

Application 10/00270/OUT	No:	Ward: Adderbury	Date Valid: 25/02/10
Applicant:	Berkeley Homes (Oxford & Chiltern) Ltd, Berkeley House, Abingdon Science Park, Barton Lane, Abingdon		
Site Address:	OS Parcel 4100 Adjoining and South of Milton Road, Adderbury		

Proposal: Erection of 65 dwellings with associated access, open space and landscape works and provision of a sports pitch with changing facilities and car park.

1. Site Description and Proposal

- 1.1 This is an outline application for a development comprising of 65 residential dwellings with associated access, open space and landscape works and the provision of a sports pitch with changing facilities and car park. The site is a 4.63 hectare parcel of land to the south of Milton Road and west of St Mary's Road and Norris Close. Access to the site is to be obtained via a vehicular access onto Milton Road, approximately 95 metres west of the existing access into St Mary's Road.
- 1.2 The site is rectangular in shape and is currently in agricultural use. The site consists of one field. A footpath crosses the northern third of the site. There are existing hedgerows that bound the site. The site lies within an Area of High Landscape Value.
- 1.3 The application seeks permission for 65 residential properties 40% of which are proposed to be affordable units.
- 1.4 This application is in outline only and all matters with the exception of the access are reserved to be considered in a Reserved Matters application should this application be approved. Although this application is in outline an indicative site plan has been submitted along with a Planning Statement, a Design and Access Statement, Transport Statement, Landscape and Visual Appraisal and Arboricultural Impact Assessment, Flood Risk Assessment, Ecological Survey, Foul Drainage Assessment and a Contamination Report.
- 1.5 **Planning History**
There is no recent planning history relevant to this proposal.

2. Application Publicity

- 2.1 The application was advertised by way of a site notice, press notice and neighbour notification letters. The final date for comment was 9 April 2010. However letters received after this date have also been taken into consideration.

2.2 59 letters of objection have been received. In some instances more than one letter was sent from the same address and in the majority of cases the letters are from St Mary's Road and Norris Close and also on a standard template. The main reasons for objecting to the proposal are;

- General points
 - The general need for housing is appreciated
 - There are more suitable sites closer to the school where there are bus routes and safer crossing places
 - Increased noise
 - Litter
 - Many attempts have been made to get housing on land at Milton Road
 - Most people in the area are unhappy with the proposals
 - Development would be contrary to the Adderbury Parish Plan, Cherwell District Council's Environmental Strategy, The Nottingham Declaration on Climate Change, Oxfordshire County Council's objectives and Environmental Policy
 - The balancing ponds will attract children who may be in danger after heavy rainfall
 - Development will result in loss of high grade agricultural land
 - Housing density too high
 - Development does not integrate into the village and the residents will find it difficult to integrate due to its remoteness
 - Development will increase the population by estimated 190 people of which an estimated 60 of these would be children 30 of which may be primary school age
 - Development on the north side of Milton Road would be in balance with the current buildings to the south and this would not be extending the village boundary
 - If the proposed development was mirrored on the site it would provide a village green environment between the existing and proposed housing, however this could cause its own problems with noise and disturbance from the pitch
 - If anything should be developed here it should be an alternative energy source, not housing and a pitch
 - Do not consider that St Mary's Road should have been allowed in the first place.
 - Development of this site would set a precedent for other future developments
 - The layout of the site allows for extensions to the development in the future
 - The social housing should not be clustered together – will result in a ghetto/slum
 - The reports, especially the Travel Plan, are considered to be inaccurate in several places and is therefore questionable

- Policy position
 - PPS1 – underlying principle is achieving sustainable patterns of development
 - PPS7 – focus development in or near to local service areas and where housing, shops, schools and other facilities can be provided close together
 - Policy H1 of Oxfordshire Structure Plan states that larger settlements are in more sustainable locations due to their range of jobs, services and the opportunity to encourage people to walk cycle or use public transport
 - Policy H13 of Cherwell Local Plan states that new residential development within Category 1 settlements are restricted to infilling, minor development within the built up area and the conversion of existing buildings
 - Policy H18 of Cherwell Local Plan states that new dwellings outside built up limits will be restricted to agriculture or other existing undertakings
 - This proposal is beyond the built up limit and in an area of attractive countryside – the proposal is not infilling nor within the built up area.
 - Policy SP3 of South East Plan – prime focus of development in urban areas, seek to achieve development on previously developed land
 - Policy BE5 of the South East Plan – new development should be subject to rigorous design and sustainability criteria is that distinctive character of village is not damaged
 - Development of this site would not contribute to brown field target and it would damage distinct character of the village.
 - Policy C8 of Adopted Local Plan seeks to resist sporadic development in open countryside
 - Policy C7 of Local Plan seeks to prevent demonstrable harm to the topography
 - Policy C30 requires the character of the built environment to be considered
 - The proposal does not comply with Sustainability Appraisal Objectives set out in Draft Core Strategy for example, accessibility to services, re-use of previously developed land, accessibility to countryside and historic environment, reduction in road congestion
 - PPS3 implies that permission should only be granted for housing, in relation to the 5 year land supply, if the site is suitable and if it would not undermine spatial vision.
 - Being an outline application suggests that the development is not deliverable
- Visual impact
 - The village will be ruined by these developments
 - The village will amalgamate to Milton and then Bloxham

- The development will have an urbanising effect and does not respect the character of the village
- Three storey development is not in keeping with street scene
- The development will look like a monstrosity
- The use of red bricks will be out of keeping with the rest of the village
- Highway safety
 - No thought given to congestion on narrow road of Milton Road, Berry Hill Road and Hornhill Road and through the village
 - Congestion would worsen by the school due to the proposed houses being distant from it
 - The sports pitch will add to the local congestion
 - Unlikely that people will walk the distances to the school, stores or Public House, increasing traffic movements in and around the village and therefore increasing the level of CO2 in the village
 - Parking is already an issue at the Primary School
 - The site is not a sustainable location
 - The cost of public transport is more expensive than a car journey
 - Traffic speeds are too high along the Milton Road
 - The junction of Horn Hill Road/Berry Hill Road and Milton Road is already a major hazard
 - It would be inappropriate to use St Mary's Road or Norris Close as access roads or even cycle or pedestrian access due to number of children living in the area
 - The proposal does not provide sufficient parking
 - Will further footpaths links be provided?
- Need for further dwellings
 - If this site is developed virtually all of Adderbury's allocation of houses would be in one development, other sites are more suitable
 - Given the amount of new build already extant in the Parish, this development would be outside of the local plan objectives
 - There are no jobs in Adderbury so no further houses are required
- Neighbour impact
 - Outlook from the neighbouring properties would be affected
 - The football pitch and club house will create noise at unsociable hours
- Ecology and drainage
 - The site supports wildlife including many species of birds, bats, hares and badgers
 - Newts and frogs exist in surrounding garden ponds
 - The field currently provides recreation for residents
 - Development on this land will result in flooding
- Services/infrastructure

- The proposal for one pitch does not benefit the village
- The parking provision for the pitch is too low
- Significant investment in the school would be required
- No capacity in Primary or Secondary School
- Pressure on limited village resources
- There is government funding that could be used to develop educational facilities on the site.
- The pitch will not be used by locals and will replace a perfectly good pitch in centre of village
- The existing pitch is fine and the village does not need another
- The proposed pitch will not be good for sport due to the wind
- The pitch offered on land north of Milton Road would be the preferred location

Non – planning matters

- Light pollution adversely affecting the value of properties on Norris Close and St Mary's Road.
- The development is fuelled by greed
- The building work would cause stress for the current residents, particularly those who have gardens backing onto the site
- General significant devaluation of properties
- The developers have been offering inducements to the neighbouring residents

2.3 **Adderbury Conservation Action Group (ACAG)** made the following comments that are not covered in the summary of responses above.

- They do not consider the village to meet all the criteria of a class 'A' village therefore reject the premise on which the application has been made
- The Adderbury Village Assessment (2003/2004), which had a participation rate of 80% demonstrated that residents were keen to resist further developments outside the existing village envelope – it would be wrong to disregard this
- Large developments on the edge of the village would be unacceptable because of the historic and architectural setting, the development would diminish and devalue the whole
- Representations about the designations appear to have been ignored
- New residents will not contribute to the survival of the village services due to their remoteness from the village and the use of the car
- Employment opportunities are almost non-existent
- This development will provide dormitory accommodation for towns and further afield
- The provision of a new school will become necessary and this will have to be provided outside of the village

2.4 **Adderbury Football Club** has made specific comments in relation to the provision of the football pitch, these are summarised below;

- They confirm interest in proposal for recreational uses on land north

of Milton Road, Adderbury

- A pitch as positioned in present application would quickly deteriorate to a kick-about area, a football club could not be sustained in such an arrangement
- Proposals for a facility on north of Milton Road has support of Parish, District and Ward Member
- Football clubs plays vital role in community
- Current facilities can't cater for level of demand currently experienced, junior teams have to play elsewhere
- Current parking facilities inadequate and pitch experiences flooding
- Lack of consultation in relation to South of Milton Road scheme which is extraordinary and inappropriate
- Likely to be a reluctance for Parish or Club to take control of pitch
- The facilities proposed by the developer are inadequate in terms of number of pitches
- The access arrangement are inadequate
- Residential and sports uses would be bad neighbours due to proximity
- The proposed parking is inadequate. Overflow parking would spill onto the Milton Road
- The development itself could cause water to flow onto the pitches

2.5 Comments have also been made in relation to a scheme on the opposite side of the road. This is not part of this application therefore the comments have not been included in this report.

3. Consultations

3.1 **Bloxham Parish Council** objects to the application on the following grounds (in summary:

They object to the application for the following reasons;

- No community facilities offered except those normally delivered on a development of this nature
- Too many houses at too high a density
- Not enough consideration given to design of buildings or use of materials
- Excessive number of affordable units. Adderbury already has sufficient affordable units. The proposed number of units is contrary to policies which require fewer than proposed and the units will not be taken up by local people
- It is major development outside the built up boundary of the village
- The entrance on to Milton Road has not given any thought to traffic calming
- Welcome the opportunity to soften the raw edge at entrance to village but there needs to be more planting on western boundary and in buffer next to existing properties

- Proposal for football pitch and changing facility has not been discussed with Parish or football club. It will be given to private club so should not be seen as village facility. Another scheme for a pitch has been discussed with another developer and if this application were to be successful it may result in unnecessary football pitches and none of the general facilities that are needed
- Car parking allocations are insufficient for houses and football facility
- Adderbury is not a sustainable location. It has very limited range of services for residents. The village is incorrectly categorised. Residents cannot easily access facilities by foot increasing vehicular activity
- Christopher Rawlins school has very limited capacity for additional children and there is very little expansion space and as such the developers contributions will not help the situation
- Support Environment Agency's letter of 30 March 2010. In flood event extra water will need to drain into small valley behind Horn Hill Road (south of Cemetery) – too big a surcharge through narrow pipes. There have been problems in 2007 where properties flooded. There are concerns for existing properties and the Cemetery.

3.2 **Oxfordshire County Councillor for Bloxham Division** (Keith Mitchell) has made the following comments (in summary);

- In 2006, the Parish Council made submission to Cherwell in respect of the earlier stages of the LDF process. They proposed a maximum build in Adderbury of 120 homes spread over the period 2006 to 2026.
- Note that Council's Core Strategy now proposing 350 houses for the four villages of Adderbury, Bloxham, Bodicote and Deddington over the remaining 16 years to 2026. Crude apportionment over the four villages, would represent 88 houses in each village over those 16 years and that averages to 5½ homes in each village in each year.
- Tempted to argue that Bodicote has recently had 400 more homes added peremptorily to the 1,000 already planned to the east of the Oxford Road in the Parish of Bodicote (described by Cherwell DC as "Bankside") and has therefore more than taken its share of housing. Therefore suggest that the remaining three villages might reasonably expect to see approx 120 homes each over 16 years - an annual build rate of 7½ homes per annum.
- It is against this background that I am writing to suggest that a single site in Adderbury of 65 homes is simply too large. It represents 8½ years of building as proposed in the Cherwell Core

Strategy.

- I interpret the Core Strategy for these villages as proposing modest growth in the four named villages and not mini-estates which extend the village boundaries.
- If Cherwell approves this application, what will prevent later applications for similarly-sized estates stretching along the Milton Road until they reach Milton and, later, Bloxham?
- There used to be a District policy to prevent coalescence of settlements. Where has this gone?
- National, regional, county and district planning policies are designed to support sustainable development which reduces car journeys and encourages walking, cycling and use of public transport.
- Inevitable that children living in these homes will be driven by their parent to the village primary school which is just under a mile away. There is already serious congestion around the primary school. This site will add to it. This proposed development will generate more car journeys for travel to work, school, shopping and leisure. There is no viable alternative to the car at this location.
- This proposed development is too big, on a single site, for this village. It will not enhance the quality of the immediate environment. I suspect it will detract from it significantly.
- The development is in the form of a cul-de-sac. If parking provision is inadequate, there will be inevitable congestion pressures elsewhere in the village.
- I hope it will be recommended for REFUSAL.

3.3 The **Ward Member** (Rick Atkinson), has made the following comments (In summary);

- There are no community facilities offered except inadequate football facilities and those normally found on this type of development. The following is a summary of the main objections from constituents which I have aligned with PPS's and other policy documents:
1. **Too Big and Too Remote.** The proposed development is on green field land and outside the current village building boundary. It is 1.5 miles from the school, 1.2 miles from the village hall and 1 mile from the only village shop and the church. The small village shop is only open 4.5 days per week and the nearby mini post office is only open for 4 hrs per week. The bus service to Banbury is once per hour. This is all contrary to PPS 3 – 10 which states:*the*

planning system should deliver – Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure”. Residents would therefore take to their cars to reach the school and for shopping, tend to bypass the village and continue on to Banbury or Deddington (this occurs now with the residents in the adjacent St Mary’s Road area). Statistically, 65 dwellings would produce over 95 cars producing more air pollution and even more congestion in the village and at the school.

2. **Size is Contrary to LDF Core Strategy.** It is a major development not in keeping with the general village buildings or PPS 3 – 11.....*in particular, seeking to minimise environmental impact, taking account of climate change and flood risk.* The Core Strategy Document states that as a Cat ‘A’ village, Adderbury should only be subjected to “*minor developments, in-filling and conversions*”.
3. **Flooding.** The environment Agency report states that there will be problems with surface water flooding – which infringes PPS 25.
4. **Inadequate Parking.** PPS 3 – 16 states:*”Matters to consider when assessing design quality include the extent to which the proposed development – Takes a design-led approach to the provision of car-parking space, that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly”.*The proposed car parking is inadequate; this would result in vehicles obstructing the roads and pavements - as can be seen in the new developments at Henry Gepp Close, Long Wall Close and Sydenham Close on the Aynho Road where parking is inadequate.
5. **40% Affordable Housing – Too High and Unnecessary.** The proposed 40% (26) affordable houses is too many. PPS 3 – 22 states: *”Local Planning Authorities should set out in Local Planning Documents: The likely overall proportions of households that require affordable housing.....”* The Adderbury Housing Needs Survey 5th Feb 07states: *This survey has shown there is a substantial [affordable] housing need within Adderbury (24 households) and a good level of support from within the community (65.6%) for a small rural exception site development in Adderbury. There are a further 7 households with a future housing need (3+ years). i.e. a total of 31 houses. Since then, 31 affordable houses have been built in Adderbury; half of these (15, as is the policy) have been offered to or are occupied by “Adderburyians”; therefore half the proposed 26 affordable houses (13) added to the existing 15 will more than make the required 27 affordable houses required for “Adderburyians”. However, the North Milton Road site (AD6) proposes 12 Affordable houses i.e. 6 more for “Adderburyians”. In addition, an exception site of 4 or 5 houses is proposed for Adderbury (all of which would go to “Adderburyians”) making a total 11 affordable houses “surplus” to Adderbury’s requirements.*

6. **Single Football Pitch Does Not Meet Requirements.** The proposed football pitch and “changing facilities” have been added to this development to try and compete with AD6 - where a carefully planned joint development containing 2 pitches, a football club building plus space for a junior pitch and a grounds maintenance building, has been put together. The single pitch would not meet the football club’s league requirements; it is therefore a waste of space. Moreover, some houses are only 25m from the pitch.
7. **Affordable Housing Ghetto.** It would appear that most of the affordable housing is grouped together at the southern end of the development. Experience has shown that this would cause an “us and them” situation leading to social strife etc. PPS 3 – 24 states “.....*the mix of housing should contribute to the creation of mixed communities.....*”. Most of the houses are small terraced dwellings which, experience has shown, will be bought up by landlords for rent to social housing schemes thus turning the whole development into a low cost ghetto.

This is a major high density site which is not in keeping with the village setting. It goes against the policies set out in PPS 3, PPS 25 and the LDF Core Strategy Document. The parking is inadequate, it is too remote and the subsequent increase in traffic will swamp the village and contribute to global warming. Surface water flooding will be a problem. The football facilities do not meet the requirements of Adderbury Park Football Club. The proportion and location of the affordable housing is in danger of turning the whole site into a low cost ghetto. Not one person in the village has said to me that they are in favour of this development; I therefore strongly object to the proposal on behalf of my constituents.

3.4 The **Local Highway Authority** (LHA) (check latest position) has made the following comments;

- The submitted TA states that there is unlikely to be an impact on the local highway network from the proposed development due to capacity within the highway network; from reading through (and checking) the information provided such an assessment, in my opinion is deemed reasonable.
- A review of the accident data for the area has been carried out, and has highlighted a couple of incidents that have occurred within the last 5 years. Looking through the information provided it appears the incidents that occurred were down to driver error rather than the characteristics of the Milton Road. In light of this data it is considered that the proposed development is unlikely to increase the number of recorded accidents in this area.
- The proposed access arrangements for the site meet the required design standards for a road in this location i.e. appropriate vision splay(s) can be achieved. As part of the access arrangements there is a proposal to extend the existing 30 mph speed limit which

is desirable. However a traffic calming scheme for this section of Milton Road will also be required, which is likely to include a gateway feature as well as Variable Message System (VMS) signing. Any scheme will need to be agreed with the Local Highway Authority prior to work commencing on site. A right turn lane must also be provided to serve the site.

- As part of the proposed off-site works a new footway is proposed to link up the site to the existing network, which is acceptable. The proposed pedestrian links into St Mary's Road and Norris Close are also acceptable. All the off-site works will require a Section 278 legal agreement with the Local Highway Authority, which will need to be part of a S106 Agreement.
- In my opinion the submitted TA appears reasonable.
- Parking levels – due to the location of the proposed site (edge of Adderbury) I will expect to see the site's parking levels to be to the maximum levels, which is around 2 off-street parking spaces per unit (up to 3 beds); 4+ units on merits i.e. 2+ spaces. I understand the level/detail of car parking is to be agreed as part of a future reserved matters application. For future reference the Local Highway will only consider a garage/car port as an off-street parking space when the internal dimensions are 6m x 3m. I note from the submitted (indicative masterplan SK08 REV B) that the sports pavilion is to be provided with around 18 parking spaces – I am unconvinced such a number is adequate and vehicles are likely to park on the main access road serving the site which would raise a safety issue. The number of spaces for this part of the site will require further thought for the reserved matters application.
- The layout of the site appears to take into account the guidance in MfS which is desirable, however there are a few issues that will need to be considered for the reserved matters application, such as:
 1. Access road requires calming features to deter speeding, currently straight road into site;
 2. Lay-by shown opposite sports pavilion – to serve who?
 3. A tracking plan will be required to demonstrate refuse vehicles can turn within site;
 4. Public Footpath No 10 – no details how this will be integrated into the site i.e. upgrade of surface etc;
 5. The site is located above the carriageway of Milton Road – therefore drainage of the site is essential; site must accord with SUDS. Please note new access is likely to require culvert due to ditch along site's frontage (guidance can be sought from OCC's Drainage Engineer Gordon Hunt 01865 815571).

The Public Transport Subsidy contribution of £32,082.70 and Travel Plan monitoring fee of £1000 is to be secured via a S106 Agreement. All the

off-site works will require a Section 278 legal agreement with the Local Highway Authority, which will need to be part of a S106 Agreement.

Conclusion

Taking the above into account it is my opinion that recommending refusal grounds would not be appropriate or sustainable at appeal; therefore I recommend the conditions are imposed (as well as securing the required financial contributions and off-site works by legal agreement).

That the Local Highway Authority for this proposal (65 units) will not require a right turn lane, but will require the Milton Road widened to enable vehicles to pass when vehicles are waiting to turn right into the proposed site. The widening works are to allow a HGV to pass while a car is waiting.

3.5 **Oxfordshire County Council's Strategic Planning Officer** has considered the application against the relevant policies and County Council Interests and makes the following conclusions;

3.5.1 In our recent response to the consultation on the Cherwell draft Core Strategy, we expressed strong concerns that the district has identified that Adderbury together with Bodicote, Bloxham and Deddington should provide in total for 350 new dwellings, with each village providing site(s) for 85-90 dwellings. There are currently no spare places or room for expansion at Adderbury (and Bodicote) primary schools. Work to date has identified that schools at Bloxham and Deddington would be suitable for expansion but further assessment would be needed as to how this could be achieved and how catchments could be re-configured to accommodate children from all the development proposed. It is likely that the children from the new housing proposed in Adderbury (and Bodicote) would need to travel to out of village schools such as Deddington as a matter of need rather than parental choice. Development of this scale would impose extra costs upon the communities in terms of needing to transport children to distant schools. It would also be contrary to policies that seek to reduce the need to travel, SE Plan policy S3 which seeks to ensure that the locations of educational facilities are accessible to the communities they serve and would be detrimental to creating healthy, thriving communities.

3.5.2 The district has recently considered and is minded to approve an application on the eastern edge of the village of Bloxham to the west of Adderbury (application no. 09/01811/F) for 61 dwellings. The issuing of a planning permission is subject to the applicant first entering into a legal agreement to secure (inter alia) appropriate contributions to infrastructure. We did not object to the proposal but recommended that should the district be minded to permit the application, they should be satisfied that development on the scale proposed was appropriate to support the viability of local services and justified to meet the needs of the immediate local population in line

with policy BE4 of the SE Plan and their emerging Core Strategy.

3.5.3 The district is also currently considering an application for 35 dwellings (ref no. 10/00512/OUT) to the north of Milton Road in Adderbury and for 86 dwellings on land south of Blackwood Place and Molyneux Drive/north west of Cotefield Farm, Bodicote.

3.5.4 **Relevant Development Plan and other Policies:**
Planning Policy Statement 3 (PPS3): Housing
Planning Policy Guidance (PPG)13: Transport
South East Plan (SE Plan) Policies:
SP3 (urban focus for development), CC1 (sustainable development), CC2 (climate change), CC4 (sustainable design and construction), CC7 (infrastructure and implementation), H3 (affordable housing), H4 (type and size of new housing), T1 (manage and invest), BE5 (village management), S3 (education and skills), AOSR1 (scale and location of housing development in the Rest of Oxfordshire)
Non-Statutory Cherwell Local Plan 2011 Policies: H1a (location of new housing), H4 (types of housing), H8 (villages)
Cherwell Local Plan adopted 1996: H12 (housing in rural areas), H18 (new dwellings in the countryside)
Relevant Oxfordshire 2030 Sustainable Community Strategy & County Council Priorities:
Healthy and thriving communities, environment and climate change and better public services
Oxfordshire Sustainable Construction Advice Note 2009
Comments:
Main Strategic Policy issues:

3.5.5 **Housing supply:** Cherwell District Council currently does not have a 5 year supply of land for housing. PPS3 (para 71) states that where local planning authorities cannot demonstrate an up-to-date 5 year supply of available, suitable and achievable sites, they should consider favourably planning applications for housing, subject to a number of considerations. The District will need to assess whether the location and scale of development proposed in this application would be consistent with the spatial vision for villages in the emerging core strategy, specifically Category A villages in the north of the district.

3.5.6 **SE Plan Regional Spatial Strategy:** Adderbury is a rural community with a population of approximately 2,300 and about 1000 dwellings; development here would contribute to meeting the housing figure in policy AOSR1. Policy BE5 of the SE Plan on village management supports limited small-scale development which would help meet local housing needs of rural settlements, subject to sustainability criteria. Although 65 dwellings is not considered 'limited, small scale development', Adderbury

is identified as a Category A village in the draft core strategy as it is a relatively sustainable location with a reasonable range of services and facilities and together with Bloxham, Bodicote and Deddington, it is proposed to provide a total of 350 dwellings. In deciding the outcome of this application the district should be mindful of the granted permission in Bloxham for 65 dwellings plus the current applications to the north of Milton Road, Adderbury for 35 dwellings and 86 dwellings at Bodicote and how all these proposed developments fit with their ambitions for overall growth in Category A villages contained in the draft Core Strategy. To be acceptable it is our view that the cumulative effect of housing development should meet identified local housing needs and continue to strengthen the viability of Adderbury and the other 3 villages rather than (as it potentially the case here) have a detrimental effect on the character of the villages and place pressure on their services and facilities.

- 3.5.7 **Capacity of local primary school to cope with extra demands:** Currently, as detailed above, there is no spare capacity in the local primary school, Christopher Rawlins, and the school cannot be expanded on it's current site. If the application were to be permitted it is likely that the children from the new housing would need to travel to an out of village school which could be expanded; this would be as a matter of need rather than parental choice. This would be contrary to the objectives of SE Plan policy S3 which requires the location of education facilities to be accessible to the communities they serve to help develop and shape healthy sustainable communities. It would also run counter to the strategic objectives of Oxfordshire 2030 and this Council's priorities for creating healthy, thriving communities. Development which gives rise to a need to travel, particularly by motorised means is contrary to the thrust of PPG13, SE Plan policy CC2 which seeks to reduce the need to travel as a means to mitigate climate change, SE Plan policy T1 which seeks to locate development so as to reduce journey lengths and policy B5 which requires all development to be subject to rigorous sustainability criteria.
- 3.5.8 **Development in the open countryside:** the development would extend the built up area of the village further into open countryside. The district is best placed to assess the impact of the development on the landscape setting of the village.
- 3.5.9 **Affordable housing and mix:** The development would provide a mix of 2, 3 and 4 bedroom dwellings with 40% planned to be affordable. This mix is consistent with policies H3 and H4 of the SE Plan which seek to provide a minimum of 35% affordable housing in new developments; and provide housing to support the needs of the whole community respectively. The proposed mix of housing would assist in creating healthy and thriving communities - one of the County Council's priorities and an Oxfordshire 2030 objective.

- 3.5.10 **Infrastructure and Service Provision: SE Plan policy CC7:** The application is being considered by the County's developer funding team who are responding separately in the normal way. The scale of the proposed development would have a considerable impact upon local service and infrastructure needs. To satisfactorily accommodate a single proposal of this scale, with its relatively accelerated pace of delivery in the context of the proposed Core Strategy's timeframe, extra infrastructure capacity would be necessary. In line with the objectives of policy CC7 and in line with Government guidance on planning obligations, local schools in particular would need to be expanded. Any new service infrastructure needs to be close enough to the new housing to give the residents convenient access to services in line with strategic policy objectives for healthy and thriving communities and the objectives of SE Plan policy S3. If the application were to be permitted the majority, if not all, the children from the new housing would need to travel to Deddington or Bloxham Primary schools which could be expanded, subject to securing the necessary funding. Development of this scale and pace would therefore impose extra costs upon the communities in terms of needing to transport children to distant schools as well providing improved facilities. If the district is minded to approve the proposal, permission should be subject to a legal agreement to secure necessary improvements to supporting infrastructure, including the provision of additional school accommodation at an appropriate primary school (or schools) and to meet the additional school transport costs for a period of up to 5 years.
- 3.5.11 **Transport and Highways:** The comments of the County Council as Highway Authority will be dealt with separately in the normal way. The site is within acceptable walking distances to some local facilities (as noted: schools do not have spare capacity); however, residents would need to travel to Banbury to access higher order services and facilities and given the current level of bus services it is unlikely that residents would frequently use public transport as an alternative to the private car. If the district is minded to permit the proposal, permission should be subject to a legal agreement to secure contributions required to improve transport infrastructure, including public transport, cycleways and footpaths.
- 3.5.12 **Resource use, climate change and environmental issues:** Environment and climate change are County Council priorities and Oxfordshire 2030 objectives. The SE Plan seeks to achieve sustainable development through policy CC1 and to adapt to and mitigate climate change outlined in policy CC2.
- a. The Planning Statement accompanying the application says that the development would incorporate sustainable drainage measures to ensure that the development did not increase the risk of flooding elsewhere. This approach would be consistent with policy NRM4 of the SE Plan; and
 - b. We would encourage the dwellings to be built to Code Level 3 of Code for Sustainable Homes. This would be in line with policy CC4 of the SE

Plan and the Oxfordshire Sustainable Construction Advice Note (2009), which has been approved by Cherwell for development control purposes.

- 3.5.13 **Local Member Views:** No comments received. Cllr Keith Mitchell has expressed concerns directly to the district council
- 3.5.14 **Conclusion:** We would support in principle housing development which would meet identified housing needs and which contributed to the socio-economic well-being of the local community. However, the scale of development proposed in this application would be likely to lead to unsustainable travel patterns as the local primary school does not have capacity to cope with the extra demand for places from this scale of development and children would need to travel to school(s) out of the village where additional school places could be provided. This would be contrary to policy seeking to reduce the need to travel and would not be conducive to creating a thriving, healthy community. Nevertheless, should the district be minded to permit the development, it should be satisfied that the scale of development would meet an identified local need and permission should be subject to a legal agreement to secure contributions to improved transport infrastructure (including public transport, cycleways and footpaths) and necessary supporting non- transport service infrastructure, including additional primary school accommodation at an appropriate school and the additional school transport costs.
- 3.5.15 **RECOMMENDATIONS:** It is RECOMMENDED that the County Council from a strategic policy perspective informs Cherwell District Council in relation to the development proposed in application number 10/00270/OUT that:
- a) It objects to the scale of development proposed in this application as the local primary school does not have capacity to cope with the extra demand for places and children would need to travel to school(s) out of the village where additional places could be provided. This would be contrary to the objectives of SE Plan policy S3 which requires the location of education facilities to be accessible to the communities they serve to help develop and shape healthy sustainable communities. It would also run counter to the strategic objectives of Oxfordshire 2030 and this Council's priorities for creating healthy, thriving communities. Development which gives rise to a need to travel, particularly by motorised means is contrary to the thrust of PPG13, SE Plan policy CC2 which seeks to reduce the need to travel as a means to mitigate climate change, SE Plan policy T1 which seeks to locate development so as to reduce journey lengths and policy B5 which requires all development to be subject to rigorous sustainability criteria;
- b) However, should the district be minded to permit the development, it should be satisfied that the scale of development would meet an identified local need and permission should be subject to a legal agreement to secure contributions to improved transport infrastructure (including public transport, cycleways and footpaths) and necessary supporting non-

transport service infrastructure, including additional primary school accommodation at an appropriate school and the additional school transport costs;

c) It supports in principle development in villages which would meet local needs and contributes to the socio-economic well-being of the local community.

3.6 The **Council's Strategic Housing Officer** has stated that there are currently 63 people on the housing register with a local connection to Adderbury.

3.7 The **Council's Landscape Planning Officer** made the following comments (in summary)

- I feel that it is not ideal to have both LAP's in very peripheral locations.
- The LAP on the southern boundary has been squeezed between plots 55 and 57 between garages and a fence and is not overlooked which is far from ideal.
- There is very little room for buffer planting and it will not be easy to have 2 gates.
- An earlier plan showed this LAP in front of plots 36 and 37 which gives the advantage of overlooking, buffer planting and gates apart from each other.
- There isn't any hedge screen on the southern boundary, which will leave bare fences adjoining agricultural land.
- The LAP at the Milton Road end of the site is only overlooked by 2 dwellings and is also not located where very young children can easily use it. I think it would be better to locate the LAP's within the housing areas as most parents of under 5's would like to keep them within view.
- Some of the gardens are very small, for example plot 31 is tiny. There will be little opportunity to plant trees within the housing area due to the density of the dwellings.
- There is an opportunity to plant some larger trees on the open space and this should be taken advantage of.

3.8 The **Council's Head of Building Control and Engineering Services** has no objections.

3.9 The **Council's Environmental Protection Officer** makes the following comments;

The report submitted with this application has been undertaken in line with current guidance to demonstrate there is no potential risk to human health from the previous land uses. However, the site is underlain by the Marlstone Rock formation and this may contain naturally occurring arsenic which will require a risk assessment to show the site is suitable for its proposed use. I recommend applying conditions.

- 3.10 The **Council's Head of Planning & Affordable Housing Policy** comments as follows;
- 3.10.1 The site comprises 4.61 hectares of agricultural land. The site is not allocated for development in either the South East Plan 2009 or the saved (adopted) Cherwell Local Plan 2011; nor is it allocated in the Non-Statutory Cherwell Local Plan 2011. I consider the main planning policy considerations below.
- 3.10.2 South East Plan 2009
- Policy SP3 of the South East Plan states that the prime focus for development should be urban areas in order to foster accessibility to employment, housing, retail and other services and avoid unnecessary travel. LPAs are required to formulate policies which, amongst other things, concentrate development within or adjacent to urban areas and seek to achieve at least 60% of all new development on previously developed land.
- 3.10.3 Adderbury is not considered to be an urban area and as the application site comprises greenfield land it would not contribute to achieving this 'brownfield' target.
- 3.10.4 Policy BE5 states that in preparing Local Development Documents (LDDs), LPAs should plan positively to meet the defined local needs of their rural communities for small scale affordable housing, business and services. LDDs should define the approach to development in villages based on their functions performed, their accessibility, the need to protect or extend key local services and the capacity of the built form and the landscape setting of the village. All new development should be subject to rigorous design and sustainability criteria so that the distinctive character of the village is not damaged.
- 3.10.5 I consider Adderbury to be one of the district's most sustainable villages in terms of the presence of local services and facilities, including a regular bus service, and in view of its proximity to a large urban area. It is a Category 1 village in both the saved and non-statutory Local Plans and is proposed to be a Category A village in the Council's Draft Core Strategy (proposed policy RA1). It is therefore a reasonable location in which to consider accommodating limited development in the interests of meeting the needs of rural communities, particularly the need for affordable housing, in the context of policy BE2. The impact of the proposal on village character will of course need detailed consideration.
- 3.10.6 Policy H2 of the South East Plan states that Local Planning Authorities (LPAs) will work in partnership to allocate and manage a land supply to deliver both the district housing provision [13,400

dwellings from 2006 to 2026] and sub-regional/regional provision. In doing so, LPAs are required to take account of a number of considerations including:

- the scope to identify additional sources of supply elsewhere by encouraging opportunities on suitable previously developed sites;
- providing a sufficient quantity and mix of housing including affordable housing in rural areas to ensure the long-term sustainability of rural communities;
- the need to address any backlog of unmet housing needs within the housing market area in the first 10 years of the plan.

3.10.7 The policy requires LPAs to plan for an increase in housing completions to help meet anticipated need and demand. Housing land supply is considered later in these comments.

3.10.8 Policy H3 requires a substantial increase in the amount of affordable housing in the region to be delivered including by taking account of housing need and having regard to the overall regional target that 25% of all new housing should be social rented and 10% intermediate affordable housing. The application's proposal for 40% affordable housing, higher than the Council's current requirement of 30%, is a favourable consideration. The Council's Draft Core Strategy (para' A.142) states that local housing needs estimates (2009) suggest a need for some 390 affordable homes per year (288 on top of the current average supply of 102 per year). The 2009 Annual Monitoring Report notes however (para' 5.57) that the Council remains on track to meet the Housing Strategy target of at least 600 dwellings from 2005 to 2011.

3.10.9 Saved (Adopted) Local Plan 1996

Policy C8 of the saved Local Plan seeks to resist sporadic development in the open countryside whilst policy C7 seeks to prevent demonstrable harm to the topography and character of the landscape (the site lies within an Area of High Landscape Value (AHLV) - see policies C13 and C28). Policy C30 requires the character of the built environment to be considered.

3.10.10 As the proposal entails the loss of greenfield land in open countryside there is a need to consider the district's housing land supply position (below) as well as whether there would be unacceptable harm to landscape and local character.

3.10.11 Non-statutory Cherwell Local Plan 2011

Policy H1a of the Non-Statutory Cherwell Local Plan 2011 sets out criteria for considering proposals for new housing development which include the availability and suitability of previously developed sites and empty or under-used buildings for housing and, in the case of category 1 and 2 villages such as Adderbury, whether it would meet an identified local housing need (not just affordable housing). These policies must now be considered in the context of Planning Policy Statement 3 (Housing) which provides current national policy on managing housing land supply (see below).

3.10.12 The Non-Statutory Plan contains similar restrictions on building beyond the built up limits of settlements and to achieve protection of the landscape and local character as the saved local plan (policies H19, EN30, EN34 and D3).

3.10.13 Policy R6 of the Non-Statutory Plan encourages the provision of new or extended sporting and recreation facilities. Policy R8 sets out standards for the provision of children's playspace and formal sports provision, and policy R9 seeks provision of amenity open space. I understand that comments on recreation / open space provision are to be provided separately from this response.

3.10.14 Housing Land Supply

Planning Policy Statement 3 (PPS3) requires a flexible supply of land for housing by, amongst other things, maintaining a five-year rolling supply of deliverable (available, suitable and achievable) housing land. LPAs are required to monitor the supply of deliverable sites on an annual basis, linked to the Annual Monitoring Report review process.

3.10.15 The Council's 2008 Annual Monitoring Report (AMR) noted that the district had a 5.3 year rolling supply for the period 2009-2014. The 2009 AMR shows that for the same period the district now has a 4 year supply rising to 4.5 years for 2010-2015 and 5.1 for 2011-2016. However, on 11 March 2010 the Planning Committee resolved to grant permission, subject to legal agreement, for a development of 61 homes on land south of Milton Road, Bloxham. That development is considered to be deliverable by 2015 and increases the rolling supply of deliverable housing land for 2010-15 (i.e. for the current monitoring year - 10/11) from 4.5 years to 4.6.

3.10.16 PPS3 requires scenario and contingency planning to identify different delivery options, in the event that actual housing delivery does not occur at the rate expected. Policies and proposed management actions are expected to reflect the degree to which actual performance varies from expected performance, as indicated in housing and previously developed land trajectories. Where actual performance, compared with the trajectories, is within acceptable

ranges (for example within 10-20 per cent), and future performance is still expected to achieve the rates set out in the trajectories, PPS3 states that there may be no need for specific management actions at that time and that LPAs will wish to continue to monitor and review performance closely and consider the need to update the five year supply, of deliverable sites where appropriate.

3.10.17 In accordance with PPS3, the district's rolling supply of deliverable housing land takes no account of unidentified, small site windfalls. Planning permission does exist for some additional 500 homes which if 90% implemented would be more than enough to boost rolling supply over 5 years in 2010/11. However, small, unidentified windfalls cannot be considered until they are recorded as complete. New LDF sites will also emerge over the next couple of years, boosting both near and long-term supply. Once such sites are considered to be available, suitable and achievable as defined by PPS3 they could be considered as part of the rolling supply of deliverable sites.

3.10.18 At the present time, however, it is considered that there remains a need to increase the supply of housing that will be delivered over the period 2010/11 to 2014/15 so that the rolling supply of deliverable land increases back towards 5 years (from 4.6 years) for the year 2010/11. Recorded housing completions are expected to be low 09/10 with a provisional figure of 444 compared to a South East Plan requirement of 670 per annum. Completions are expected to be lower in 10/11 as projected by the AMR (181 excluding unidentified 'windfalls' on small sites of less than 10 dwellings).

3.10.19 PPS3 states that where LPAs cannot demonstrate an up-to-date five-year supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in PPS3 including the following considerations:

- achieving high quality housing
- ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people;
- the suitability of a site for housing, including its environmental sustainability;
- using land effectively and efficiently;
- ensuring the proposed development is in line with planning for housing objectives;
- reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives.

3.10.20 In the context of the district's current housing supply position, this

application should be carefully considered to see whether or not it meets PPS3 criteria as well as other policy considerations including the South East Plan, the saved policies of the adopted Cherwell Local Plan 1996 and the Non-Statutory Cherwell Local Plan 2011.

- 3.10.21 As a 'regulation 25' consultation document, the Council's Draft Core Strategy carries little weight. However, it sets out proposed directions of growth for the district having regard to available evidence. I am of the view that, in principle, the proposed development would not prejudice the continued preparation of the Core Strategy. Although the site lies in a rural area, outside built-up limits, Adderbury is one of the district's most sustainable villages and has been identified (proposed policy RA2) as a village at which it would be sustainable to accommodate some additional housing. The scale of development proposed in the application is also in keeping with the draft policies for rural areas. Careful consideration should nevertheless be given to detailed issues including the site's relationship with the village's built up area and accessibility to services and facilities.
- 3.10.22 If the proposed development were to be considered favourably, it must be clearly demonstrated that the site is deliverable (available, suitable and achievable) and capable of being recorded as complete by the end of the next 5 year rolling period i.e. by 31 March 2015. Completions after this date would have no effect on increasing the rolling supply for 2010/11 from 4.6 years. Sufficient certainty is needed to enable the site to be added to the district's rolling supply of deliverable housing land upon any resolution to approve. If shown to be deliverable, it is expected that the site would increase the rolling supply of deliverable housing land for 10/11 from 4.6 to 4.7 years.
- 3.10.23 I understand that at the time of writing there are another four planning applications (for 10 or more dwellings) which together have the potential to generate about 324 dwellings. Please note that on this basis, if the application for south of Milton Road, Adderbury were not to be approved there would still be the potential to return to a 5 year rolling supply.
- 3.11 **Oxfordshire County Council's Archaeologist** suggests that the site concerned lies within an area of some archaeological interest. The possibility of finds occurring during the course of construction should be borne in mind, in which case the applicant is asked to notify the County Archaeologist in order that he may make a visit or otherwise advise as necessary.
- 3.12 The **Environment Agency** objected to the proposal for the reasons set out below;
- 3.12.1 In the absence of an acceptable Flood Risk Assessment (FRA) we **object**

to the granting of planning permission and recommend refusal on this basis for the following reasons:

Reason: The FRA submitted with this application does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25: Development and Flood Risk (PPS25). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA fails to:

1. Provide necessary data, modelling or surveys.
2. Demonstrate that the development will not increase surface water flood risk on the site and to surrounding areas.

3.12.2 Following the submission of further information the EA maintain their objections for the reasons set out below,

3.12.3 The FRA submitted does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA fails to provide the following:

1. The applicant has assumed a greenfield rate , including climate change, the baseline run-off rates should not include climate change.
2. It has not been specified what types of sustainable drainage measures would be feasible, with consideration that below ground storage should be a last resort.
3. There is no indication of where the ditch to the north goes, or it's capacity to accept the proposed discharge.
4. No assessment has been done in respect of suitable SUDS techniques.
5. Thames Water are unlikely to adopt SUDS as no connection is being made to a sewer.

3.12.4 The applicants/agent are seeking to resolve this matter prior to the committee meeting.

3.13 **Thames Water** has not yet commented on the proposal but a response is expected prior to the committee meeting.

3.14 **Thames Valley Police Crime Prevention Design Advisor** has made the following comments;

- It would be preferable to see the play spaces incorporated into the built environment as natural surveillance is currently limited
- Natural surveillance for parking areas should be provided through the appropriate positioning of active windows

- Conflict between residents and visitors should be avoided through the careful consideration of parking facilities for the pitches
 - Desire to see all properties meeting Secured by Design Standards
- 3.15 The **Council's Rural Development and Countryside Manager** has stated that the plans show footpath No. 25 retained on its existing line through the proposed development. This complies with out policy R4.
- 3.16 The **Council's Urban Design Officer** has made the following comments; This site lies on the south west fringe of the village adjacent to suburban development and outside the conservation area. The land is flat and relatively featureless save for boundary hedgerows. I consider that the principle of development on this site is acceptable, doing less harm than development within the conservation area, and that the applicant has demonstrated that the number of dwellings for which permission is sought can be satisfactorily accommodated on the site.
- 3.16.1 The indicative layout has evolved during pre-application discussions and the Design and Access Statement sets out the options explored and the design rationale behind the application is explained and justified.
- 3.16.2 The indicative layout shows the approach to Adderbury from the west to be an attractive one with frontage development seen across a backdrop of sports pitch and wet meadow.
- 3.16.3 The indicative layout provides good pedestrian linkages with the adjacent development and, although the dwellings here are indicated as 2 storey in height, their alignment and spacing relates well to the existing development.
- 3.16.4 The site can be accessed without undue harm to existing hedgerows and the public right of way is retained along its exiting alignment. Play areas are proposed in accordance with our policy and these and the sports pitch and pavilion will be of benefit to the whole community.
- 3.17 The **Council's Arboricultural Officer** has made the following comments; There are very few existing trees on the bulk of the site and most of the new properties will be affected by the subsequent landscape planting rather than the existing trees. However, there are a few trees to be retained on the periphery of the site which will need the following
- A plan showing the position of protective barriers as described in the report i.e. BS5837 fig 1. The suggestion of 4 - 5m from the hedge is acceptable (para 3.4)
 - Details of service routes and methods of installation where they encroach on the retained tree and hedge RPA's.
 - Extent of the sight lines marked on a plan and details of replacement

planting to mitigate for the loss of screening from the road.
- Details of site storage compounds, huts, top soil heaps, contractor parking and ground protection where necessary.
- Phasing of works e.g. Works necessary for Arboricultural reasons through to landscaping subsequent to construction.

- 3.18 **Natural England** raise no objections to the proposal but provides detailed guidance on how the application should be assessed in relation to protected species.

4. Relevant Planning Policies

4.1 South East Plan

SP3 – Urban Focus for development

CC7 – Infrastructure and implementation

H2 – Managing the delivery of the regional housing provision

H3 – Affordable Housing

H4 – Type and size of new housing

BE5 – Village Management

AOSR1 – Scale and location of housing development in the rest of Oxfordshire

4.2 Adopted Cherwell Local Plan

H13 – Residential Development in Category 1 Settlements

H18 – New dwellings in the countryside

C13 – Conserve and enhance the environment in Areas of High Landscape Value

4.3 Non Statutory Cherwell Local Plan

H15 – Residential Development in Category 1 Settlements

H19 – New dwellings in the Countryside

EN34 – Conserve and enhance the character and appearance of the landscape

5. Appraisal

5.1 Main Planning Considerations

The main issues to consider in the determination of this application are as follows –

- Whether the proposal complies with the current policies in the adopted Cherwell Local Plan
- Whether the proposal complies with the policies in the Non-Statutory Cherwell Local Plan 2011
- Housing delivery
- Whether there is a need for additional housing in this location
- Whether the proposal would have an adverse landscape impact
- Whether the proposal is acceptable on Design grounds
- Whether the proposal would have an adverse impact upon

- amenities of neighbouring properties
- Whether the proposal would have an adverse highway impact
- Whether the proposal would have any other adverse planning impacts

Each of the above points will be considered in turn.

5.2 The Adopted Cherwell Local Plan

5.2.1 The adopted Cherwell Local Plan contains no specific allocation for the application site. It is therefore defined as countryside (i.e. previously undeveloped land) where there is a presumption against general residential development on unallocated sites without any special justification.

5.2.3 Policy H13 of the adopted Local Plan states that new residential development within Category 1 settlements, such as Adderbury, is restricted to infilling, minor development within the built up area of the settlement and the conversion of existing buildings; subject to other policies in the Local Plan.

5.2.4 Policy H18 of the adopted Local Plan states that new dwellings beyond the built up limits of settlements will only be permitted where they are essential for agricultural or other existing undertakings.

5.2.5 The site clearly lies beyond the existing built limits of Adderbury and in an area of open countryside. The built up limits of the village in this case are the rear and side boundaries of the properties within St Mary's Road and Norris Close.

5.2.6 The proposal is not infilling, nor within the built up area of the settlement and the development is therefore contrary to Policies H13 and H18 of the adopted Cherwell Local Plan.

5.2.7 Policy C13 of the adopted Cherwell Local Plan states that within designated areas of high landscape value the Council will seek to conserve and enhance the environment. This policy will be considered in more detail in the assessment of landscape impact.

5.3 Non-Statutory Cherwell Local Plan

5.3.1 The application site has no specific allocation in the Non-Statutory Local Plan and is therefore defined as open countryside.

5.3.2 Policy H19 states that permission will only be granted for the construction of new dwellings beyond the built-up limits of settlements when it is essential for agriculture or other existing undertakings, or to provide a small, low-cost, affordable housing exception site to meet a specific and identified local housing need that cannot be satisfied elsewhere. Policy H15 of the same plan identifies Adderbury as a Category 1 village and states that new

residential development will be restricted to infilling, minor development comprising small groups of dwellings within the built up area of the village and conversions.

5.3.3 Policy EN34 is similar in its guidance to Policy H4 of the adopted Cherwell Local Plan and the same consideration is relevant.

5.3.4 The proposal is contrary to Policies H15, H19 and EN34 of the Non-Statutory Local Plan for similar reasons to those outlined above in relation to the adopted Cherwell Local Plan.

5.4 Housing Delivery

5.4.1 The Council's current position on housing delivery is set out in the comments of the Head of Planning & Affordable Housing Policy's comments in detail at 3.10 above. These highlight that the Council currently has less than a five year housing land supply, as required by PPS3, identified at the current time. However for the current proposal to impact on this it would need to be demonstrated that it would be delivered by March 2015. Despite the application being in outline only the proposal seeks to demonstrate that this can be achieved. It is common practice when granting consent for outline proposals to allow up to 3 years for the submission of the reserved matters application and a further 2 years for the implementation of an approved reserved matters application. However in order to demonstrate deliverability the developers have set out the following suggested timetable for delivery;

- Submission of reserved matters application within 3 months of the grant of outline consent
- Start construction within 3 months of the grant of reserved matters consent
- Assuming the standard planning timescales are met it is expected that the first completions would occur in late 2011 with the scheme completed by mid 2012.

5.4.2 Given this commitment from the developers and to encourage the scheme to be delivered within the next five years it seems reasonable to shorten the timescales of both the outline and reserved matters applications to be no more than two years in total. Whilst an outline application is less favourable in deliverability terms than a detailed application, as the final layout and design of the scheme is not being considered, the ability to adjust the time limits on any approval means that the overall time limit is the same as that recently imposed on the application for residential development at Milton Road in Bloxham (09/01811/F).

5.4.3 A letter from the landowner's agent also confirms that the land is available for development immediately as terms have been agreed between the land owner and Berkeley Homes. An Option Agreement will mean that Berkeley Homes will be committed to purchasing the land if planning permission is

granted.

5.4.4 In addition to this demonstration of deliverability PPS 3 requires sites coming forward to meet the following requirements ;

- provide high quality housing;
- provide a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people;
- be suitable site for housing, including its environmental sustainability;
- represent an effective and efficient use of land;
- be in line with planning for housing objectives;
- reflect the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives;

5.5 Need for housing in this location

Adderbury has consistently been allocated as one of the District's most sustainable villages capable of accommodating further housing development. It continues to be allocated as such in the Draft Core Strategy. Therefore in general terms Adderbury is a preferred location for the allocation and provision of land for housing. This scheme provides a mix of market and affordable dwellings. It is considered that this contributes to the shortfall in housing land supply and at the same time will help meet local needs for affordable units of accommodation.

5.6 Landscape Impact

5.6.1 The site lies within the Ironstone Downs Area of High Landscape Value where policies C13 and C28 of the adopted Cherwell Local Plan seek to conserve and enhance the environment and require development to be sympathetic to the character of the area. Policy EN34 of the Non-Statutory Local Plan also seeks to conserve and enhance the environment.

5.6.2 The site lies beyond the built-up limits of the village in an area of open countryside. The site is physically contained within existing hedgerows however given the relatively flat topography the development within it would clearly be visible, particularly from the west and north west along the Milton Road.

5.6.3 Currently the view from the west consists of the development on St Mary's Road and Norris Close. This is a development from the 1950's (approx.) which has little regard to the layout and design features of the existing village and provides a rather blunt edge to the village entrance with the rear and side elevations of properties visible from some distance. It is recognised that the proposed development would intrude into the open countryside but it does provide an opportunity to improve the appearance of the edge of the village with active frontages and appropriate use of

materials all helping to improve the general appearance on the approach to Adderbury. Despite this extension to the village and encroachment onto open countryside it is not considered that the visual impact would be so significant that the application could be refused on these grounds.

- 5.6.4 The Council's Landscape Officer has made some comments in relation to the position of the play space, size of some gardens and the ability to provide additional planting. Whilst these are very relevant points and can affect the overall quality of the final scheme they are not issues which should have a negative influence in considering this outline application. They are all issues which should be straightforward to resolve at the reserved matters stage by slight amendments to the layout of the scheme which is only indicative at this stage.

5.7 Design

- 5.7.1 The application has been submitted in outline only therefore the submitted layout plan is indicative only. What the indicative plan does demonstrate is that this the proposed number of units can be accommodated in a satisfactory manner providing satisfactory living environments, sufficient parking (although the size of garages will have to be assessed at reserved matters stage, as these will not be included as parking spaces if they do not meet the standards) and a good standard to layout and design that links into the existing development.
- 5.7.2 The proposed scheme results in a housing density of approximately 30 dwellings per hectare. This is not a precise figure as accurate calculations of the developable area and open spaces would not be reliable given the indicative nature of the plan. However such a density is likely to be greater than that found on adjoining sites but it is only just above the minimum of 30 dwellings per hectare as recommended in PPS3 Housing. This is therefore considered to be appropriate for a village location.
- 5.7.3 The indicative layout suggests that housing will be provided off one main spine road between residential properties and the football pitch. Smaller roads are shown to visually link and physically link by footpath to the existing cul de sacs of St Mary's Road and Norris Close. If this general principle is carried forward to the reserved matters stage it will help to integrate the two developments improving access to the pitch and play areas for existing residents or to the rest of the village for new residents.
- 5.7.4 Although detailed elevations have not been provided the scale parameters have been provided which indicate that houses will be no taller than 10.5 metres which is common for two storey dwellings. Whilst the precise details of the materials will also be determined at reserved matters and controlled by condition the proposed materials are likely to be a mix of stone and brick and slate and tile. These are all found in the vicinity of the site and are appropriate for the location. The Council's Urban Design

Officer has considered the proposals and is generally happy with the indicative layout and design of the scheme.

5.7.5 It is considered that the site can successfully accommodate the proposed number of properties and it is acknowledged that the applicants do design properties based on their location and do not impose the company's standard house types.

5.8 Neighbouring amenities

The site is bounded on its eastern edge by the rear gardens and side elevations of the properties on Norris Close and St Mary's Road. Some of the side elevations do have side facing windows so these will need to be carefully considered at the reserved matters stage to ensure that privacy is not adversely affected. Existing properties will experience a significant change in terms of outlook and the feeling of openness currently experienced due to their proximity to the agricultural field. However there appears to be scope to design a layout that complies with the Council's informal space standards in relation to overlooking, overbearing and loss of light.

5.9 Highway Impact

5.9.1 The Local Highway Authority (LHA) has not raised any objections in relation to highway safety issues that would be sufficient to recommend refusal for the scheme. Full comments are set out at section 3.4 above. The development includes proposals to extend the footpath to the east to link with St Marys Road and also widen the carriageway. The development is not large enough to require a right hand turn lane but widening of the carriageway will allow for vehicles to pass if others are waiting to turn into the site.

5.9.2 The application forms set out that the proposal includes 131 parking spaces for the development. Removing the spaces allocated to the changing pavilion results in 1.7 spaces per property. The LHA has questioned the level of parking proposed for the development. This largely results from the fact that it is not possible to determine the size and exact number of spaces from the indicative plans. The applicant is aware of the standards that need to be met in relation to parking provision and this is an issue that can be fully resolved at the reserved matters stage. However it appears that there is sufficient space on the site to accommodate additional spaces.

5.10 Other Considerations

5.10.1 Planning Obligation

The proposed development would generate a need for infrastructure and other contributions, that need to be secured through a planning obligation, to enable the development to proceed. Negotiations are underway which seek to secure sufficient contributions towards the infrastructure required as part of this development. Although details are still being discussed it is

likely that heads of terms will include;

- Affordable housing – the application proposes 40% affordable housing
- Open space contributions
- Public art
- Highways and public transport contributions
- County Council Education contributions, including funding towards primary school transport
- County Council Library contributions
- County Council Day Centre for the Elderly contributions
- County Council waste recycling contributions
- County Council Museum Resource
- District Council refuse bin contributions
- District and County Council administration/monitoring fees

5.10.2 In 3.5 above the County Council concludes that the development is likely to result in unsustainable travel patterns as Primary School students are likely to have to travel to schools outside of Adderbury and for these reasons they object to the proposal. This would occur because the County Council indicate that the Adderbury Primary School has insufficient capacity, and is not capable of being enlarged. The above education contribution would therefore be used expand capacity at the receiving schools (Bloxham and/or Deddington). The County Council goes on to state that if the district is minded to permit the development contributions should be sought to improve transport infrastructure and primary school transport costs. Contributions towards transport and education infrastructure are standard requirements and included in the list above. A request for contributions towards the cost of transportation to primary schools has recently been received from the County Council. Whilst this request has come from the County Council it does not result in the objection being removed as the contribution does not prevent the need for children to travel outside of the village. However what it would do is provide money towards communal modes of transport, which is more sustainable than if students were to be transported individually by private car.

5.10.3 In addition to the above contributions the applicants have included the provision of a sports pitch and changing pavilion as part of the scheme. These elements would not normally be required for a development of this scale but as they form part of the application they can be secured by the S106 agreement and will be required to be laid out and constructed to the specification of the Council.

5.11 Departure Procedures

This proposal is considered to be a departure from the development plan and in the past such an application would had to have been referred to the Government for the South East. However the publication of Circular 02/2009 revises this position and it is no longer necessary for applications

such as this to be referred.

5.12 Conclusion

The application is for development beyond the built up limits of Addebury in the open countryside. As such the application is contrary to both the adopted and Non Statutory local plan policies. However, given the current position on housing land supply which is below five years it is necessary to consider if it would be appropriate to release this site for development. This scheme, by providing 65 new dwellings, 40% of which are affordable, and demonstrating deliverability is considered to contribute to this housing land supply. In addition to contributing towards this shortage the proposal can meet the other tests set out in PPS3 (set out in the Head of Planning and Affordable Housing Policy section above). It is therefore recommended that this application be approved.

6. Recommendation

Approve subject to

- a) The objections of the Environment Agency being resolved and a positive response being received from Thames Water;**
- b) the completion/signing of a section 106 agreement as described in Para. 5.10;**
- c) the following conditions**
 1. SC 1.0A (RC1) Approval of reserved matters details
 2. SC 1.1 (RC1) Outline: Expiry of Application for Reserved Matters. Delete 'three years' and insert 'one year'
 3. SC 1.2 (RC1) Duration Limit. Delete 'two years' and insert 'one year'
 4. That prior work commencing on site the proposed means of access (including vision splays) onto the Milton Road is to be formed, laid out and to the approval of the Local Planning Authority and constructed strictly in accordance with the highway authority's specifications and that all ancillary works specified shall be undertaken. (RC13BB)
 5. That the vision splays shall not be obstructed by any object, structure, planting or other material height. (RC13BB)
 6. Prior to work commencing on site a traffic calming scheme is to be submitted the Local Planning Authority for written approval in consultation with the Local Highway Authority. (RC13BB)
 7. Prior to the first occupation of the development the traffic calming scheme (to be agreed) is to be constructed strictly in accordance with the highway authority's specifications and that all ancillary works specified shall be undertaken. (RC13BB)
 8. That before any of the dwellings in Phase (phasing to be agreed by LPA prior to commencement of work) are first occupied the whole of the estate roads and footpaths of that phase, shall be laid out, constructed, lit and drained and if required temporary or permanent traffic calming to the Oxfordshire County Council's Specifications. (RC13BB)

9. That, before any of the dwellings are first occupied, the proposed vehicular accesses, driveways and turning areas that serve those dwellings shall be constructed, laid out, surfaced and drained in accordance with the specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. (RC13BB)
10. That a plan showing a car-parking provision in accordance with the District Council's parking standards for vehicles to be accommodated within the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and that such parking facilities shall be laid out, surfaced (SUDS), drained and completed in accordance with the approved plan (*to be agreed*) before the first occupation of the development hereby permitted. The car parking spaces shall be retained for the parking of vehicles at all times. (RC13BB)
11. That all construction traffic serving the development shall enter and leave the site through the new access; wheel washing facilities on construction sites (for HGVs) should also be requested (when appropriate). Construction travel plan also required i.e. HGVs through middle of village.
12. That the garage/car port accommodation shall be retained as such and shall not be adapted for living purposes unless planning permission has first been granted by the Local Planning Authority on a formal application.
13. SC 9.6A (RC87A) Fire hydrants
14. The Hannah Reed "Land Contamination Preliminary Risk Assessment Report" submitted in support of this application identified this site is underlain by the Marlstone Rock formation. This rock formation may contain elevated concentrations of naturally occurring metals. Prior to the commencement of the development hereby permitted a risk assessment shall be carried out by a competent person in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*', in order to characterise the type, nature and extent of any contamination present, the risks to receptors and propose a scheme of remediation where necessary. This assessment shall be submitted to and approved in writing by the Local Planning Authority. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV12 of the adopted Cherwell Local Plan.
15. Where a scheme of remedial works is shown to be necessary in condition {x}, remediation shall be carried out in accordance with the approved scheme and the applicant shall provide written verification to that effect. The development shall not be occupied until any approved remedial works have been carried out and a full validation report has been submitted to and approved in writing by the Local Planning Authority. **Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out

safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV12 of the adopted Cherwell Local Plan.

Advice to Applicant

1. O1 - Archaeology

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council as local planning authority, has determined the application having had careful regard to the development plan and other material considerations. Although the site is not allocated for development in the adopted Cherwell Local Plan the Council considers the following material considerations sufficient to justify the granting of planning permission as a departure from the adopted Local Plan. The need for the site to be developed to accord with the Council's strategy for meeting housing delivery requirements, development that results in high quality housing and minimises and mitigates landscape and other impacts has led the Council to consider the proposal acceptable. The proposal is in accordance with PPS3 – Housing and Policies BE5, H2 and H3 of the South East Plan.

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