

**Land Adj To Cotwold Country Club And South Of
Properties On
Bunkers Hill
Shipton On Cherwell**

18/01491/OUT

Applicant: Keble Homes Limited

Proposal: OUTLINE - Demolition of existing club house, bowling club pavilion and ancillary store. Erection of 10 no. dwellings and access improvements (further to outline planning permission 14/02132/OUT, dated 8th April 2016) and having a lesser proposed cumulative floor area than that permission.

Ward: Launton And Otmoor

Councillors: Cllr Tim Hallchurch
Cllr Simon Holland
Cllr David Hughes

Reason for Referral: *Major application*

Expiry Date: 19 November 2018 **Committee Date:** 25 October 2018

Recommendation: Approve subject to legal agreement

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

Proposal

Outline permission is sought for the demolition of a single storey Club building and other miscellaneous structures associated with a disused bowling green and the erection of ten dwellings. Improvements to the access road and onto the highway are also proposed.

Consultations

No objections received from any statutory or non-statutory consultees

5 Letters of **objection** have been received.

Planning Policy

The application site is located within open countryside. It is situated within a minerals consultation area and there are records of numerous notable and protected species within 250m of the site.

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The key issues arising from the amended application details are:

- Principle of Development;
- Impact on the visual amenities of the area
- Highway safety
- Impact on neighbouring properties amenity

- Ecology

The report looks into the key planning issues in detail, and officers conclude that the proposal is acceptable subject to conditions. The scheme meets the requirements of relevant CDC policies.

RECOMMENDATION - GRANT PERMISSION SUBJECT TO CONDITIONS AND COMPLETION OF LEGAL AGREEMENT

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The site is located to the rear of a row of dwellings which front onto the A4095 and comprises an area of hardstanding, former Club building and a disused bowling green and associated changing rooms and maintenance shed. Access to the highway is via a narrow track onto the A4095 at the western end of the site. The site is bounded to the north and west by countryside and to the east by an established nursery/garden centre.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Outline consent is sought for the demolition of the Club building and other miscellaneous structures associated with the bowling green and the erection of ten dwellings. Improvements to the access are also proposed.
- 2.2. The only matters to be considered under this application are the principle and means of access. Appearance, landscaping, layout and scale are reserved for subsequent approval.

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>
14/01565/OUT	Outline - Development of eight houses and access improvements	Application Refused
14/02132/OUT	Outline - Development of eight houses and access improvements.	Application Permitted
17/02148/OUT	OUTLINE - Demolition of existing club house, bowling club pavilion and ancillary store. Erection of 10no dwellings and access improvements	Application Refused
17/00079/SO	Screening opinion to 17/02148/OUT - OUTLINE - Demolition of existing club	Screening Opinion not

	house, bowling club pavilion and ancillary store. Erection of 10no dwellings and access improvements (further to outline planning permission 14/02132/OUT, dated 8th April 2016) and having a lesser proposed cumulative floor area than that permission.	requesting EIA
18/01491/OUT	OUTLINE - Demolition of existing club house, bowling club pavilion and ancillary store. Erection of 10 no. dwellings and access improvements (further to outline planning permission 14/02132/OUT, dated 8th April 2016) and having a lesser proposed cumulative floor area than that permission.	Pending Decision
18/00068/SO	OUTLINE to 18/01491/OUT - Demolition of existing club house, bowling club pavilion and ancillary store. Erection of 10no dwellings and access improvements (further to outline planning permission 14/02132/OUT, dated 8th April 2016) and having a lesser proposed cumulative floor area than that permission.	Screening Opinion not requesting EIA

- 3.2 Planning permission was refused in December 2014 under application 14/01565/OUT for the development of eight houses and access improvements. The application was refused as the development was considered to represent development within the countryside which could not be justified on the basis of an identified need. It was considered to constitute unsustainable, new build residential development in a rural location which is divorced from established centres of population, not well served by public transport and is reliant on the use of the private car. The development was considered to be prejudicial to the aims of both national and local policy to focus development in areas that will contribute to the general aims of reducing the need to travel by private car.
- 3.3 Planning permission was refused in May 2018 under application 17/02148/OUT for the erection of 10 dwellings and access improvements. The application was refused as the development was considered to represent development within the countryside which could not be justified on the basis of an identified need. It was considered to constitute unsustainable, new build residential development in a rural location which is divorced from established centres of population, not well served by public transport and is reliant on the use of the private car. The development was considered to be prejudicial to the aims of both national and local policy to focus development in areas that will contribute to the general aims of reducing the need to travel by private car. In addition it was determined that a safe access had not been demonstrated and its use would cause increased hazard and be of detriment to the safety and convenience of other road users.
- 3.4 In addition planning permission was refused under application 12/01271/F in 2012 and dismissed at appeal in September 2013 on a neighbouring site for the

demolition of existing car repair buildings and construction of 3 dwellings. The Planning Inspector considered that the development comprised unsustainable development in open countryside contrary to national and local policy.

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. The final date for comments was 04.10.2018, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. The issues raised by third parties are summarised as follows:

- Unsustainable location
- Contrary to planning policies and guidance
- 106 benefits
- Land ownership
- Lack of local amenities
- Increase in traffic
- Highway and pedestrian safety
- Adequacy of LAP
- Sewerage
- Loss of vegetation
- Impact on wildlife
- Impact on airport
- Additional land promised for recreational use not shown

- 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/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. SHIPTON ON CHERWELL AND THRUPP PARISH COUNCIL: **No comment to date**

STATUTORY CONSULTEES

- 6.3. LOCAL HIGHWAY AUTHORITY: **No objection.** OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement, and depending on whether the applicant intends to offer some or all of the proposed access road to the development for adoption, a S38 agreement to mitigate the impact of the development plus planning conditions and informative notes relating to access details, visibility splays, road construction, vehicle tracking, drainage and the submission of a construction traffic management plan.

6.4. OCC DRAINAGE: **No comment to date**

6.5. OXFORDSHIRE COUNTY COUNCIL:

Archaeology – **No objection** subject to conditions relating to the preparation of an Archaeological Written Scheme of Investigation and the carrying out of a staged programme of archaeological evaluation and mitigation.

Minerals and Waste – **Comments** that the application site is in close proximity to an operational quarry and waste management facility (Shipton-on-Cherwell quarry). This should be taken into consideration in the siting and design of the proposed dwellings and any appropriate mitigation measures put in place, in particular regarding noise, to ensure that the operation of the quarry and waste management facility is not prejudiced by the proposed development.

6.6 ENVIRONMENT AGENCY: **No comment to date**

6.7 THAMES WATER: **Comment** that the planning application proposal sets out that Foul Waters will NOT be discharged to the public network and as such Thames Water has no objection. Should the applicant subsequently seek a connection to discharge Foul Waters to the public network in the future then we would consider this to be a material change to the application details, which would require an amendment to the application and we would need to review our position.

With regard to surface water drainage, there are no objections if the developer follows the sequential approach to the disposal of surface water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

With regard to water infrastructure capacity there are no objections to the planning application.

6.8 NATURAL ENGLAND: **No objection**

6.9 THAMES VALLEY POLICE: **No objections** but comments on the detail of the proposal and considers some aspects of the proposals to be problematic in crime prevention design terms.

NON-STATUTORY CONSULTÉES

6.10. CDC PLANNING POLICY: **No comment to date**

6.11. CDC BUSINESS SUPPORT: **Comments** that it is estimated that this development has the potential to attract New Homes Bonus of £48,000 over 4 years under current arrangements for the Council.

6.12. CDC ECOLOGY: **Comments** that the submitted Ecological survey and report are fine and the recommendations within it can be referenced. There is little of ecological concern on site and off site impacts are relatively unlikely. In order to avoid a net loss for biodiversity on site in line with local policy and national guidance it is recommended that a scheme of biodiversity enhancements is produced. Whilst the area is of relatively low ecological value the development will result in the loss of open space and the design of the site should mitigate for any loss of opportunity for wildlife and produce an overall net gain. An enhancement scheme should include measures both within landscaping and within the built environment – wildlife friendly planting with native fruit or berry bearing species, planting to attract insects, hedgehog passes through all fences, areas of wildflower grassland or landscaping

managed for wildlife benefit, bat tubes and bird boxes (to include swift bricks given adjacent records) *integrated* into the fabric of new dwellings. If consent is granted conditions are recommended to secure the above.

6.13. CDC ENVIRONMENTAL PROTECTION: **No comment to date**

6.14. CDC WASTE AND RECYCLING: **No comment to date**

6.15. CDC RECREATION AND LEISURE: **No comment to date**

6.16 CDC LANDSCAPE SERVICES: **No objection** to the proposal on landscape and visual impact grounds. Further detail regarding the LAP and site planting at reserved matters stage will be required.

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

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

- BSC1: District wide housing distribution
- BSC2: Effective and efficient use of land
- BSC3: Affordable housing
- BSC4: Housing mix
- BSC10: Protection of open space outdoor sport and recreation uses
- ESD1: Mitigating and adapting to climate change
- 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

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18: New dwellings in the countryside
- C8: Sporadic development

7.3. Other Material Planning Considerations

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

8. APPRAISAL

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

- Principle of the development
- Impact on the visual amenities of the area
- Highway safety
- Impact on neighbouring properties amenity
- Ecology
- Other issues

Principle of the development

- 8.2. The Development Plan for Cherwell District comprises the Cherwell Local Plan 2011-2031 and saved policies in the Cherwell Local Plan 1996. Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with applications for planning permission, the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as is material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.3. The NPPF introduces a presumption in favour of sustainable development. It advises that proposals that accord with the development plan should be approved without delay. To achieve sustainable development, the NPPF sets out the economic, social and environmental roles of planning including contributing to building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities; and contributing to protecting and enhancing our natural, built and historic environment (para 8). The NPPF does not change the statutory status of the development as the starting point for decision making.
- 8.4. The site in question is not allocated for development in any adopted or draft plan currently forming or proposed to form part of the Development Plan. It is located to the north of a single row of 24 dwellings isolated from any settlement. It is considered to represent sporadic development in the countryside and this view is supported by the Inspector for the appeal on the adjacent site (ref. 12/01271/F).
- 8.5. Saved Policy H18 of the Cherwell Local Plan 1996 restricts new dwellings beyond the built up limits of settlements in open countryside to those which are essential for agriculture, or other existing undertakings, or where dwellings meet an identified and specific housing need that cannot be met elsewhere. The development proposed fails to comply with this policy and in doing so also potentially conflicts with Policy C8 which seeks to prevent sporadic development in the open countryside, which includes new housing development, in the interests of sustainability and to protect the character and amenity of the countryside.
- 8.6 The Cherwell Local Plan 2011-2031 and the saved policies within the Cherwell Local Plan 1996 are considered up-to-date. The NPPF advises that proposed development that conflicts with the Development Plan should be refused unless other material considerations indicate otherwise.
- 8.7 Paragraph 78 of the NPPF states that to promote sustainable development housing in rural areas should be located where it will enhance or maintain the vitality of rural communities. The proposed development would lead to an increase in the number of dwellings and residents at Bunkers Hill. The lack of local services is such that, while there is a bus service nearby, residents would be mainly reliant on cars for trips to day-to-day services and facilities, including employment, education, medical services and shopping. It is unlikely that 10 additional dwellings would generate

additional services in Bunkers Hill. It is therefore considered to be an unsustainable location contrary to paragraph 78.

8.8 Notwithstanding the above a further material consideration is the extant outline planning permission for 8 dwellings on the site granted, under application 14/02132/OUT, in April 2016. Officers recommended refusal of the scheme as it was considered to represent development within the countryside and constituted unsustainable, new build residential development in a rural location divorced from established centres of population, not well served by public transport and reliant on the use of the private car. It was considered to be contrary to saved Policies H18 and C8, of the Cherwell Local Plan 1996, Policy Villages 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained in the National Planning Policy Framework. Members, however, considered that the public benefits put forward as part of the application outweighed the adverse impacts of the development and the application was approved.

8.9 The benefits put forward in the legal agreement were as follows:

- Contribution towards off-site provision of affordable housing - £40,000
- LAP and commuted sum towards maintenance
- Sewage treatment facility and 20 year service contract
- New mains fed water supply
- Provision of a community building and £10,000 towards maintenance
- Demolition of the obsolete water tower

8.10 With the exception of the LAP and commuted sum towards maintenance, none of the contributions were necessary to make the development acceptable.

8.11 At the time Members considered the proposal and resolved to make a decision on the application, the Cherwell Local Plan 2011-2031 had not been adopted. Prior to the issuing of the decision, caused by a delay in completing the legal agreement, the Cherwell Local Plan 2011-2031 was adopted. It was not considered necessary to report the application back to Members following the policy change as they considered that the benefits offered significantly and demonstrably outweighed the harm the development would cause. However, it is now necessary to consider the proposed development in the light of the adopted Cherwell Local Plan.

8.12 The development now proposed comprises the demolition of the existing buildings on the site and the erection of 10 dwellings on the site. The benefits put forward by the applicant to support the current proposal are as follows:

- Provision of a LAP on the site with a commuted sum for maintenance
- Contribution towards Shipton-on-Cherwell Millennium Hall
- Contribution to OCC towards increasing frequency of buses on A4260
- New bus stop flag and timetable signage on the A4260
- Contribution towards the cost of administering a Traffic Regulation Order to enable the relocation of the existing 40mph/de-restricted speed limit on the A4095 Bunkers Hill from its current location immediately south of the proposed access to a point 50m southwards.
- Sewage treatment facility and 20 yr service contract
- New mains fed water supply
- Demolition of water tower
- Contributions towards off-site indoor and outdoor sports facilities
- Contribution towards off-site provision of affordable housing - £50,000

- 8.13 The indicative drawings and the applicant's planning statement submitted with this planning application suggest that the dwellings are to be considerably smaller than the eight approved under application 14/02132/OUT. However, it is considered that whilst there is a reduction in floor area with the current scheme additional dwellings could result in more residents and more vehicle movements in an unsustainable location.
- 8.14 The applicant has offered to meet most of the benefits of the previous scheme set out in the legal agreement but without the provision of a community building on the site. However, they have advised that they are willing to contribute towards off-site affordable housing, increasing frequency of buses on A4260, a new bus stop flag and timetable signage on the A4260 and towards the cost of administering a Traffic Regulation Order to enable the relocation of the existing 40mph/derestricted speed limit on the A4095 Bunkers Hill from its current location immediately south of the proposed access to a point 50m southwards. They have also agreed to contribute towards off-site sports facilities and towards Shipton on Cherwell Millennium Hall.
- 8.15 The previously proposed community building on the site was offered by the applicant to serve, *"multiple purposes encouraging the residents of the existing and proposed dwellings to reduce the amount of vehicular movements and to increase the sustainability of the community"*. The proposal was that the building would be used as a home office/business centre with desks and IT facilities and during the evenings and at weekends the building would be used for meetings/parties/youth club/local events. The applicant's agent stated under application 17/02148/OUT that a facility such as this is not needed, not wanted by the residents of Bunkers Hill and is not justified for c. 30 houses, nor viable going forwards. Officers at that time considered this view to be reasonable, particularly with an agreement to provide a contribution towards the nearby Shipton on Cherwell Millennium Hall.
- 8.16 The Council's Recreation and Leisure Team sought contributions towards off-site sports and recreation facilities at Stratfield Brake and Kidlington Leisure Centre under application 17/02148/OUT. These were not sought under the previous application (14/2132/OUT). Justification for the contributions sought for enhancing the outdoor sport facilities at Stratfield Brake (in the region of £11,394.33) and for enhancing the indoor sports facilities at Kidlington Leisure Centre (in the region of £7,683.60) is set out in the emerging Sports Studies that the Council is currently preparing, supported by the Council's policies on health and well-being. The adopted Developer Contributions Supplementary Planning Document sets out at paragraphs 4.108 and 4.126 that where the development falls below the threshold, financial contributions will be sought for either off-site provision or the improvement/upgrading of existing facilities where appropriate schemes have been identified. However, it is not clear whether the requirement for the contributions is compliant with the Community Infrastructure Levy Regulations 2010 and in particular paragraph 123 which restricts the seeking of planning obligations where there have already been five or more planning obligations entered into with the authority providing for the provision or funding of the same infrastructure project or type of infrastructure.
- 8.17 The contribution towards affordable housing was not required previously as the development fell below the threshold of 11 units or more. However, the applicant offered this sum to give more weight to the public benefits of the development to try to outweigh the harm that the development would cause. The current proposal, with 10 units, still falls below the threshold where the Council could seek any affordable dwellings on the site or off-site contributions towards their provision. Members took this public benefit into consideration when weighing up the benefits of the previous application for 8 dwellings and judged that along with the other benefits offered as a

package the harm caused was outweighed by those benefits and granted planning permission.

- 8.18 The additional requirements from OCC for public transport improvements would mitigate to a limited extent the fact that the development is in an unsustainable location. The contributions towards off-site sports (indoor and outdoor) along with the contribution towards off-site community facilities (rather than an on-site community building potentially used by fewer people) also offer wider public benefits. However, the application includes two additional dwellings and is therefore a different proposal to that approved under 14/02132/OUT.
- 8.19 In your officers' opinion, while a contribution towards affordable housing is not required due to the number of units proposed, for the package of benefits to be comparable to 14/02132/OUT some provision for affordable housing should be made. As this is now being offered, and given the previous approval on the site which could still be taken forward with the submission of a Reserved Matters Application until April 2019, Members will need to consider whether the benefits of the development to the local residents and wider population, set out above at paragraph 8.15, are sufficient to outweigh the harm that the development would cause to the aims of both national and local policy to focus development in areas that will contribute to the general aims of reducing the need to travel by private car.

Impact on visual amenities of area

- 8.19 The proposed development would not have a significant impact on the visual amenities of the area. It is well screened in public views due to the location of the existing dwellings and the vegetation in the surrounding vicinity. There is a footpath to the north west of the site but this is some distance from the application site and views into the site would not be significant.

Highway safety

- 8.20 The Local Highway Authority (LHA) has advised that it would have no objection to the proposal and their objections to the previous application could be overcome subject to:
- conditions relating to details of the access and visibility splays, construction specification of the estate road, drainage, provision of turning for refuse vehicles, and a the agreement of a Construction Traffic Management Plan;
 - legal agreements relating to works within the highway; and
 - financial contributions towards improving public transport services and infrastructure.

Impact on the living amenities of neighbouring dwellings

- 8.21 The proposed development is in outline with appearance, landscaping and layout reserved for consideration at a later date. However, it is considered that if permission were to be granted a layout could be produced that did not result in any unacceptable overlooking of private amenity space or habitable room windows, loss of light or overshadowing of the existing properties. The location of the proposed access into the site and the use for up to 10 dwellings will not result in a significant level of disturbance to the neighbouring properties adjoining the access.

Ecology

8.22 Paragraph 99 of Circular 06/05 states that: “it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”. Likewise Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that: “every public authority must in exercising its functions, have regard...to the purpose of conserving (including restoring/enhancing) biodiversity”.

8.23 The Council’s Ecologist has advised that there is little of ecological concern on site and any off site impacts are relatively unlikely. However in order to avoid a net loss for biodiversity on site in line with local policy and national guidance it is recommended that a scheme of biodiversity enhancements is produced. Whilst the area is of relatively low ecological value the development will result in the loss of open space and the design of the site should mitigate for any loss of opportunity for wildlife and produce an overall net gain. An enhancement scheme should include measures both within landscaping and within the built environment – wildlife friendly planting with native fruit or berry bearing species, planting to attract insects, hedgehog passes through all fences, areas of wildflower grassland or landscaping managed for wildlife benefit, bat tubes and bird boxes (to include swift bricks given adjacent records) *integrated* into the fabric of new dwellings. Conditions are recommended below to secure these enhancements.

Planning Obligations

8.24 The proposal generates a need for infrastructure and other contributions to be secured through a planning obligation to enable the development to proceed. New development often creates a need for additional infrastructure or improved community services and facilities without which there could be a detrimental effect on local amenity, service provision, and the quality of the environment. National Planning Policy sets out the principle that applicants may reasonably be expected to provide, pay for or contribute towards the cost of all or part of the additional infrastructure/services necessary to make the development acceptable. Obligations are the mechanism to secure these measures.

8.25 In respect of planning obligations the NPPF advises at paragraph 56 that these should only be sought where they meet all the following tests:

- Necessary to make development acceptable in planning terms
- Directly related to the development, and
- Fairly and reasonably related in kind and scale to the development.

8.26 Having regard to the above the following contributions would be sought in the event that planning permission was to be granted:

- Public transport improvements

The s106 agreement for the previous outline consent did not seek contributions towards public transport improvements. Contributions towards increase in frequency of the bus service, provision of a bus stop flag sign and timetable information as well as a contribution towards relocating the 30mph sign 50m to the south have been requested following the consultation response from Oxfordshire County Council.

The contributions are directly related to the development because the bus stops on the A4260 are one of the few amenities that residents would be able to access on foot without walking on the mainline carriageway of two strategic distributor roads. The development is located in an area with no other amenities or services. Therefore, this bus service would be the only means that residents who did not have the use of a car would be able to get to and from the development safely. In addition the timetable information and flagpole will make the bus stop on the north bound side of the A4260 more easily identifiable and make the information more accessible. It is in accordance with the policy set out in paragraph 23 of Oxfordshire County Council's bus strategy for connector transit routes, which is to "protect and improve the commercial viability (of connector transit services) through infrastructure and service enhancements such as improving bus stops and hubs." The relocation of the speed limit sign would reduce traffic speeds on this road in the vicinity of the proposed development, thereby reducing the likelihood of collisions brought about by excessive vehicle speeds. Therefore, this TRO, if applied successfully, would help provide safe and suitable access to the development in accordance with the National Planning Policy Framework.

- Millennium Hall at Shipton-on-Cherwell

Rather than providing a community building on the site, which in reality is only likely to be used by residents of Bunkers Hill, a contribution is sought towards enabling the existing hall in Shipton on Cherwell to accommodate the increase in capacity.

- Local Area of Play (LAP)

A LAP is required to be provided on site along with a contribution for maintenance by the Council/Parish Council.

- Off-site sports facilities

Contributions towards off-site sports facilities are sought to improve facilities at Stratfield Brake and Kidlington Leisure Centre in line with the emerging Sports Studies that the Council is currently preparing, supported by the Council's policies on health and well-being.

8.27 In addition to the above the applicant for the current application has advised that they would provide the following benefits:

- Improvements to the junction with the highway and access road

The improvements to the access, as indicated on drawing no. 392/17/PL1002K, would undoubtedly improve the existing situation. The access is currently well below the required standards with poor visibility to the north east and the width of the existing track is very narrow with no passing places. However, as part of any new development this would need to be upgraded to ensure that the scheme met the necessary highway safety standards resulting from increased traffic generation. It would therefore make the development acceptable, rather than constitute a net benefit. The permission for the replacement of the clubhouse in 2005 (04/02551/F) did not, however, require works to the access and junction with the highway.

- Improvements to the water supply

The existing dwellings and clubhouse at Bunkers Hill are served by a private distribution system which at the time of the previous consent involved mains

water being piped to a holding tank at the northern end of the site and then pumped to the individual properties. The site was originally served by a mains-fed water tower which is no longer used as it became contaminated. The overflow tank for the water tower was then used to hold the mains water prior to distribution to the individual properties. This also became contaminated and the Management Company approached Thames Water about the individual properties being directly connected to the mains. A temporary tank was fitted and a Bunkers Hill resident has advised that this is no longer used as contamination was found in the tank whenever Thames water had a problem with the main at Shipton. The 27 properties are now supplied by a direct connection to a 50 mm pipe from Shipton-on-Cherwell that runs through the old Shipton quarry connected to booster pumps at Bunkers Hill. It is not known whether the existing piped supply is sufficient to serve a further 10 dwellings but it is likely that the supply will need to be upgraded.

In your officer's opinion it is not necessary to allow development in an unsustainable location to pay for the connection of the existing dwellings directly to mains water but it is desirable for the residents of those properties. The Council's Environmental Health Department has not been informed of any contamination issues with the existing supply.

- Sewage disposal facilities

The existing on-site sewage treatment plans and facility is relatively old and the applicant is offering that if permission is granted a new treatment plant will be funded and installed to serve all of the Bunkers Hill properties. Whilst the existing residents may welcome the replacement of the facility it is not a matter that will be of wider public benefit and the existing residents occupy the dwellings in the knowledge that they have a private treatment facility to maintain.

- Demolition of the water tower

The water tower is in a state of disrepair and it will require attention in the future to either demolish or make safe. However, it is not prominent in public views as it is surrounded by mature trees which screen it and it does not significantly detract from the visual amenities of the area. Its demolition is not considered to be of great benefit to the wider public.

- Off-site affordable housing

The applicant is proposing to make a contribution towards off-site affordable housing provision if permission is granted. Whilst there is a need for more affordable housing within the district there is no current policy position for requiring affordable housing provision within the site and it is not in an accessible location to meet the affordable housing needs of nearby villages. A contribution towards off-site provision is therefore the most suitable. Government Guidance states that affordable housing should be sought from developments of more than 10 dwellings. Therefore a contribution towards affordable housing cannot be sought here as the development is for 10 units.

8.28 Whilst the majority of the foregoing are benefits, and therefore material to the consideration of the application, others are not, and some of the benefits would in reality merely make the development acceptable rather than provide net benefit. Officers remain to be convinced that they outweigh the harm arising from the provision of housing isolated from any settlement. However, given the extant consent on the site for eight dwellings, which could be implemented, Members will

need to consider whether the benefits set out above, are sufficient to outweigh the harm caused by an additional two dwellings.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. Economic role – The NPPF states that the planning system should do everything it can to support sustainable economic growth. Whilst there will be an economic benefit provided by the construction of the proposed dwellings, sourcing materials through local building suppliers and future maintenance by local tradespeople along with the use of local services and facilities by future residents which will help to support services and shops etc. it should be noted that employment opportunities within the village and the immediate area are very limited. In sustainability terms therefore, the long term economic benefits of the development are tempered.
- 9.3 Social role – The social role to planning relating to sustainable development is to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations. Whilst the applicant is offering to provide benefits for the existing residents in Bunkers Hill (such as an improved sewerage system, water supply and access) and for those using Shipton on Cherwell Millennium Hall along with the sports facilities at Stratfield Brake and Kidlington Leisure Centre, it has been acknowledged in a previous appeal decision for housing on an adjacent site that it is a relatively unsustainable location to accommodate additional housing growth. This in your officers' view reduces the weight that can be afforded to the social benefits of the scheme.
- 9.4 Environmental role – for development to be acceptable it must contribute to the protection and enhancement of the natural and built environment. These issues have been covered in the sections above. The development is considered to result in development in the countryside which is prejudicial to the aims of both national and local policy to protect the countryside and focus development in areas that will contribute to the general aims of reducing the need to travel by private car.
- 9.5 Notwithstanding the above, planning permission has been granted for 8 dwellings on the site, which can still be implemented. A package of benefits very similar to that put forward under the current application was considered to outweigh the harm arising from the provision of housing isolated from any settlement. Despite the provision of an additional two dwellings in an unsustainable location, officers are of the opinion that given the extant consent and the similarity of the benefits offered by the applicant it would be very difficult to sustain a refusal of the current application at appeal. On balance, therefore, the application is recommended for approval.

10. RECOMMENDATION

Delegate to the Assistant Director of Planning Policy and Development to grant planning permission, subject to:

1. Completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, in accordance with the summary of the Heads of Terms set in para 8.26 and 8.27 and;
2. Conditions relating to the matters detailed below (the exact conditions and

the wording of those conditions to be delegated to the Assistant Director for Planning Policy and Development).

Draft summary of conditions, detailed conditions will follow in written updates

1. Standard condition requiring submission of all reserved matters except access
2. Reserved matters to be submitted within 3 years
3. Development to be undertaken within 2 years of approval of reserved matters
4. Development in accordance with application forms, and in general accord with site layout
5. Schedule of materials
6. Finished floor levels
7. Landscape scheme
8. Landscape implementation
9. Arboricultural Method Statement
10. Supervision of arboricultural protection measures
11. Details of services – tree protection
12. Means of access
13. Visibility splays
14. Estate road construction
15. Drainage
16. Details of vehicle tracking
17. Construction Traffic Management Plan
18. Ecology
19. Land contamination
20. Refuse/recycling;

Planning notes relating to compliance with the legal agreement, protected species and Thames Water requirements

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