,600 homes are allocated by Policy Villages 5 at Former RAF Upper Heyford leaving 750 homes identified for development elsewhere. Policy Villages 2 provides for these 750 homes to be delivered at Category A villages. The intention is to protect and enhance the services, facilities, landscapes and the natural and historic built environments of the villages and rural areas whilst recognising the need for some development. Policy Villages 2 advises that these sites would be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of applications for planning permission. A number of criteria are listed and these must be considered through the determination of a planning application.

- 8.7. The rural housing strategy is guided by Policy Villages 1 and 2 of the Cherwell Local Plan Part 1 and saved Policy H18 of the Cherwell Local Plan 1996. Policy Villages 1 provides a categorisation of the District's villages to ensure that unplanned, small scale development within villages is directed towards those villages that are best able to accommodate limited growth. Category A villages are those identified as being the most sustainable in the hierarchy of villages in the District and this is why these are where planned development to meet District housing requirements to help meet local needs should be directed as defined by Policy Villages 2, subject to a detailed assessment as to the proportionate impact of development proposed upon the settlement in question. Adderbury is classified as a category A village by Policy Villages 1. The current proposal does not however comply with the type of development identified as being appropriate within the built up limits of category A villages due to the site being outside the village and not representing minor development, being over 10 dwellings.
- 8.8. Saved Policy H18 of the Cherwell Local Plan 1996 restricts development outside the built up limits of settlements except in a number of circumstances; none of which are applicable to this current application. The proposals therefore conflict with Policy H18.
- 8.9. In the circumstances, it is appropriate to consider this proposal against Policy Villages 2. The Council's Annual Monitoring report (December 2017) confirms that of the 750 dwellings identified under Policy Villages 2 to be delivered at Category A villages across the Plan period until 2031, sites for only 86 dwellings remain to be identified. Recent appeal decisions received by the Council, including one at Finmere (16/01209/OUT refers) confirms that an overprovision of the rural housing allocation at an early stage in the plan period could prejudice the sustainable growth strategy set out in the Development Plan and leave limited ability to respond to later changes in housing need in individual settlements without fundamentally compromising the overall sustainability strategy contained in the Local Plan. Furthermore, whilst 750 dwellings is not to be regarded as an upper limit, significant deviation from this may result in unconstrained growth in less sustainable locations which would conflict with the housing strategy of the Development Plan. Significant progress has been made on the housing allocation under Policy Villages 2.

National Policy

- 8.10. The National Planning Policy Framework confirms that there is a presumption in favour of sustainable development. For decision making this means approving proposals that accord with the development plan without delay. The Framework advises that there are three dimensions to Sustainable Development; economic, social and environmental. With regard to housing, the Framework supports the need to boost significantly the supply of housing to meet the full, objectively assessed need for housing. It requires Local Planning Authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide five years' worth

of housing against the housing requirements, with an additional buffer of 5% to ensure choice and competition in the market for land.

- 8.11. The Council's 2017 Annual Monitoring Report (AMR) confirms that the District can demonstrate a 5.7 year housing land supply (for the period 2018-2023) with a 5% buffer. In these circumstances, the presumption in favour of sustainable development as set out in the NPPF must be applied in this context.

Principle of residential development at Adderbury

- 8.12. Adderbury is one of the largest category A villages in the District in terms of size and it is one of the more sustainable in terms of the range of facilities it provides as well as the transport connections available. The village has however been subject to a number of large developments approved since 31 March 2014 (3 sites for 120 dwellings), however a further 65 dwellings were approved in January 2014 giving an overall total of 185 dwellings in the village either under construction or recently completed. Recent appeal decisions received by the Council have also confirmed that if disproportionate numbers of dwellings are permitted in any one settlement, then other settlements where housing sites have yet to be identified may not be able to meet their needs, including affordable housing needs, without undermining the local plan strategy.
- 8.13. As set out above, the Adderbury Neighbourhood Plan is at Post Examination Stage and the version currently available is the referendum version. It includes policies that are material to the consideration of this application. In particular it includes Policy AD1, which refers to the Adderbury Settlement Boundary which is defined on the policies map. The policy states, in its modified form, that *'development proposals will not be supported outside the Adderbury Settlement Boundary unless it is demonstrated they will enhance, or at least not harm, local landscape character. New isolated homes in the countryside will not be supported except in special circumstances described in paragraph 55 of the Framework. Proposals for the provision of affordable housing on rural exception sites immediately adjacent to the Adderbury Settlement Boundary will be supported where they meet an identified local need and relate well to the built form of the existing settlement'*.
- 8.14. The supporting statement of the Neighbourhood Plan confirms that in respect of proposals located outside the boundary, the policy is to operate alongside Local Plan Policy ESD13 to ensure that they are compatible with the objective of that policy of protecting and enhancing the local landscape. Reference is also made to the scale of recently completed housing schemes and of the schemes that will be built out over the coming years such that the District Council does not consider it desirable or necessary for any additional major contribution from Adderbury to meeting the needs of Local Plan Policy Villages 2 in the plan period by way of new greenfield development on the edge of the village. Reference is made to the impact that these schemes have had upon the character of the village. The Plan does however confirm that in the event of the District's housing supply strategy having to change before the end of the plan period, then its implications will be considered by the Parish and District Council's and the Neighbourhood Plan may be reviewed to plan for that eventuality.
- 8.15. In the Examiners report of the Neighbourhood Plan, the Examiner, in respect of Policy AD1, concluded that the policy is in general conformity with the strategic Policies of the Adopted Cherwell Local Plan Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies. It also seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The Examiner also noted the number of new dwellings already permitted in Adderbury acknowledging that the

contribution from these sites amounts to a significant boost to the supply of housing. It was concluded that the Policy, with some proposed modifications, met the required Basic Conditions and Policy AD1 therefore forms part of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031.

- 8.16. Whilst Adderbury is one of more sustainable settlements in the District, given the range of facilities and services it provides as well as its public transport provision, the village has already accommodated a significant proportion of the number of dwellings allocated by Policy Villages 2. Additional development at the village is likely to undermine the ability of other settlements to meet their needs and undermine the Local Plan's housing strategy. In addition, the District is in an advanced position regarding providing for new rural housing with a limited number of dwellings left. The early delivery of all of the rural housing provision could also prejudice the sustainable growth strategy of the Local Plan. In light of the number of dwellings already approved in the village and the Council's ability to demonstrate a five year supply of deliverable housing sites, there is no overriding need for the proposal on housing delivery grounds. The proposal would therefore conflict with the Council's rural housing strategy contained within Policy ESD1 and Policy Villages 1 and 2 of the Cherwell Local Plan Part 1 and Saved Policy H18 of the 1996 Local Plan. In addition, the site sits outside of the Adderbury Settlement Boundary, which is defined to protect and enhance local landscape character. The specific circumstances of the site needs consideration in terms of the impact of development on this particular site and its suitability to accommodate development as well as whether it meets the criteria of Policy Villages 2.

Landscape and Visual Impact

- 8.17. Policy ESD13 of the Cherwell Local Plan advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is expected not to cause visual intrusion into the open countryside, must be consistent with local character and must not harm the setting of settlements, buildings or structures. Policy Villages 2 requires that consideration be given to whether significant landscape impacts could be avoided and whether development would contribute in enhancing the built environment.
- 8.18. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. Policy C8 seeks to limit sporadic development beyond the built limits of settlements. Policy C27 expects that development proposals in villages will respect their historic settlement pattern.
- 8.19. As referred to above, Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031 provides for a settlement boundary, outside of which, development will not be supported unless it is demonstrated that it will enhance or at least not harm, local landscape character.
- 8.20. The Framework highlights that the protection and enhancement of the natural, built and historic environment is part of the environmental role of sustainable development and one of the core planning principles also refers to recognising the intrinsic character and beauty of the countryside. The Framework also emphasises the importance of development responding to character and history with good design being a key aspect of sustainable development.
- 8.21. The site has been considered through the Council's Draft Housing and Economic Land Availability Assessment (August 2017). This concluded that the site is not suitable for development as *'the site adjoins the built-up limits of the village however the site is remote from the services and facilities. The site is considered to be*

unsuitable and there is a low density and linear development form on the northern side of the road at this gateway to the village. More intensive development in this location would be detrimental to the character of the village and represent a significant intrusion into the open countryside (harming its character and appearance). Development would harm the setting of the church. The topography of the north western part of the site also makes development challenging'.

- 8.22. In addition, and as referred to above, there has been a previous appeal on this site, which dismissed a scheme for residential development (06/00712/OUT). This was a smaller scheme, but the Appeal Inspector's conclusions in respect to the site and its character are material to the consideration of this application. In particular, the Inspector concluded that the appeal site represents a particularly pleasant part of the open countryside and which makes a significant contribution to the character and appearance of this part of Adderbury. It was also identified that the appeal site allows an attractive view of the village church. The development proposed was found to be harmful to the character and appearance of the area and would result in an unsustainable development.
- 8.23. The application included a Landscape and Visual Impact Assessment and during the course of the application, an addendum has been provided to respond to the Landscape Officer's initial concerns raised. The original LVIA concluded that the proposed development would not cause undue harm to the landscape, landscape character or visual amenity of the surrounding area and wider countryside. The Landscape Officer advised that the LVIA did not consider wider views beyond the site boundary and that the depth of the analysis needed to be expanded. The addendum to the LVIA considered and analysed a wider range of viewpoints from a greater distance from the site. This document has been reconsidered by the Landscape Officer who has critiqued the viewpoints analysed and considers that for some views, the landscape effects have been underestimated. Nevertheless, it is agreed that the wider landscape impacts would be limited but the localised impact of development on this site is considered unacceptable.
- 8.24. Officers would agree that the wider landscape effects are limited, however, given the identified localised impact, it is necessary to consider this matter further. The main core of Adderbury is to the north of the application site and, as explained in the Adderbury Conservation Area Appraisal, the historic character of the village has an east-west axis with a strong linear structure, defined by strong building lines. It describes that the series of linear streets are linked by winding lanes. Berry Hill Road runs to the south of the application site, with residential properties directly to the west of the application site. The properties on either side of Berry Hill Road, are predominantly large detached units, set back from the roadside, with wide verges giving a low density, linear, ribbon form of development.
- 8.25. The site itself sits adjacent to 'Last House' at the eastern end of Berry Hill Road. The land is greenfield and other than a small area of stabling, it is open and retains a strong rural character. The site is visually part of the open countryside and is an important open space at the edge of the village in contributing to the rural setting of the village. A number of public rights of way run within proximity of the site and clear views of the site would be gained by users who would appreciate the rural setting of the village.
- 8.26. The proposed development would involve a large scale development on the land. The indicative layout demonstrates a number of dwellings fronting towards Berry Hill Road (albeit set behind the existing hedgerow) with the remaining proposed dwellings arranged extending northwards on the site, covering approximately half of the site area, with the northern most area of land left undeveloped as public open space. The development would be accessed by a formal access road positioned at

the existing access point which would loop round to provide access to all proposed dwellings. The supporting information suggests that the retention of the southern hedgerow would be beneficial in avoiding unacceptable impacts upon the street scene. It is described as a substantial tree belt, which limits views across the site. The hedgerow is however described by the Landscape Officers as a weak screen being thin at the base, gappy and leggy. It certainly allows views through onto the land and views towards the village beyond.

8.27. As described above, the site is considered to be an important part of the open countryside and this has also previously been recognised by an Inspector considering an appeal for residential development on this site. Its development would result in the loss of this rural character and change the setting of the village, extending the village towards the A4260. Any development on the site would intrude into the open countryside and be harmful to the rural setting of the village. The development proposed under this application, for up to 55 dwellings, would conflict with the settlement pattern in this part of Adderbury, with this being a large in depth proposal which conflicts with the linear arrangement of dwellings along Berry Hill Road. In the previous appeal decision on the site (06/00712/OUT), which proposed a linear row of dwellings and then two rows of houses perpendicular to the road, the Inspector identified that the proposal would have an orientation unlike any other development within the area. It was concluded that such an arrangement would be at odds with the prevailing development pattern. The current proposal is a significantly more in depth development than the appeal scheme. The urban form proposed will not therefore integrate into the existing settlement pattern and would represent a significant intrusion into the countryside. It would result in significant urbanisation and be prominent in views from Berry Hill Road and from nearby public rights of way. Whilst the Landscape Strategy in the LVIA identifies the retention and enhancement of the site boundaries, this would aid in screening development behind a tree belt. This is not considered to be sufficient to overcome unacceptable development and in itself, would further emphasise the difference between the application site and the rest of the development along Berry Hill Road, which is not set behind a screen.

8.28. The proposed development on the application site would result in a significant urbanisation of an important open rural field adjacent to the edge of Adderbury, visually intruding into the landscape and which would be harmful to the localised landscape and character and rural setting of the village. Given the conclusion reached, the proposed development would conflict with Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031, Policies ESD13 and Villages 2 of the Cherwell Local Plan Part 1, Policies C8, C27 and C28 of the Cherwell Local Plan 1996 and advice in the NPPF which seeks to protect the intrinsic character of the countryside.

Design and Layout

8.29. Policy ESD15 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high quality design meeting high design standards and complementing any nearby heritage assets. The National Planning Policy Framework is clear that good design is a key aspect of sustainable development.

8.30. The application is in outline with all matters reserved except for access. The application is accompanied by an indicative layout, which has been amended through the course of the application to attempt to address Officer concerns. This will be explained below. It is expected that an indicative layout and design and

access statement would demonstrate that the development proposed can be appropriately accommodated and which sets appropriate design principles so that future detailed proposals can be achieved.

- 8.31. Officers have considered the design and access statement (DAS) and the indicative layout. Whilst the DAS sets some appropriate overarching principles, the nearby adjacent modern development has been the basis for the proposals on the application site. The Council's Emerging Design Guide seeks to ensure that new development responds to the traditional settlement pattern and character of a village. This includes the use of continuous building forms along principle routes and adjacent to areas of the public open space, the use of traditional building materials and detailing and form that respond to the local vernacular. Indeed the submitted heritage assessment identifies that in the Adderbury conservation area, there is a limited palette of building materials, and the use of local ironstone for many buildings creates a sense of architectural and visual harmony within the conservation area. It also identifies the strong linear structure of the village.
- 8.32. In response to criticisms raised in relation to the submitted indicative layout, a second layout, with a reduced number of dwellings (53) was submitted and discussed further with the applicant. This led to a third indicative layout being submitted increasing the number of dwellings back to 55. The latest indicative layout has incorporated a greater number of linked dwellings and has attempted to demonstrate more vernacular detailing (i.e. reducing the number of front gable projections and details and removing any indication of hipped roofs). However, the layout still remains a fundamentally suburban scheme conflicting with the adjacent settlement pattern and it is difficult to see in what alternative form a scheme for 55 dwellings could be accommodated in a way that would be considered appropriate. In addition, the play area is proposed in the open space to the north of the site rather than being incorporated into the development as would normally be expected so that it is overlooked. The Design and Access Statement does not provide sufficient certainty or an acceptable basis that a well detailed scheme could be achieved. In addition, it is likely to be necessary to recommend a planning condition to restrict the parameters of where development could occur on the site if this application were being recommended for approval so as to control development not being provided across the whole site.
- 8.33. As referred to above, access is a matter for approval as part of this application. The initial access was positioned to the western side of the southern boundary and Officers raised some concern with the position due to the way that site frontage could be achieved. In response to this comment, the applicant moved the site access to the eastern side of the southern boundary, in the same position as the access to the current stable uses. Officers consider that this also raises questions as to whether an appropriate frontage can be achieved taking into account the current indicative layout. In addition, the access provided at the far end of the site away from the village results in the increase in the concern regarding urbanisation.
- 8.34. As explained in the assessment above relating to landscape impact, the nature of the development proposed, for 55 dwellings would conflict with and be harmful to the settlement pattern in this area of the village. Officers do not consider that a future scheme could be appropriately accommodated on the site that is both locally distinctive and in keeping with the character of this area of the village or that would enhance the built environment. The indicative layouts submitted reinforce Officer concerns that development on this site would be unacceptable.
- 8.35. Given the above, Officers consider that the proposal conflicts with Policies ESD15 and Villages 2 of the Cherwell Local Plan Part 1, Saved Policies C28 and C30 of the adopted Cherwell Local Plan 1996 and Government Guidance in the NPPF.

Impact on Heritage Assets

- 8.36. Section 12 of the NPPF sets out Planning Guidance relating to the historic environment including archaeology. The development would be expected to preserve the significance of designated heritage assets within proximity. It is also provided at paragraph 131 that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF sets out the tests to be applied where harm to heritage assets is identified. Policy ESD15 of the Cherwell Local Plan 2011-2031 also refers to heritage assets expecting development to conserve, sustain and enhance designated and non-designated heritage assets. One of the criteria of Policy Villages 2 requires consideration as to whether development would avoid significant adverse impact on heritage. Policy C33 of the Cherwell Local Plan 1996 states that the Council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value. In addition, there is a legal requirement, under S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 for a Local Planning Authority to have regard to the desirability of preserving a listed building or its setting. S72 of the same Act requires that within a conservation area, the development of land or buildings shall preserve or enhance the character and appearance of that area.
- 8.37. The site is not within the conservation area and there are no heritage assets on the site itself. The Adderbury Conservation Area sits to the north and west of the site. Adderbury also has a number of listed buildings and most of these are too far away from the site to be impacted. However the Grade I listed Church of St Mary is to the north of the site and there are views from the south towards the church both from the site and the surrounding road and footpath networks. In the previous appeal on the site (06/00712/OUT), the Inspector identified that the appeal site allows an attractive view of the village church and it was concluded that the siting of the proposed dwellings would result in the loss of an important view towards the church.
- 8.38. The application was not initially accompanied by a Heritage Statement or any assessment of how the development proposed would impact upon the setting of the listed Church as an important heritage asset or how design choices would be made in the future in mitigation. Subsequently a heritage statement was prepared, which concluded that the site does not make a contribution to the significance of the listed church as the site has no historic or visual relationship with the asset. It advises that there are views of the church spire from within the proposal site but these are not clearly visible from the south along Berry Hill Road, as the substantial boundary distorts the view. The view is expressed that the views of the listed church from the south will be improved and the provision of public open space with a play area will provide access to views of the church which are not currently accessible to members of the public.
- 8.39. Contrary to the view expressed above, there are views available from Berry Hill Road towards the village and the spire of the Church of St Mary. As per the advice of Historic England, views of the Church of St Mary from surrounding public vantage points, including roads and footpaths, are an important part of the significance of the church as a historic landscape feature. The church spire was designed to be seen from some distance in the landscape as well as at closer quarters. This visibility reflects the social importance of religion in the middle ages and the manner in which communities used the highly prominent architectural church spire to mark their presence in the landscape.

- 8.40. Development on the site would, by its nature, obscure and change the rural setting of views of the church from the south and Berry Hill Road. This would cause harm, albeit less than substantial harm. The NPPF requires that where less than substantial harm is identified to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. In this case and given the other identified harms, it is not considered that any public benefits which may arise, would be significant to outweigh the harm identified.
- 8.41. In addition to the Heritage Statement and as part of the amended indicative layout (which reduced the number of proposed dwellings to 53), a plan was provided, demonstrating how long views to the Church of St Mary from Berry Hill Road could be provided for as well as the achievement of new publicly accessible views to the Church. Historic England welcomed the acknowledgement of the views of the church and the provision of a new area of open space to give new, clear views of the church allowing for better appreciation. However concerns were expressed that despite the channelled views that could be provided, the separation gap between dwellings would not allow these views to be clear and that these views would be over landscaped areas or front gardens, which would potentially be planted with trees or filled with paraphernalia that would therefore provide little certainty of the views being maintained in the long term.
- 8.42. The layout is, at this stage indicative and so it is possible that the advice of Historic England could be taken into account as part of the negotiation of layout at the reserved matters stage. However, the latest indicative layout (for 55 dwellings) amended to take account of Officer comments around local distinctiveness, appears to lose the importance of channelled views towards the church. Officers are not convinced that even if there were public benefits that might go towards outweighing the harm to significance as discussed above, that sufficient certainty is provided within the current application documentation that would allow a future scheme to be designed to avoid impacts to the listed Heritage asset.
- 8.43. The application proposes to provide a footway west along Berry Hill Road to link into the village network close to the junction with Horn Hill Road. There has been some concern raised that this proposal would be harmful to the character of the conservation area in this location and to the setting of nearby listed buildings due to the urbanisation this would involve. An application from 2015 for development of 5 houses to the south of Little Shotover and East of Cherry Cottage on Horn Hill Road (15/01384/OUT), concluded in the Officer report that the change in order to access that site would have a detrimental urbanising impact on the rural character and appearance of this area of the village which is recognised as an important green space and as a gateway to the historic village in the conservation area appraisal. In dismissing a planning appeal for this scheme, the Inspector identified the change in the informal rural character of the access and its likely increased prominence which was found to be detrimental to the character and appearance of the conservation area at this important gateway. In this case, it is possible that should development have been concluded to be acceptable on this site, the position of the footway could have been negotiated in respect of its position and how it connects into the surrounding highway network or, if there were no alternative, whether there would be a more sympathetic finish available that could maintain character. As such, whilst the concern is noted and Officers agree that in its current form there would be some detrimental impact to this part of the conservation area, this matter does not warrant its own reason for refusal as it is a matter that could be negotiated as to an appropriate alternative.
- 8.44. Archaeology is not recorded as a constraint and the Oxfordshire County Council response has not commented in respect of archaeological matters other than to confirm when queried that it does not require additional assessment. It is concluded

that this matter is not therefore likely to be a constraint for the purpose of this proposal.

- 8.45. Based upon the assessment above, Officers consider that there would be harm to the setting of the grade I listed Church of St Mary as a heritage asset. This harm is less than substantial but would not be outweighed by a public benefit. The proposal would therefore not preserve or enhance the setting of the designated heritage asset and the land is an important undeveloped gap in maintaining the proper rural setting for the listed building. As such, the proposal would conflict with Policy ESD15 and Policy Villages 2 of the Cherwell Local Plan Part 1, Saved Policy C33 of the Cherwell Local Plan 1996 and Government Guidance in the NPPF.

Housing Mix/ Affordable Housing

- 8.46. The NPPF advises that in order to create sustainable, inclusive and mixed communities, Local Planning Authorities should plan for a mix of housing, reflect local demand and set policies for meeting affordable housing need. Policy BSC4 of the Local Plan requires new residential development to provide a mix of homes in the interests of meeting housing need and creating socially mixed and inclusive communities. Policy BSC3 requires development within locations such as at Adderbury to provide 35% affordable housing on site and provides detail on the mix that should be sought between affordable/ social rent and shared ownership.
- 8.47. The Planning Statement accompanying the application confirms that a mix of housing is proposed and confirms that at least 35% affordable housing can be provided and this can be secured through the S106 agreement. The provision of an appropriate mix of housing to meet need is positive and in addition the provision of affordable housing is a particular benefit of the scheme and this would carry some weight in favour of the proposal.

Effect on Neighbour amenity

- 8.48. Policy ESD15 advises of the need for new development to consider the amenity of both existing and future development and this reflects the Core Principle of the Framework, which confirms the need for a good standard of amenity for all existing and future occupants of land and buildings to be secured.
- 8.49. Given the land adjoins only one dwelling (Last House) on Berry Hill Road, care would be required in the future design of a scheme in order to ensure that the residential amenity of this property would not be harmed. Given the size of the site, it is highly likely that a scheme could be accommodated without causing undue harm to the amenity of this property and any others that might be impacted.

Highway Safety and Sustainability of the site

- 8.50. The National Planning Policy Framework is clear that transport policies have an important role to play in facilitating sustainable development with encouragement provided to sustainable modes of transport to reduce reliance on the private car. It is also clear that applications should be accompanied by a Transport statement if it would generate significant amounts of movement. This is reflected in Policy SLE4 of the Local Plan. Policy SLE4 and Villages 2, both emphasise the need for consideration to be given to whether safe and suitable access can be achieved.
- 8.51. The application is accompanied by a Transport Statement and two responses, which have been provided through the course of the application to address comments received by the Highway Authority objecting to the application.

- 8.52. In respect of traffic impact the Highway Authority are currently considering the submitted information, including the data provided of the junction and the impact there.
- 8.53. The proposal includes a proposal to increase connections to the site, by way of a footway along Berry Hill Road in both directions from the site access, west towards the village to connect into existing pedestrian infrastructure and east towards the A4260 along with a proposed crossing point. The Highway Authority is content with these proposals following confirmation of their feasibility. Notwithstanding the comments above regarding the footway leading into the village and its potential impact, the provision of new links would be important in encouraging the use of sustainable modes of transport. The applicant has also explained that their view with regard to the site is that the land would be opened up to public access, improving connections with rights of way and within proximity to good bus service connections. It is noteworthy however that the site is relatively distant from the core of the village where the facilities and services are provided and I agree with the Highway Authority (and the Inspector for 06/00712/OUT) that the site is poorly located and would therefore lead to an increase in car borne commuting. This would compromise the principles of sustainable development. The Highway Authority has sought contributions towards transport improvements and these would be pursued should this site have been recommended for approval.
- 8.54. The Highway Authority has also confirmed that adequate visibility splays can be provided in respect to the site access arrangements. There are a number of public rights of way that run within proximity and within the site. It is not expected that these would be adversely impacted providing they are protected during construction and the Highway Authority have sought contributions for their improvement.
- 8.55. There are some current outstanding matters in respect to a response which is expected from the Highway Authority. Whilst technical highway safety matters may be overcome, the development site is not considered to be well-located to services and facilities and therefore this would compromise the principles of sustainable development. There would therefore be conflict with Government guidance in the NPPF and Policies Villages 2 and SLE4 of the Cherwell Local Plan Part 1.

Flood Risk and Drainage

- 8.56. A flood risk assessment and drainage management strategy is submitted with the application in line with the requirements of Policy ESD6 of the Local Plan and the Framework, given the site extends to over 1ha in area and is predominantly in Flood Zone 1. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems to manage surface water drainage systems. This is all with the aim to manage and reduce flood risk in the District.
- 8.57. The FRA concludes that the site is unlikely to be affected by flood risk and that development could therefore be appropriately accommodated without raising the risk of flooding. A drainage strategy is also submitted, which concludes that based on the ground conditions, infiltration would be an appropriate solution for site drainage in line with Sustainable Urban Drainage System principles. However, further soakaway testing is described as being required and if this were to identify that this will not offer a feasible surface water management solution, then the next method would be to discharge to a water course with the Sor Brook being 80m north of the site. If this option needed to be progressed, then further design work to confirm feasibility and discharge rates would be required.
- 8.58. Oxfordshire County Council as Lead Local Flood Authority has objected on drainage grounds because whilst the overall drainage proposal would be acceptable, the

infiltration option is unproven through soakage testing as a workable solution. The alternative option appears to involve discharging surface water to the offsite watercourse would involve transiting third party land but no confirmation as to offsite water arrangements and the right to cross third party land is provided. The advice is that this matter is too critical to be left to be dealt with via a planning condition. A condition is often used to secure additional drainage information but it is important that the overall strategy is a workable solution that could result in an acceptable detailed scheme. No additional information has been provided by the applicant and therefore the OCC objection remains and in the circumstances this matter should be a reason for refusal of this application as it has not been demonstrated that the requirements of the above mentioned policies can be met.

- 8.59. Of relevance to this conclusion is that in considering the previous appeal on this site (06/00712/OUT), the Inspector concluded when considering the evidence in that case, that the flooding implications of that proposal could be adequately addressed by the imposition of a condition.

Trees, Landscaping and Open Space

- 8.60. Policy ESD10 of the Local Plan refers to the protection and enhancement of ecology and the natural environment. It requires the protection of trees amongst other ecological requirements. Policy ESD13 also encourages the protection of trees and retention of landscape features. Policy BSC11 sets out the Council's requirements for local outdoor space provision and play space.
- 8.61. In respect of the existing trees and hedgerows, these form the field boundaries of the site. An Arboricultural report has been submitted with the application and this concluded that no significant trees would require removal to facilitate the new access arrangement. In fact, the site access position has now been moved being taken from the existing access point to the site so, this impact is likely to be limited (although the arboricultural report has not been updated). Otherwise, the report suggests the need for management and enhancement of the southern hedgerow to improve the hedgerows quality and long term value. The report also identifies the root protection area of trees and has not identified any indirect negative impacts to trees by way of providing the development proposed.
- 8.62. The Arboricultural report also advises that the site provides an opportunity to undertake new tree planting throughout the site as part of a soft landscaping scheme. Landscaping is a matter reserved for later approval, however it is clear to see how this can be achieved as the whole of the northern part of the site is set aside as public open space. Policy BSC3 requires the provision of approximately 0.36ha of open space for a development of the scale proposed. The site provides approximately 1.7ha which is sufficient to meet the open space requirements. The incorporation of street trees within the built up area would need careful consideration given the need for views towards the listed church to be provided.
- 8.63. In respect of play space, the site is required to provide a Local Equipped Area of Play and a Local Area of Play (or a combined facility) as required by Policy BSC3. This is currently shown within the area of open space but the location has been raised as a concern by the Landscape Officer as mentioned. As the layout provided is indicative only, the play facility can be changed in the future as it is not fixed, albeit if it were moved into the area of the site shown for built development, then this may impact upon the number of units that could be provided.
- 8.64. The site does not exceed the threshold for the onsite provision of formal outdoor sports facilities or for allotments. There is a requirement for contributions towards offsite sports facilities.

Ecological implications

- 8.65. The Framework sets out that Planning should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and provide net gains in biodiversity where possible. Policy ESD10 reflects the requirements of the Framework to ensure protection and enhancement of biodiversity. The Authority also has a legal duty set out at Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) which states that “every public authority must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity”.
- 8.66. The application is supported by an Extended Phase 1 Habitat Survey. This concludes that the site has some potential for ecological interest including reptiles and great crested newt, birds, bats, badgers and invertebrates. The survey makes a number of recommendations to avoid harm to and to enhance ecology across the site. This includes further surveys, native planting, avoiding the bird nesting season, bird and bat boxes, insect houses and retention of an area of the site with higher ecological value and its management and maintenance to enhance the range of habitats identified. The Council's Ecologist advises that the survey is of appropriate scale and depth and that the recommendations made are sufficient to protect and accommodate current interest on site.
- 8.67. In relation to net biodiversity gain, a calculation has been provided using the Warwickshire, Coventry and Solihull Biodiversity Impact Assessment Calculator. After discussion between the Council's Ecologist and the Applicant's Ecologist, an agreed calculation has been provided. This shows an overall minor net biodiversity loss. The Council's Ecologist has suggested that a scheme of enhancements both within the green spaces and the built environment should be included. However, given that the calculation has been agreed and there are opportunities for further enhancements at the reserved matters stage when landscaping details would be available, it is considered that there is the opportunity to secure a net biodiversity gain. It is however noted that advice has been provided that this would involve some areas being fenced off from public access to achieve a better quality of created habitat. Therefore, whilst it is unfortunate that the calculation does not demonstrate a net gain and this carries some weight against the proposal, it is not considered that in the circumstances that this should be a reason for refusal of the application.

Environmental Matters

- 8.68. The application is accompanied by a contaminated land desk study. This identifies that there is a low to moderate risk for ground gas and contamination across the site and that there may be a need for remedial action. Intrusive investigation is recommended to further assess potential risks. Given this conclusion, planning conditions could be recommended to require further contaminated land assessment and to secure appropriate mitigation if this application were to be recommended for approval.
- 8.69. The Environmental Protection Team have advised that there is a sewage pumping station, previously a sewage works until 1999, located 50m to the NE of the site. There is potential for odour, nuisance and residual contamination to affect the development at this close proximity. It is advised that there is insufficient information to provide assurances that the risk is acceptable and any potential risks have been mitigated. In response, the applicant's agent provided additional information confirming that due to the proposed open space in the north of the site, the pumping station would be around 150m from the nearest proposed dwelling. They advise that this combined with the intervening topography and landscaping means there is little prospect of any nuisance. In response, the Environmental Protection Officer advised

that if the pumping station operated to standards expected of the age of the station and the formal sewage works were decommissioned to minimise residual nuisance or contamination, then the risk of odour nuisance should be minimal. In the circumstances, no comments were received from the Sewerage Undertaker raising concerns in respect of nuisance; no further information was sought as the risk is likely to be limited.

- 8.70. A Utility Statement has been submitted confirming that the utilities infrastructure within the vicinity of the site appears to be capable of supporting new mains and services to serve the proposed residential development. There is existing electric, gas, water and telecoms services immediately adjoining the site and these should have sufficient capacity to serve the development and the proposal should not place any undue stress on the delivery of these services to the wider community.

Sustainability and Energy Efficiency

- 8.71. The Cherwell Local Plan includes a number of energy policies in order to seek development which mitigates and adapts to the future predicted climate change. This relates to locating development in sustainable locations as well as seeking to reduce energy use, making use of renewable energy and sustainable construction techniques as well as achieving reductions in water use. Mitigating and adapting to climate change in order to move to a low carbon economy is a key part of the environmental role of sustainable development set out in the Framework.
- 8.72. The application is not accompanied by a Sustainability or Energy Statement but sustainability is important with regard to how development adapts to future climate change. This is a matter that it is considered could be addressed by the imposition of a planning condition if the application were to be recommended for approval.

Planning Obligations

- 8.73. Notwithstanding Officer's recommendation of refusal, should Members resolve to approve the application, a S106 Legal agreement would be required to be entered into to secure mitigation resulting from the impact of the development both on and off site. This would ensure that the requirements of Policy INF1 of the Local Plan can be met, which seeks to ensure that the impacts of development upon infrastructure including transport, education, health, social and community facilities can be mitigated. This includes the provision of affordable housing. The Authority is also required to ensure that any contributions sought meet the following tests, set out at Regulation 122 of the Community Infrastructure Regulations 2011 (as amended):
- Necessary to make the development acceptable in planning terms;
 - Directly relate to the development; and
 - Fairly and reasonable related in scale and kind to the development
- 8.74. The following are sought through this application but Officers have not entered into negotiations with the applicant in respect of these matters due to the recommendation (all matters would be updated to reflect the increased number of dwellings to 55):
- Affordable housing – 35% overall, with the split of 70% affordable/ social rent and 30% intermediate together with arrangements for its provision
 - Play provision in the form of a LEAP and LAP or a combined facility

- Open space provisions to include the laying out and regulation of such areas and arrangements for the long term management of maintenance including the provision of commuted sums towards surface water drainage features, public open space, hedgerows and play areas.
- Contribution towards the enhancement of public transport services serving the site to pump prime bus services on the A4260.
- Contribution towards the provision of two sets of bus stop pole and premium route standard flags and a bus shelter, plus a commuted sum for long term maintenance.
- Contribution towards access mitigation measures on local public rights of way to the east and north of the site (Footpaths 13, 6, 5 and 24 and bridleway 9). This would fund surface improvement, signing and furniture along the routes.
- An obligation to enter into a S278 Agreement prior to the commencement of the development.
- Contribution towards Nursery and Primary education to be used towards expanding nursery and primary provision at Christopher Rawlins CE (VA) Primary School.
- Contribution towards Secondary education to be used towards expanding secondary provision at The Warriner School.
- Contribution towards providing increased outdoor tennis provision within the locality of Adderbury/ Banbury
- Contribution towards creating additional or enhanced existing indoor tennis provision within the locality of Adderbury/ Banbury
- Contribution towards helping the local community hall accommodate an increase in capacity
- Contributions towards public art
- Contribution towards the improvement of local primary medical care facilities as existing facilities in the North Oxfordshire locality are mostly at capacity and further housing growth will require additional or expanded infrastructure to be in place. The CCG have requested to be part of discussions in respect of negotiating obligations and this would be undertaken should this matter have proceeded to this stage. The contribution would need to be revised based upon a slightly increased number of dwellings proposed to 55.
- The requirement for an apprenticeship and skills training plan to secure apprenticeships.
- Contributions towards waste and recycling bins

Justification for the requested planning obligations and full details of contributions are available on the file.

8.75. Adderbury Parish Council has prepared a list of requests to secure community benefit. These matters would need to be considered against the statutory tests for the request of planning obligations as set out at paragraph 8.70.

- 8.76. Given that there is no legal agreement in place to secure the above referenced matters (notwithstanding the applicant may be prepared to enter into such an agreement), it is necessary for a refusal reason to be imposed as there is no certainty that the infrastructure necessary to make the development acceptable in planning terms will be secured.

Local Finance Considerations

- 8.77. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. This can include payments under the New Homes Bonus. The scheme has the potential to generate New Homes Bonus for the Council under current arrangements once the homes are occupied together with additional payments for the affordable units. However, Officers recommend that such funding is given no weight in decision making in this case given that the payments would have no direct relationship to making this scheme acceptable in planning terms and Government guidance in the PPG states that it is not appropriate to make a decision based on the potential for the development to raise money for a local authority or other Government body.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The overall purpose of the Planning system is to seek to achieve sustainable development as set out within the Framework. The three dimensions of sustainable development must be considered, in order to balance the benefits against the harm in order to come to a decision on the acceptability of a scheme.
- 9.2. The proposed development would be located adjacent to a Category A settlement, however the village has already accommodated a significant proportion of the rural housing allowance and additional housing would prejudice a balanced distribution of rural housing growth as required by the Cherwell Local Plan Part 1 and therefore undermine its housing strategy. In addition, the Local Planning Authority can currently demonstrate a five year housing land supply therefore there is no pressing need for further development. The site itself is positioned some distance from the main services and facilities within the village and therefore future occupiers are likely to be reliant on the private car, which conflicts with Government Guidance in the NPPF and Policies ESD1, Villages 1 and Villages 2, which seek to guide rural housing development to locations which reduce the need to travel and reduce the impact on climate change.
- 9.3. The proposal would result in significant environmental harm in proposing development on an important open site on the edge of the village, intruding into the open countryside and being harmful to the rural setting of the village causing localised landscape harm. The development would have a poorly integrated relationship with the existing character of Berry Hill Road by virtue of its scale and suburban character and this, combined with the localised landscape harm would fail to reinforce local distinctiveness. In addition, the design and access statement and indicative layout indicate a suburban form of development that does not follow any historic, traditional and local parameters and therefore it is difficult to see how a locally distinctive development could be achieved.
- 9.4. The site affords positive views across the landscape towards the grade I listed Church of St Mary. The development of the site would change the rural setting of this part of the village and obscure views of the church. Whilst it is possible that some views could be achieved and negotiated through a reserved matters application, there would nevertheless be harm and there are not considered to be public benefits that would outweigh this less than substantial harm.

- 9.5. The development would however contribute affordable housing and this as well as the construction of dwellings would bring some economic and social benefits and the applicant has advised that the site is deliverable within the next five years. However, these benefits are not considered to outweigh the significant environmental harm identified. On this basis and combined with the reasons set out through this appraisal as well as the identified conflict with the policies of the Development Plan, Officers conclude that the proposal does not constitute sustainable development recommend the application for refusal.

10. RECOMMENDATION

That permission is refused, for the following reason(s):

1. The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury as well as Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development which would undermine the housing strategy and prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan Part 1. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031) causing significant urbanisation and its visual impact on the rural character and appearance of the locality, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the Church of St Mary and the harm stemming from the proposals are not considered to be outweighed by any public benefits. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031 and Government guidance contained within the National Planning Policy Framework.
3. The Design and Access Statement and indicative layout submitted as part of the application fails to provide sufficient acceptable detail in respect of the design principles set as a basis for the future detailed consideration of the development proposed. This includes the siting, form, appearance, materials and detailing of the proposed new dwellings. The Local Planning Authority is therefore unable to determine whether the development proposed could be satisfactorily accommodated on the site in a manner that would respect its context, enhance the built environment and properly respond to local distinctiveness. The proposal therefore fails to accord with the requirements of Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies C27, C28 and C30 of the Cherwell Local Plan 1996 and Government advice within the National Planning Policy Framework.
4. The submitted Drainage Strategy does not provide sufficient certainty to

demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems can be appropriately accommodated to deal with the sustainable discharge of surface water. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan 2011-2031 and the advice within the National Planning Policy Framework.

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