

Case Officer: Natasha McCann

Applicant: Hallam Land Management

Proposal: Outline Application (except for access) for residential development of up to 75 dwellings including bungalows; open spaces (including children's play space); community woodland and other green space; new vehicular and pedestrian access off Blackthorn Road; and associated landscaping, earthworks, parking, engineering works, demolition, and infrastructure

Ward: Launton And Otmoor

Councillors: Cllr Coton, Cllr Holland and Cllr Patrick

Reason for Referral: Development of 10 or more dwellings

Expiry Date: 28 February 2023

Committee Date: 9 February 2023

SUMMARY OF RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND A S106 LEGAL AGREEMENT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site comprises 9.36ha of generally flat agricultural land on the north eastern edge of the village of Ambrosden. The site is bound by Blackthorn Road to the south east and the B4011 to the north east. The site adjoins existing (former MOD) residential development and the Bicester Garrison Officer's Mess to the south and south west. The site extends into agricultural fields to the north west and the wider surrounding area to the north east and south east beyond the B4011 are also in agricultural use.
- 1.2. The site is bound by established mature hedgerow with some trees and tree groups and a drainage ditch runs along the boundary with Blackthorn Road. The site slopes gently from north to south.

2. CONSTRAINTS

- 2.1. The application site has the following constraints:
- Within Flood Zone 1 – i.e., the land is the lowest flood risk
 - The site is boarded by an archaeological alert area (Bronze Age Ring ditch).
 - The site is identified as a habitat for bats

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks outline planning consent for the development of the site for up to 75 mixed residential dwellings with the inclusion of community woodland and other green space, locally equipped area of play (LEAP), informal open space, new vehicular and pedestrian access off Blackthorn Road and associated landscaping,

earthworks, parking, engineering works, demolition, and infrastructure. All matters are reserved except access.

- 3.2. The Illustrative Master Plan (HLM034/024 E) proposed that the development would be split into two areas with a defined residential development area of 2.57ha abutting the existing residential development to the southwest and west of the site. The residential area would be separated from Blackthorn Road by a sustainable drainage pond to the south of the site. The proposal indicates a residential density of 30dph and assumed provision of 27 affordable homes (35%).
- 3.3. The proposed community woodland and other green space measuring 4.90ha would be located to the northeast and east of the residential development separated by the proposed access route. The LEAP and associated parking measuring 0.16ha would be located to the north of the residential area with shared access via the proposed access route of Blackthorn Road. The Framework Plan (HLM034/002 M) indicates the proposed 3m footpath route to connect to the existing bridleway to the north (105/6/20).

4. RELEVANT PLANNING HISTORY

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

Application: 13/00621/OUT Refused 12 July 2013

OUTLINE - Demolition of Ambrosden Court and erection of 45 No residential units with access off Merton Road

Application: 16/00190/PREAPP Observations 6 October 2016

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

Application: 16/02370/F Permitted 25 January 2018

Erection of 85 dwellings with public open space, associated parking, landscaping, new vehicular accesses and servicing

Application: 16/02611/OUT Refused 4 August 2017

Up to 130 dwellings; open spaces for recreation (including children's play spaces and outdoor sports); a sports pavilion; community orchard and allotments; new vehicular and pedestrian access off Blackthorn Road and associated landscaping, parking, engineering works (including ground remodelling), demolition and infrastructure. Application was refused for three reasons:

1. That cumulatively with other recently approved/delivered new housing developments, the proposed development would cause the level, scale and intensity of new housing growth in the village of Ambrosden to be inappropriate and significantly prejudicial to the objectives of the strategy inherent within the Cherwell Local Plan

2011-2031 Part 1 and Policy Villages 2 to distribute limited housing growth across the rural areas over the plan period to enable all settlements to participate in sustainable growth.

2. Having regard to the District's strong housing supply and delivery position both generally within the urban and rural areas, the proposals would result in the unnecessary development of greenfield land forming part of the open countryside and are therefore detrimental to the intrinsic natural beauty of the countryside causing undue visual intrusion into the open countryside. The proposals therefore conflict with the requirements of Policy Villages 2 and ESD13 of the Cherwell Local Plan 2011-2031 Part 1 as well as Policy C8 of the Cherwell Local Plan 1996 and Government guidance contained in the National Planning Policy Framework.
3. In the absence of a satisfactory completed legal agreement, the development fails to adequately provide for on and off-site infrastructure necessary to mitigate its impact including in terms of provision/maintenance of the following: affordable housing, play and public amenity facilities, indoor/outdoor sports facilities, community facilities, access and transport mitigation, on-site drainage features, primary and secondary education and library book stock. As a consequence the proposed development would lead to unacceptable on-site conditions as well as significant adverse impact on wider public infrastructure to the detriment of the local community contrary to the requirements of Policies BSC9 and INF1 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance in the National Planning Policy Framework.

Application: 16/00118/SO Screening Opinion 18 April 2017
not requesting EIA

Screening Opinion to 16/02611/OUT - Up to 130 dwellings, open spaces for recreation (including children's play spaces and outdoor sports); a sports pavilion; community orchard and allotments; new vehicular and pedestrian access off Blackthorn Road and associated landscaping, parking, engineering works (including ground re-modelling), demolition and infrastructure

Application: 18/02056/OUT Appeal Allowed 20 February 2019
(Against Refusal)

OUTLINE - Erection of up to 84no dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Merton Rd - All matters reserved except for means of access

5. PRE-APPLICATION DISCUSSIONS

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

6. RESPONSE TO PUBLICITY

- 6.1. 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 24 August 2022, although comments received after this date and subsequent comments relating to additional information/amendments received and before finalising this report have also been taken into account.
- 6.2. A total of 42 letters of objection letters have been received from local residents. The comments raised by third parties are summarised as follows:
- The proposal results in the loss of green open space which is used by local residents for recreational use
 - Overdevelopment/over intensification of Ambrosden
 - No assessment made of the accumulative impact of the recently built developments on the village or future proposals within the system proposed for developments within the same area
 - Destroying green barrier between villages/merging with Bicester
 - Loss of agricultural land/countryside
 - Increased traffic congestion
 - No improvement to local facilities such as the doctor's surgery, shop, pub or dentist resulting in increased pressures on local community
 - Detrimental impact to education provision stating that local primary and secondary schools are already over prescribed with no capacity for increased demand
 - Amenities, infrastructure, roads and road safety are being stretched beyond what is reasonable
 - Poorer air quality
 - Noise pollution
 - Detrimental impact on local wildlife and habitats
 - Setting an unwelcomed precedent for future developments in the area
- 6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. 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

- 7.2. Ambrosden Parish Council: **Supports the application**

"The applicants have worked with Ambrosden Parish Council to provide what the village actually wants, and not what they think the village wants. The visual impact of this development would be minimal, given the surrounding trees already in place along Blackthorn Road and the B4011 will provide screening for the new houses. The land is also level on this site, meaning the houses will not stand out on approaching the village, and the additional trees will also screen the view.

The additional trees that the applicant has offered, in the form of woodland, will assist with the issue of flooding which Blackthorn Parish Council have previously raised. The

developer has listened to the Parish Council's concerns about the scale of the development, and reduced the number of units that will be built. They have also included bungalows in the number of units, which will assist locals who are looking to downsize as they are may be getting older and unable to live in a multilevel dwelling.

Therefore Ambrosden Parish Council is in support of this application.

CONSULTEES

- 7.3. CDC LANDSCAPE OFFICER: **No objection** subject to conditions.
- 7.4. OCC HIGHWAYS: **No objection** subject to conditions, S106 contributions and an obligation to enter into a S278 agreement.
- 7.5. LEAD LOCAL FLOOD AUTHORITY: Originally objected requesting further information. Further to the receipt of additional information raise **no objection** to the scheme subject to a detailed surface water drainage scheme being conditioned.
- 7.6. CDC DRAINAGE: Further to the receipt of additional information raise **no objection**.
- 7.7. THAMES WATER: **No objection** subject to pre-commencement condition.
- 7.8. OCC ARCHAEOLOGY: **No objection** subject to condition regarding landscaping and planting.
- 7.9. CDC ECOLOGY: **No objections** subject to conditions and District License.
- 7.10. CDC STRATEGIC HOUSING: **No objection** subject to securing 35% affordable housing. Comments provide details on the tenure, size and standard of the units which would be secured through the S106 and consideration of the reserved matters application.
- 7.11. CDC ENVIRONMENTAL PROTECTION: **No objections** subject to conditions for further ground investigation, remediation, and pre commencement conditions relating to noise, air quality and lighting. Agrees with the findings of the Noise Assessment, land investigation report and air quality assessment.
- 7.12. OCC EDUCATION: **No objection** subject to financial contributions towards secondary (including land contribution) and SEN school provision in Ambrosden and surrounding area.
- 7.13. OCC WASTE MANAGEMENT: **No objection** subject to a contribution for the expansion and efficiency improvements of Household Waste Recycling Centre capacity.
- 7.14. OXFORDSHIRE CLINICAL COMMISSIONING GROUP: Request contribution of £360 per person generated by development. This area is already under pressure from nearby planning applications, and this application directly impacts on the ability of the Alchester Medical Group practice in particular, to provide primary care services to the increasing population. Primary Care infrastructure funding is therefore requested to support local plans to surgery alterations or capital projects to support patient services. The funding will be invested into other capital projects which directly benefit this PCN location and the practices within it if a specific project in the area is not forthcoming.
- 7.15. CDC PLANNING POLICY: **No comments received**

- 7.16. CAMPAIGN TO PROTECT RURAL ENGLAND: **Objects**. Raised concern for sustainability of the site, cumulative impact from surrounding planning applications, biodiversity net gain, loss of arable land and impact on ecology of the site and adjacent Ray Conservation Target Area.
- 7.17. SPORT ENGLAND: **No objection**, informative advised.
- 7.18. NATURE SPACE: **Objection** on the grounds of impact on great crested newts.
- 7.19. NATIONAL HIGHWAYS: **No objection**
- 7.20. CDC ARBORICULTURE: **No objection** subject to condition.
- 7.21. NATURAL ENGLAND: No comment.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. 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 2015)

- PSD1: Presumption in Favour of Sustainable Development
- SLE4: Improved Transport and Connections
- BSC1: District Wide Housing Distribution
- BSC2: The Effective and Efficient Use of Land – Brownfield land and Housing Density
- BSC4: Housing Mix
- BSC7 – Meeting Education Needs
- BSC8 – Securing Health and Well-Being
- BSC10: Open Space, Outdoor Sport and Recreation Provision
- BSC11: Local Standards of Provision – Outdoor Recreation
- BSC12: Indoor Sport, Recreation and Community Facilities
- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy and Allowable Solutions
- ESD3: Sustainable Construction
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems (SuDs)
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13: Local Landscape Protection and Enhancement
- ESD15: The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Villages 1: Village Categorisation
- Villages 2: Distribution Growth Across the Rural Areas
- INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18: New dwellings in the countryside
- C5: Protection of ecological value and rural character of specified features of value in the district
- C8: Sporadic development in the open countryside
- C15: Prevention of coalescence of settlements
- C28: Layout, design and external appearance of new development
- C30: Design of new residential development
- ENV1: Environmental pollution
- ENV12: Potentially contaminated land
- TR1: Transportation funding

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Developer Contributions SPD (February 2018)
- Infrastructure Delivery Plan (IDP) Update (December 2017)
- Countryside Design Summary (1998)
- Cherwell Design Guide SPD (July 2018)
- Oxfordshire Wildlife & Landscape Study 2004
- Annual Monitoring Report (AMR) (December 2021)
- Annual Monitoring Report (2022 AMR) (February 2023)
- Oxfordshire County Council: Local Transport Plan 4 (2015-2031)
- Cherwell District Council Housing & Economic Land Availability Assessment (February 2018)

9. APPRAISAL

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

- Principle of Development
- Landscape and Visual Impact
- Design, and Illustrative Layout
- Highway Safety
- Flood Risk and Drainage
- Residential Amenity
- Ecological Implications
- Housing Mix/Affordable Housing
- Noise, Contamination and Air Quality
- Sustainable Construction and Energy Efficiency
- Impact on Local Infrastructure

Principle of Development

Policy Context

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

Development Plan

- 9.3. The Development Plan for this area comprises the adopted Cherwell Local Plan 2011-2031 Part 1 ('CLP 2015') and the saved policies of the Cherwell Local Plan 1996.
- 9.4. Policy PSD1 of the CLP 2015 embeds a proactive approach to considering development proposals to reflect the presumption in favour of sustainable development. It states, '*The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area*'.
- 9.5. The CLP 2015 seeks to allocate sufficient land to meet district-wide housing needs. The Plan states, '*The most sustainable locations for growth in the District are considered to be Banbury, Bicester and the larger villages as identified in Policies Villages 1 and Villages 2 as these settlements have a range of services and facilities, reducing the need to travel by car*'.
- 9.6. Policy BSC1 states that Cherwell District will deliver a wide choice of high quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. 1,106 completions were recorded between 2011 and 2014 leaving 21,734 homes to be provided between 2014 and 2031.
- 9.7. Paragraph E.10 of the Plan states, '*Housing delivery will be monitored to ensure that the projected housing delivery is achieved. The District is required by the NPPF and the NPPG (to maintain a continuous five year supply of deliverable (available, suitable and achievable) sites as well as meeting its overall housing requirement*'.
- 9.8. Paragraph E.19 of the Local Plan states, "*If the supply of deliverable housing land drops to five years or below and where the Council is unable to rectify this within the next monitoring year there may be a need for the early release of sites identified within this strategy or the release of additional land. This will be informed by annual reviews of the Strategic Housing Land Availability*".
- 9.9. The Council's latest assessment of housing land availability is its 'HELAA' published in 2018. This is a technical rather than a policy document but provides assessments of potentially deliverable or developable sites; principally to inform plan-making. The application site features as site HELAA252 and was considered to be suitable or achievable for housing and states:

Greenfield site outside the built-up limits. Ambrosden is a Category A village in the adopted Local Plan Part 1, the category of the most sustainable villages in the district. The adopted Local Plan makes provision for some development (10 or more homes and small scale employment) at Category A villages. Development on the whole site is considered to be unsuitable and would be out of scale with the village. The site is located away from the village centre therefore would be difficult to integrate well with the rest of the village. The site is also in close proximity to Blackthorn village and development in this location could result in some coalescence. There is potential to develop a field parcel (3.3 ha) to the east of the Officer's Mess without unacceptable encroachment towards Blackthorn should further housing in the rural areas be required. The site could accommodate 99 dwellings based on 30 dph on 3.3 ha. With regard to assisting Oxford with its unmet

housing need, Ambrosden lies outside Areas of Search A and B. (2018 HELAA, Appendix 4).

- 9.10. Policy Villages 1 of the CLP 2015 provides a framework for housing development in the rural areas of the district and groups villages into three separate categories (A, B and C). The categorisation of villages was informed by a defined range of sustainability criteria (CLP 2015 para C.255). Ambrosden is a Category A village and is considered among the most sustainable villages in planning terms.
- 9.11. Policy Villages 2 of the CLP 2015 states, *'A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings as at 31 March 2014'.* This Policy notes, *'Sites will be identified through the preparation of the Local Plan Part 2, through the preparation of the Neighbourhood Plan where applicable, and through the determination of applications for planning permission'.*
- 9.12. Policy Villages 2 states that in identifying and considering sites, particular regard will be given to the following criteria:
- i. 'Whether the land has been previously developed land or is of less environmental value';*
 - ii. 'Whether significant adverse impact on heritage and wildlife assets could be avoided';*
 - iii. 'Whether development would contribute in enhancing the built environment';*
 - iv. 'Whether best and most versatile agricultural land could be avoided';*
 - v. 'Whether significant adverse landscape and visual impacts could be avoided;*
 - vi. 'Whether satisfactory vehicular and pedestrian access/egress could be provided';*
 - vii. 'Whether the site is well located to services and facilities';*
 - viii. 'Whether necessary infrastructure could be provided';*
 - ix. 'Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period';*
 - x. 'Whether land the subject of an application for planning permission could be delivered within the next five years';*
 - xi. 'Whether development would have an adverse impact on flood risk'.*

National Planning Policy Framework

- 9.13. A key material consideration is the National Planning Policy Framework (NPPF) which sets out the Government's planning policy for England. The NPPF is supported by Planning Practice Guidance (PPG).
- 9.14. The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 9.15. So that sustainable development is pursued in a positive way, the NPPF includes a 'presumption in favour of sustainable development' (para. 10). Paragraph 11 states that applying the presumption to decision-making means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites), granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
 - ii. or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.16. The position in which the most important policies are considered to be out-of-date because of the absence of a five-year housing land supply is often referred to as the 'tilted balance'.

9.17. Paragraph 12 advises, *'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*

9.18. Section 5 of the NPPF covers the issue of delivering a sufficient supply of homes and states, *'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'*.

9.19. Paragraph 74 highlights the need for Local Planning Authorities (LPAs) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old (unless these strategic policies have been reviewed and found not to require updating as in Cherwell's case). The supply of specific deliverable sites should, in addition, include a buffer - 5% in Cherwell's current circumstances (moved forward from later in the plan period).

Housing Land Supply

9.20. Cherwell's housing land supply as reported in the Council's 2021 Annual Monitoring Report (AMR) concluded that the District had a 3.5 year supply for the next five year period 2022-2027 commencing on the 1 April 2022. This is reviewed annually and currently the housing land supply position is calculated as 5.4 year supply of housing for the period 2022-2027.

9.21. This updated figure is contained within the Agenda to the Council's Executive meeting on 6 February. This is largely the result of applying the standard method housing need

figure of 742 homes per year from 2022 rather than the Local Plan figure of 1,142 from 2011. The paper states at paragraph 3.26, ‘... *economic conditions are challenging, and it is important that officers continue to seek Local Plan compliant housing delivery to maintain supply and deliver the district’s planned development. Having a year land supply position does not mean that development allowed for the Local Plan should halt. Indeed, not progressing planning development considered to be acceptable could undermine the land supply position.*

- 9.22. In addition, the 2022 AMR is also being presented to the Executive meeting on the 6 February 2022, within which it is confirmed that, “*during the 2021/22 there were 184 dwellings completed at Category A Villages that contribute to the Policy Villages 2 requirement of 750 dwellings. Since 2014 there has now been a total of 703 completions with a further 165 under construction totalling 868 dwellings. A further 48 dwellings are likely to be built out...*”

Assessment

- 9.23. This assessment has been made on the basis that Cherwell District Council shall be able to demonstrate a five-year supply of deliverable housing sites subject to the executive meeting on the 6 February. In the event that the Executive does not agree to the revised five-year housing land supply the planning balance of this proposal may change. The presumption in favour of sustainable development, as advised by the NPPF, will need to be applied in this context.
- 9.24. This application seeks planning permission for the development of a field to provide 75 dwellings and two smaller fields for a community woodland and open space. The site is an undeveloped green field site that, given its physical and visual relationship to the existing built form, is outside of the existing built form of Ambrosden village and therefore within the countryside. The site is bounded by existing built form to the west.
- 9.25. Ambrosden is identified in the Local Plan as a sustainable location for meeting defined housing requirements – one of 23 Category A villages intended to provide 750 homes from 2014 to 2031 (Policy Villages 2). The Local Plan reached that conclusion having undertaken a comparative assessment and categorisation of all the district’s villages. By population size (2011 Census) Ambrosden is the 5th largest Category A settlement. It is one of the better served category A Villages and has a number of services and facilities as discussed elsewhere in this report and has a close geographical relationship to Bicester which accommodates a larger range of services, facilities and job opportunities. It was considered sufficiently sustainable by a Planning Inspector allowing the 2021 appeal for a development of 84 houses APP/C3105/W/19/3228169 on Land at Merton Road, Ambrosden, OX25 2NP.
- 9.26. Whereas the 2021 AMR reported that 519 dwellings had been completed at Category A villages since March 2014, with a further 230 under construction (running total **749**) and approvals for a further 319 not yet commenced (running total 1068), the 2022 AMR reports that 703 dwellings have now been completed at Category A villages, with a further 165 under construction (running total **868**) and 48 likely to be built out i.e. sites where part of the development has been completed (running total 916). In addition, there are approvals for a further 314 not yet commenced (running total 1230).
- 9.27. It is understood that development should, as a result of meeting the target of 750 houses, be focussed in Banbury and Bicester and that there should be a presumption

against development in/around Category A villages unless there are benefits to the scheme, beyond that which would normally result from a S106. However, in the context of Policy BSC1 and the need to meet the overall district requirements by 2031, regard is given to the planning Inspector's comments under appeal decision APP/C3105/W/19/3228169 on Land at Merton Road, Ambrosden, OX25 2NP in relation to spatial dimension.

9.28. The Inspector commented that Policy Villages 2 does not contain any temporal dimension (i.e. at what point in time in the plan period housing in the rural areas should be permitted) nor does it have a spatial dimension (i.e. it does not specify how much development should occur at each settlement). These matters are to be considered on their own merits having regard to any planning harm that arises. Related to the Ambrosden Inspector's comment on spatial dimension, given that appeals have been dismissed at some of the smaller Category A villages on the grounds of locational sustainability it falls that the larger Category A villages would be expected to accommodate a greater share of the 750 than if equalised out over all 23 Category A villages. This is supported by Policies PSD1 CLP 2015.

9.29. In addition, the Tappers Farm (Bodicote) 2019 appeal decision (which applied the same logic as the Launton appeal decision a year earlier) provides a useful steer as to how the decision taker should apply PV2. At the time of the Tappers Farm decision, 271 dwellings had been delivered at Category A villages under PV2, with a further 425 under construction, and an annual delivery rate of 54 dwellings per year from PV2, which would have resulted in the delivery of 750 homes by 2028. The Tappers Farm Inspector stated,

"There will undoubtedly be a point where there will be a situation that will result in the material increase over the 750 dwellings figure and at that time there will be some planning harm arising from the figure being exceeded, for example harm to the overall locational strategy of new housing in the district. There is no substantive evidence before me to demonstrate that this is the case in this appeal. Clearly, when considering any subsequent schemes however, this matter will need to be carefully scrutinised."

9.30. As noted above, 703 dwellings have now been delivered at Category A villages under PV2 and a further 213 dwellings are under construction across 10 different sites. The delivery rate in 2021-2 was 184 dwellings, the average annual delivery rate having risen to 78 dwellings per year and 134 dwellings per year over the last 4 years. It is reasonable to expect all of these 213 dwellings to be delivered – there are none so far in the plan period at Category A villages that once commenced have not been completed – and therefore the total number of dwellings delivered under PV2 will exceed the total of 750 set out in the policy.

9.31. Applying the conclusions of the Launton and Tappers Farm inspectors, it is considered that that point has been reached where planning harm would be caused to the overall locational strategy of new housing in the district through further permissions at unsustainable locations.

9.32. In determining whether the application site is acceptable there is a need to apply the site criteria within Policy Villages 2. The assessment in the 2018 HELAA is also material, albeit of limited weight (given the purpose of this document). The earlier decisions on the site and the planning appeals within the district including the appeal at Blackthorn Road in Launton (17/01173/OUT), Land North of Merton Road,

Ambrosden (18/02056/OUT) and OS Parcel 2778 Grange Farm North West of Station Cottage, Launton (21/04112/OUT) are also material considerations.

Policy Villages 2 Criteria

- 9.33. The applicable criteria of Policy Villages 2 are provided at paragraph 9.18 above. The land has not previously been developed. The site is not within a designated landscape and does not have any statutory or local environmental designations so could be said to be of lesser environmental value. The Natural England maps appear to show the land as poor quality and therefore the site is not concluded to be the best or most versatile land.
- 9.34. Ambrosden is by population the fifth largest Category A village, with a population of in the region of 2,250. It benefits from a range of services including pre-school nurseries, primary school, food shop, post office / general store, village hall, two churches, hairdresser's, public house, recreational facilities and a limited opening doctor's surgery. It is some 4.6km from Bicester, has two bus services through the village which connect to Bicester and Oxford, the more frequent S5 providing an hourly service through the week and on Saturdays. An off-road cycle path links the village with Bicester and the proximity to Bicester is a material consideration which weighs in favour of the proposal. Officers consider that the village itself contains a suitable level of services and facilities to meet the day to day needs of residents and is one of the better served Category A villages. Furthermore, subject to other matters, officers consider that the level of growth proposed under this application could be accommodated in the village, alongside that which has already been permitted, without causing harm to the overall housing strategy in the Development Plan particularly in light of there being no spatial distribution of housing outlined in Policy Villages 2.
- 9.35. Whilst the third-party concerns are noted regarding the sustainability of the site, given Ambrosden's general sustainability it is considered that the scale of development proposed (alongside the existing authorised development in the village) would not result in harm to the overall rural housing strategy outlined in the Development Plan and as noted above Planning Inspectors have noted there is no spatial distribution of housing required under Policy Villages 2. Other matters relevant to the consideration of scale of the development include the impact of the development on local infrastructure and the impact on the character and appearance of the area and these are considered elsewhere in this report.
- 9.36. Consideration of criteria (ii) wildlife and heritage, (v) landscape impacts, (vi) vehicular and pedestrian access, (viii) impact on infrastructure and (xi) flood risk of Policy Villages 2 are outlined in detail elsewhere in this report.
- 9.37. In a broader extension to the assessment of sustainability, consideration has been given to the wider benefits of the scheme which is afforded weight when concluding the planning balance. In terms of the three legs of sustainability as defined in the NPPF, the economic impact of the proposed development would create jobs both directly and indirectly through the addition of the 75 dwellings, community woodland and play space. Socially, the development would provide needed market and affordable housing on the edge of a sustainable main settlement in close proximity to local community facilities that are served by public transport services. In addition, the provision of the community woodland and new footpath connecting to the existing bridleway is considered a social benefit to the village. Environmentally, the community

woodland and planting throughout the development would enhance habitats available for wildlife whilst provide a natural buffer to the edge of the village. It is considered that the proposed development fulfils the requirements of paragraph 10 of the NPPF and can be considered sustainable as explored in further detail above and below within this assessment.

- 9.38. Since the submission of this application, two separate planning applications have been submitted to the local planning authority for residential development on the built edge of Ambrosden. This includes application 22/02455/OUT which has proposed 55 dwellings at Land West of Church Ley Field Adjacent to Blackthorn Road which is sited at the site directly to the south/southeast of the host site separated by Blackthorn Road. The second application is 22/02866/OUT which proposed 120 dwellings at the land East of Ploughley Road which is approx. 960m to the northwest of the current application site. In the event that each application was approved, this would equate to a total of 250 new dwellings on the edge of village. In light of the updated five year housing land supply of 5.4 years, if confirmed on the 6 February 2023, each application will be assessed against Policy Villages 2 with the benefits of the scheme weighed against the contrary impact of residential development within a category A village.

Conclusion

- 9.39. Overall, whilst consideration of the matters detailed in the sections below is required to reach an overall conclusion on the overall acceptability of the development, the broad principle of this scale of growth in the village of Ambrosden is considered to be acceptable and represents sustainable development.
- 9.40. The meeting of the Executive takes place on the 6th February 2023, confirmation of the decision on the housing land supply figure or should there be confirmation of the decision on the housing land supply figure as a result of the decisions made at that meeting, will be contained in the written update to planning committee.

Landscape and Visual Impact

Policy context

- 9.41. The Government attaches great importance to the design of the built environment within the NPPF. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It goes onto note that planning decisions should contribute to and enhance the local environment by recognising the intrinsic character and beauty of the countryside. It also states that development should function well and add to the overall quality of the area and by sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 9.42. Saved Policy C8 seeks to resist new sporadic development in the open countryside. Saved Policy C28 of the CLP 1996 states that *control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the context of that development.* Furthermore, saved Policy C30 of CLP 1996 states *control will be exercised to ensure that all new housing development is compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity.*

- 9.43. Policy ESD13 of the CLP 2015 states that *development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided*. It goes on to state that proposals will not normally be permitted if they would cause undue visual intrusion into the open countryside, cause undue harm to important natural landscape features, be inconsistent with local character, or harm the setting of settlements or buildings.
- 9.44. Policy ESD15 of the CLP 2015 highlights the importance of the character of the built and historic environment. This Policy states, amongst other things, that *successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design*. The Policy continues by stating that new development proposals should, amongst other things, *contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views*. Development should also *respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages*.
- 9.45. Further, as noted above, Policy Villages 2 of CLP 2015 requires consideration of whether significant landscape and visual impacts can be avoided and whether the development would contribute to enhancing the building environment.
- 9.46. The Cherwell Residential Guide SPD (2018) builds on the above policies and provides a framework to deliver high quality locally distinctive development.

Assessment

- 9.47. A Landscape and Visual Impact Appraisal accompanies the application. The site is within the Oxfordshire Wildlife and Landscape Study 2004 landscape type 'Clay Vale' which is described as a flat, low-lying vale landscape, associated with small to medium pasture fields, many watercourses and hedgerow trees with small to medium sized nucleated villages. The overall strategy is to safeguard and enhance the tranquil, small scale pastoral character of the area and minimise visual intrusion at the fringes of villages with planting characteristic of the area and maintain the nucleated pattern of settlements.
- 9.48. The LVIA outlines that the application site as lying partly within Clay Vale (typified by flat low lying landform dominated by pastureland and small to medium sized hedged fields) and partly within Pasture Hills landscape types (typified by prominent hills standing out for the surrounding landscape, predominantly small grassland fields enclosed by prominent hedges). The Cherwell Landscape Assessment (1995) defines the site as lying within the Otmoor Lowlands landscape character area which it concludes is comprised primarily of flat, wet, low lying arable field network surrounded by ditches and hedges. The site is not subject to any statutory or non-statutory designations for landscape character, quality or value. It is part of a pleasant but unremarkable rural landscape. The Council's Landscape Officer largely agrees that the judgement made in the appraisal of visual effects within the LVIA and the viewpoints are generally representative of the site and its surroundings and form a good basis for the visual appraisal.

- 9.49. The LVIA states that the site has a medium landscape value which is broadly agreed by the Landscape Officer. The LVIA states that the visibility of the site is effectively prevented and restricted by various characteristics of the site. This includes siting against the built-up area of Ambrosden to the west and south, the overlapping network of trees and hedgerows along the southern site boundary and by the gentle rise in landform to the north. The Landscape Officer agrees that these physical characteristics of the site contribute to the visual shielding of the site. Furthermore, as agreed by the Landscape Officer, roadside receptors on Blackthorn Road and balancing pond located to the southwest of the site separating the proposed residential dwellings from the highway act as additional barriers to the visibility of the proposed built form. The Landscape Officer agreed that the intervening tree groups should be planted to further mitigate the views which can be secured by condition. The proposed entrance to the site off Blackthorn Road would allow for a break in boundary screening due to the required width and visibility for the access. However, due to the separation distance to the proposed dwellings separated by the attenuation pond together with tree canopy and highway orientation, the visibility available from the proposed access would result in limited visual impact.
- 9.50. The LVIA and Landscape Officer agree that in terms of visual impact to neighbours, residents along Ernicote Close and Langton Avenue would have close range views of the site and the immediate landscape. The proposed dwellings would be immediately visible from the properties immediately to the west and northwest having a Major Moderate Adverse at year 1 and Moderate Adverse at year 15 if boundary hedgerow supplemented and contained, with additional native trees and shrubs. Due to the existing hedgerow filters separating the proposed residential plot and properties along Ernicote Close and Langton Avenue, these views would be largely confined to first floor level. No indicative plans have been included within the submission in relation to the layout and scale of the proposed dwellings however the impact of the dwelling layouts within the site will be given considerable weight to the impact on said neighbours at reserved matters stage to ensure some level of visibility from Ernicote Close and Langton Avenue to the proposed community woodland area is afforded.
- 9.51. The residential properties to the south/southwestern edge of the site make up a recently developed site, Violet Close-Iris Close, off Church Leys Field. The landscape officer agreed with FPCR that these neighbours would have a minor adverse on year 1 and minor adverse negligible at year 15 because of the visually limiting trees along Blackthorn Road. The boundary of the neighbouring site (16/02370/F) ceases approx. 138m from the beginning of the southwest boundary of the proposed site. The sites are intervened by Blackthorn Road and the siting of the tennis court site. Following site visits, the officer agrees with the LVIA that visibility of the proposed site from Violet Close-Iris Close would be limited due to intervening mature trees along Blackthorn Road, separation distance and orientation of the opposing residential plots. Whilst it is agreed that some glimpsed first floor views are likely, given the separation distance of a minimum 320 metres this is not considered to result in harmful visual impact.
- 9.52. It is acknowledged that Public Rights of Way Users are judged to be of high susceptibility to change. The site will be visible from Public Bridleway (105/6/10) which occupiers a slight rise in the landscape. The topography together with the sporadic break in hedgerows allows used open views of the local landscape around Ambrosden which includes views of the proposed site and its northern hedgerow. The LVIA states the experience includes views of intervening open grazing land, the built edge of Ambrosden, tall mature trees on Blackthorn Road and the rising land of

Arcott Hill in the distance. The Landscape Officer agreed with FPCR that the proposal would have a one year moderate adverse and a minor adverse at year 15 due to intervening at the public right of way. The proposal would significantly alter the views of the site introducing extensive levels of built form visible from the public right of way however this has been viewed against the introduction of the community woodland which would create a more attractive and visibly pleasing view from that of the open flat land as existing. On balance, the mitigation of securing the community woodland is considered to help reduce the visual impact of the additional built form and the inclusion of additional landscape measures such as additional hedgerows, trees and shrubs to the northern boundary would enhance the views along the Public Bridleway (105/6/10).

9.53. The inclusion of new community woodland in the eastern field would change the landscape character of the field and hedgerow which the Landscape Officer concluded would provide microclimatic improvements such as shelter and public amenity (health and wellbeing). The community woodland includes retaining hedgerows and introducing new broadleaved woodland, woodland edge/scrub planting, new native trees, and species. The proposed dwellings would be located to the eastern edge of the site abutting the existing residential cul-de-sacs along Ernicote Close and Langton Avenue. The proposed site layout allows the residential confinement to be viewed as an adjunct to the existing residential boundary of Ambrosden whilst the community woodland would provide a landscaped buffer which acts as a barrier between the new residential development and the open countryside. The inclusion of the community woodland allows for a gentler transition between the built form and open countryside whilst restricts further built development to the northeast of the site. This application differs from the previous application on the site (16/02611/OUT) in that the number of dwellings has been reduced from 130 to 75 subsequently allow the provision of the community woodland which is considered a social, economic and environmental benefit of the scheme.

9.54. Broadly speaking, without being of intrinsically high landscape value, the application site is considered to complement the local landscape character given that it comprises a large open field, hedgerows, trees and pond which in turn supports the rural character and setting of Ambrosden. As a result, its development in the manner proposed would result in a level of harm to the local landscape character and natural beauty of the countryside without necessarily causing significantly harm due to the comparatively ordinary landscape value of the land and its surrounding. Policy ESD13 of the CLP 2015 is material in this respect and resists undue visual intrusion into the countryside as well as development that is inconsistent with local character which the proposals generally conflict with. Notwithstanding this, despite the incursion into characteristic open countryside, the site and therefore the proposed development is relatively well related to the existing form and pattern of the village. The depth of the residential element of the proposal is similar to the adjacent residential grain appearing as an appendage to the existing village. The proposed community woodland to the east of the plot, as noted above, acts as a buffer to the open countryside ensuring that the development would be relatively well contained within the settlement pattern reducing the visual experience of the development from wider viewpoints. As a result, the development of the site as proposed would not be especially incongruous with the existing form of the village and this would help prevent it being experienced as a substantial projection of build development into the surrounding countryside.

Conclusion

9.49 As outlined in PV 2 there is a requirement that a number of key criteria be taken into account in considering the development of housing in the village. Of these criteria the following are relevant to this application:

- *Whether the land has been previously developed land or is of less environmental value;*
- *Whether development would contribute in enhancing the built environment;*
- *Whether significant adverse landscape impacts could be avoided*

9.50 In considering these points, the development of this site would not be on previously development land, on land of high environmental value or attached to any landscape designations. The provision of additional built form within the countryside has been offset by the provision of community woodland to the east of the plot which environmental value for the approach coming southwest along Blackthorn Road when entering the village of Ambrosden. The inclusion of the community woodland contributes to the landscape mitigation ensuring the longevity and protection of the village barrier. As outlined in the paragraphs above, the proposal would result in less than sustainable harm in terms of landscaping and visual impact and a balanced view concludes that the development would appropriately integrate within the village of Ambrosden. For these reasons, the development of the site is considered to comply with the criteria under Policy Villages 2 and the benefits of the residential development would outweigh the harm. The landscape and visual impact of the proposal has been assessed against Policies C28 and C30 of the CLP 1996, Policies ESD13 and ESD15 of the CLP 2015 and the NPPF and considered acceptable.

Design and illustrative layout

Policy Context

9.55. Policy ESD15 of the CLP 2015 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high quality design meeting high design standards and complementing any nearby heritage assets. The NPPF is clear that good design is a fundamental to what the planning and development process should achieve. Saved Policies C28 and C30 echo this. BSC2 of the CLP 2015 states that new housing should be provided on net development areas at a density of at least 30 dwellings per hectare unless there are justifiable reasons to lower the density. Policy BSC10 and BSC11 outline the requirements for open space provision on sites of this scale.

9.56. The Council's Design Guide SPD seeks to ensure that new development responds to the traditional settlement pattern and character of a village. This includes the use of continuous building forms along principal routes and the use of traditional building materials and detailing and form that respond to the local vernacular.

Assessment

9.57. The application is in outline with matters relating to layout, scale, landscape and appearance reserved for later consideration. The application is, however, accompanied by an Illustrative Masterplan and Development Framework Plan which demonstrate the one way the quantum of development proposed could be

accommodated on the site. The application is also accompanied by a Design and Access Statement, which outlines some design principles. The proposed development includes up to 75 residential dwellings that will include the provision of bungalows. A multifunctional green infrastructure network will permeate through the development which will incorporate existing vegetation, a LEAP, community woodland and other green space and Sustainable Urban Drainage (SuDS).

- 9.58. The illustrative plan indicates that the residential dwellings will be confined to the eastern side of the plot adjacent the existing residential cul-de-sacs (Ernicote Close and Langton Avenue) across a 2.57ha area with a density of 30 dwellings per ha. The density of the residential area is in accordance with section B.102 of Policy BSC1 and represents a similar density to the residential development across Ambrosden.
- 9.59. The details of the green infrastructure of the community woodland would be agreed via condition. The mix of formal and informal open space together with the community woodland provision is considered to provide a sympathetic layout to the rural vernacular type of development which would be required within an edge of village location. The proposal would be in accordance with Policy BSC11 as the plan demonstrates how a suitable quantum of green space can be provided. The development proposals a Locally Equipped area of Play (LEAP) in accordance with Policy BSC11. The Landscape Officer raises no objection to the proposed LEAP and a condition will be added to ensure that the necessary details are agreed regarding hard landscaping/surface, habitat/landscape typologies and management plan to ensure the public realm is maintained appropriate at reserved matters stage. It is considered that the application has now demonstrated how this quantum of development could be provided on the site, at a suitable density, and with sufficient levels of green space/play areas. A contribution for Landscape and Ecology Monitoring has been agreed. The proposed footpath to connect to the existing bridleway is considered an advantageous benefit of the scheme ensure accessibility and social connection to the proposed development.
- 9.60. The submitted Design and Access Statement does go into some design principles for the site however these both illustrative and limited with little weight to the actual proposed layout, scale, design and form of the proposed 75 dwellings. However, in the context of this being an outline planning application officers are now satisfied that the quantum of development proposed on the site could be successfully accommodated and the detailed matters of layout, design and form could be negotiated at reserved matters stage.

Highway Safety

Policy Context

- 9.61. Policy ESD15 of the CLP 2015 states that: "New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions." Policy SLE4 states that: "All development where reasonable to do so, should facilitate the use of sustainable modes of transport (and) development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported." The NPPF advises that development should provide safe and suitable access for all and development should only be prevented or refused on highway grounds if there would

be an unacceptable impact on highway safety, or where the residual cumulative impacts are severe.

Assessment

- 9.62. The application has been accompanied by a Transport Assessment which has been assessed by the local highway authority (LHA). The LHA considers this to form a robust basis on which to assess the application, which uses industry standards to forecast traffic generation, and raises no objection to the application subject to a number of conditions and a legal agreement securing a number of works.
- 9.63. The site is located at the eastern edge of the village of Ambrosden, and currently used for agricultural purposes and to the north of Blackthorn Road. It is subject to a 50mph speed limit from its junction with the B4011, reducing to 40mph around 230m to the west on entry to the village. This change in speed limit is located along the site frontage. A further 350m west, the speed limit reduces to 30mph, which applies to other key roads within the village.
- 9.64. The proposal provides vehicle access to the site via the construction of a new T-junction with Blackthorn Road, around 195m west of the junction with the B4011. OCC Transport considers the 5.5m wide carriageway with 2m wide footways on both sides, dropped kerbs and tactile paving and visibility splays of 2.4m x 160m to the east and 2.4m x 120m to the west acceptable. The proposed footway would connect to the existing footway provision at Allectus Avenue via Church Leys Field which enables appropriate pedestrian access to the village. Parking provision for cars and bicycles will be provided in accordance with the parking standards at reserved matters stage. The LHA observed that the site is located within reasonable cycling distance to parts of Bicester and employment opportunities at A41 (Symmetry Park) and at Arcott (Ministry of Defence).
- 9.65. The site is served by bus routes 29, S5 and H5 Bus routes with the nearest bus stop 1.1km away at Ploughley Road or 1.2km away at Merton Road equating a 13/14 minute walk. The nearest railway station is Bicester Village, approximately 4.1km to the northwest of the site, equating to a 17-minute cycle. The LHA confirmed that this distance does not comply with guidance necessary to ensure bus is an attractive option for providing a meaningful modal share of journeys generated for the proposed development which would result in a highly car dependant scheme which is not supported in terms of sustainability. In the event that the application is approved, officers recommend that a financial contribution of £1,133/dwelling is secured via a planning contribution towards improving the frequency of the service through Ambrosden. This would ensure that the opportunities for residents to use sustainable modes of transport are maximised in accordance with the requirements of Policy SLE4 of the CLP 2015. The LHA has also sought the provision of five Sheffield type cycle parking stands on highway land in the vicinity of the 'Willow Road' bus stops on Ploughley Road (within 50m of them) to provide better sustainable transport options for existing and future occupiers of the village.
- 9.66. The LHA made comments on the proposed link to Ambrosden Bridleway stating that it should be provided as a bridleway/cyclepath to enable residents and visitors to walk or ride to and from the development to other parts of the village or wider PROW network. The works would be facilitated and constructed within the context of S278 agreement to adoptable standards. The LHA supports the proposed link noting the benefits of connecting the link into West Hawthorn Road. It is important that any

development creates linkages to this to provide future residents with alternative links to village services and facilities along with the requested contribution of £25,000 from OCC to make improvements to public rights of way in the vicinity of the site and encourage their use by residents. These can be secured through a legal agreement.

Conclusion

9.67. In conclusion and having regard to the above, officers are content that the proposed development would be served by a safe and suitable means of access and that the scheme adequately promotes sustainable modes of travel and, subject to securing mitigation, would not have an unacceptable cumulative impact on the wider local highway network. The proposals are therefore considered to accord with the requirements of Policy SLE4 of the CLP 2015 in this regard and scores favourably against the relevant criterion set out in Policy Villages 2.

Flooding Risk and Drainage

Policy context

9.76. Section 14 of the NPPF covers the issue of meeting the challenge of climate change, flooding and coastal change. Paragraph 16 of which states that *when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) *within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) *the development is appropriately flood resistant and resilient;*
- c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) *any residual risk can be safely managed; and*
- e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.*

9.77 Paragraph 169 of the NPPF continues by stating that *major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) *take account of advice from the lead local flood authority;*
- b) *have appropriate proposed minimum operational standards;*
- c) *have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) *where possible, provide multifunctional benefits.*

9.78 Policy ESD6 of the CLP 2015 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk. In short, this policy resists development where it would increase the risk of flooding and seeks to guide vulnerable developments (such as residential) towards areas at lower risk of flooding.

9.79. Policy ESD7 of the CLP 2015 requires the use of Sustainable Drainage Systems (SuDS) to manage surface water drainage systems. This is with the aim to manage and reduce flood risk in the District.

Assessment

9.80 A site-specific Flood Risk Assessment (FRA) has been submitted to support the application. The Environment Agency's flood maps indicate that the site is located in Flood Zone 1 at lowest risk from flooding. The Flood Risk assessment has noted the indicated presence of surface water flood risk at parts of the site. This can be addressed and mitigated as part of the detailed drainage design.

9.81 The applicant has submitted a Flood Risk Assessment (FRA) which has been amended with further information during the course of the application process. The FRA outlines a potential drainage strategy for the site including an infiltration basin feature in the western area of the site which also doubles up as part of the area of open space serving the development. In section 6.2 of the Flood Risk Assessment an assumption is made of poor ground soakage characteristics through reference to the British Geological Society mapping and data. The proposal refers to the use attenuation which is line with Oxfordshire LLFA guidance. The LLFA sought additional information regarding a surface water catchment plan, details of the agreed point of surface water discharge, phasing and details of attenuation volumes on the drainage strategy drawing. Following submission of said details, the LLFA raise no objection subject to detailed conditions regarding to a surface water drainage scheme and future maintenance.

Conclusion

9.83 Consequently, subject to conditions, the proposals are considered to be acceptable in flood risk and drainage terms in accordance with the requirements of Policies ESD6 and ESD7 of the CLP 2015. Policy Villages 2 also includes a criterion relating to "*whether the proposals would have an adverse impact on flood risk*". As the proposed dwellings would not adversely affect flood risk either locally or elsewhere subject to condition the proposals score favourably in this respect.

Residential Amenity

Policy Context

9.59 Policy C30 of the CLP 1996 requires that a development must provide standards of amenity and privacy acceptable to the Local Planning Authority. These provisions are echoed in Policy ESD15 of the CLP 2015 which states that: 'new development proposals should consider amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space'.

Assessment

9.60 The application is in outline only and therefore all detailed proposals in the reserved matters applications would need to have due regard to requirements of Section 6 of the Residential Design Guide SPD with regard to appropriate standards of amenity for both existing and future residents. Appropriate positioning and scale of dwellings, boundary treatments and the nature of such treatments could be given due consideration at reserved matters stage.

9.61 The proposed development would be located to the west and northwest of the existing cul-de-sacs at Erricote Close and Langton Avenue. Due to the orientation of the neighbouring dwellings the site faces the side elevations of the closest neighbouring properties with the majority of habitable windows parallel to existing neighbouring windows facing northwest or southeast. At reserved matters stage a suitable separation distance and orientation of the proposed properties can be agreed to ensure the existing neighbouring dwellings are afforded suitable protection.

Conclusion

9.62 Given the above, it is considered that the development could be made acceptable in residential amenity terms, both for existing residents neighbouring the site and future occupiers, with acceptable details to be secured at reserved matters stage in accordance with the requirements of Policy ESD15 of the CLP 2015, Policy C30 of the CLP 1996 and Government guidance set out in the NPPF.

Ecological Implications

Legislative context

9.68. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites. Under the Regulations, competent authorities have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:

- 1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- 2) That there is no satisfactory alternative.
- 3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

9.69. The NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. It goes on to state that when determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 9.70. The NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.71. Policy ESD10 of the CLP 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.72. The PPG post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that ecological assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.73. The application is supported by an Ecological Assessment which the Council's Ecology Officer considers to be adequate in scope to assess the impacts of the development. The site is not located in any statutory or non-statutory designated site although the Ray Conservation Target Area is located to the east and south of the site, to the opposite side of the B4011 and Blackthorn Road.
- 9.74. An ecology report has been submitted as part of the application and has been undertaken in accordance with appropriate methodology. The habitats on site of most value include swamp habitat, semi-improved grassland and the existing hedgerows, which provide suitable habitats for a number of protected species. The grassland of the south-eastern grassland has a moderate species diversity, containing species including ragged robin, meadow buttercup and red clover.
- 9.75. As the proposal involves the loss of arable habitat which is of low ecological value, the retention of habitats of higher value such as hedgerows and trees and the introduction of a community woodland area which could provide refuges and corridors for wildlife, it is agreed by the Ecology Officer that the proposal would not have a significant adverse impact on biodiversity subject to conditions relating to a biodiversity enhancement scheme along with a CEMP and a lightening strategy to ensure the scheme achieves a 10% net gain for biodiversity and no net loss in accordance with Policy ESD10. Specific targets relating to bats and birds habitats will be satisfied via condition and adopted at reserved matters stage in accordance with Policy ESD10.
- 9.76. Additional information has been received during the lifetime of the application which states that the applicant intends to pursue an EPSL or class low impact GCN Licence for great crested newts which is supported by the Ecology Officer and will be ensured

by condition to be completed at reserved matters stage. The Ecology Officer has not raised any objections in regard to the impact on the adjacent Conservation Target Area.

- 9.77. With respect to the proposed Locally Equipped Play Area, in order to achieve suitable long-term management of retained and new habitats on the site, a combined ecological and landscaping scheme (LEMP) is recommended to be secured by condition if planning permission is granted. The LEMP should identify responsibility for the long-term management of the site to secure future appropriate management and monitoring. The LEMP should also include details of locations/types of bat and bird boxes as an enhancement for these species in line with the requirements of Policy ESD10 of the CLP 2015 with the aim of achieving a net gain in biodiversity. If planning permission is granted, a condition will also be attached in respect of the proposed community woodland which will involve the submission of details at reserved matters stage with regard to some areas which are solely for wildlife and not publicly accessible which could be achieved by specific planting to provide refuge and corridors for wildlife in the aim of achieving the overall net gain for biodiversity on the site and to ensure the public accessibility to the site would not undermine the ecological value of these areas.
- 9.78. In conclusion, on the subject of ecological impacts, officers are satisfied that subject to the recommended conditions, existing habitat of value can be conserved and enhanced as part of the development as well as new habitat created to achieve a net gain for the CTA, biodiversity generally and protected/priority species in accordance with the requirements of Policies ESD10 and ESD11 of the CLP 2015 as well as national policy contained in the NPPF. The proposals therefore score favourably in this respect against the relevant criterion set out in Policy Villages 2.

Housing Mix/Affordable Housing

- 9.79. The NPPF advises that in order to create sustainable, inclusive and mixed communities, Local Planning Authorities should plan for a mix of housing, reflect local demand and set policies for meeting affordable housing need. Policy BSC4 of the CLP 2015 requires new residential development to provide a mix of homes in the interests of meeting housing need and creating socially mixed and inclusive communities.
- 9.80. Policy BSC3 requires development within locations such as Ambrosden to provide 35% affordable housing on site and provides detail on the tenure mix that should be sought. As outlined in the Cherwell First Homes Interim Policy Guidance Note there is now a national requirement for a minimum of 25% of all affordable homes to be provided as First Homes (a new discounted market sale product). As such the tenure mix for affordable homes is:
- a) 25% First Homes
 - b) 70% Social/affordable rent
 - c) 5% Intermediate housing such as shared ownership
- 9.81. The Planning Statement accompanying the application confirms that the proposed development is capable of accommodating a mix of house types and sizes including 2, 3, 4 and 5 bed units. The proposal seeks to provide a level of bungalow provision which is supported.

9.82. It is also set out that the development would deliver 35% affordable housing which would equate to provision of up to 27 affordable units on site which would be in accordance with Policy BSC3. The tenure mix of these would be secured in accordance with the policy and guidance outlined above and the standards outlined in the Developer Contributions SPD. This will be secured as a benefit of the scheme through S106 agreement.

Noise, Contamination and Air Quality

9.83. The NPPF advises that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution or air pollution. Saved Policy ENV1 seeks to ensure development is appropriate in terms of contamination and does not give rise to unacceptable levels of pollution.

9.84. The application is accompanied by a Noise Impact Assessment which is demonstrates that the required noise levels specified in BS8233:2014 to be achieved. The Council's Environmental Protection Officer has reviewed this and is satisfied that acceptable internal and external noise environments can be achieved on the site subject to detailed mitigation which can be secured by condition. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority which will be ensured by condition.

9.85. In relation to land contamination, the environmental officer has raised no objection to the phase one report and subject to condition, phase two shall be reviewed and assessed at reserved matters stage. No air quality assessment has been submitted alongside the application however the environmental officer has agreed to a condition in the event of planning approval which will secure a detailed air quality impact assessment to identify the impact of the development on local air quality which will be required to give regard to Cherwell District Council Air Quality Action Plan. The condition will ensure no development shall take plan until the local planning authority has given written approval that it is satisfied that the impact of the development on air quality has been adequately quantified. The Environmental Protection Officer has raised no comment/objection in relation to odour. In the event that the application is approved, a lighting scheme shall be secure by condition for the approval by the LPA before development commences.

Sustainable Construction and Energy Efficiency

9.86. Policy ESD1 of the CLP 2015 states that measures should be taken to mitigate the impact of development within the District on climate change, and Policy ESD2 of the CLP 2015 seeks to achieve carbon emission reductions. Policy ESD3 encourages sustainable construction methods. The reference to allowable solutions in Policy ESD2 and 'zero carbon' are no longer being pursued by the government so are no longer relevant. However, the water usage requirements of ESD3 are still required to be met and can be controlled by condition. In regard to energy efficiency the Council now seeks to secure in excess of that required under the 2013 Building Regulations. Details of how the buildings will achieve this can be secured through condition.

9.87. The NPPF and Policies SLE4 and ESD1 of the CLP 2015 encourage and support the incorporation of measures into new development that promote more sustainable forms of transport. The provision of EV charging infrastructure is also reflected in the Council's Infrastructure Delivery Plan and the County Councils Electric Vehicle Infrastructure Strategy (2021). It is considered reasonable and necessary for provision of these to be secured through a condition of any permission given.

Impact on Local Infrastructure

Policy Context

9.88. Policy INF1 of the CLP 2015 states that: *“Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.”*

9.89. Policy BSC11 of the CLP 2015 states that: *“Development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The amount, type and form of open space will be determined having regard to the nature and size of development proposed and the community needs generated by it. Provision should usually be made on site in accordance with the minimum standards of provision set out in ‘Local Standards of Provision – Outdoor Recreation’. Where this is not possible or appropriate, a financial contribution towards suitable new provision or enhancement of existing facilities off site will be sought, secured through a legal agreement.”* Policy BSD12 requires new development to contribute to indoor sport, recreation and community facilities.

9.90. The Developer Contributions Supplementary Planning Document (SPD) sets out the position in respect of requiring financial and onsite contributions towards ensuring the necessary infrastructure or service requirements are provided to meet the needs of development, and to ensure the additional pressure placed on existing services and infrastructure is mitigated. This is the starting point for negotiations in respect of completing S106 Agreements.

Assessment

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

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development;
- c) Fairly and reasonably related in scale and kind to the development.

9.92. Where planning obligations do not meet the above statutory tests, they cannot be taken into account in reaching a decision. In short, these tests exist to ensure that local planning authorities do not seek disproportionate and/or unjustified infrastructure or financial contributions as part of deciding to grant planning permission. Officers have had regard to the statutory tests of planning obligations in considering the application and Members must also have regard to them to ensure that any decision reached is lawful.

9.93. Having regard to the above, in the event that Members were to resolve to grant planning permission, the following items would in officers' view need to be secured via a legal agreement with both Cherwell District Council and Oxfordshire County Council in order to secure an appropriate quality of development as well as adequately mitigate its adverse impacts:

Cherwell District Council (all contributions will be index linked)

- Provision of and commuted sum for maintenance of open space (including informal open space, mature trees, hedgerows, woodland, SUDS etc) or details of long term management provisions in accordance with the Policy BSC11 of the CLP
- Provision of a Local Equipped Area of play and commuted sum for maintenance or details of other management provisions
- £106 per dwelling for bins
- Affordable housing provision – 35% (up to 27 units)
- CDC monitoring fee

Oxfordshire County Council

- Public transport contribution of £96,305 equated at £1,133 per dwelling for the provision of bus services in Ambrosden
- Public Rights of Way of £25,000 to mitigate the impact to the PROW in the vicinity of the site.
- Delivery of a public footway to connect to the existing footway provision at Allextus Avenue via Church Leys Field to enable appropriate pedestrian access to the village.
- Obligation to enter into a S278 agreement to secure:
 1. New site access Blackthorn Road and as shown on drawing 001 Rev P9 with a visibility splay of 2.4m x 120m
 2. New 3m wide footway as shown on drawing 001 Rev P9
 3. Realignment of existing kerbline over a distance of approximately 83m to accommodate shared footway / cycleway as shown on drawing 001 Rev P9.
 4. Relocation of speed limit terminal signs and village entry feature
 5. Provision of the bridleway/cyclepath to link with Bridleway (105/6/20) and details of how this will be facilitated and constructed to adoptable standards.
 6. Street lighting to be agreed in line with the agreed highway boundary.
- £598,266 towards secondary education capacity and £63,144 towards secondary school land contribution for secondary school places secondary school places in Bicester to ensure adequate secondary school provision
- £44,871 towards special school contribution to be spent on expansion of SEN school capacity to ensure adequate SEN provision.
- £7,047 contribution towards expansion and efficiency of Household Waste Recycling Centres as existing facilities at capacity and to provide additional capacity.

- Monitoring Fee

Other

- OCCG group have been consulted and stated that there are significant capacity issues serving the area. They have stated there are insufficient consulting rooms to cope with increased population. They have requested a contribution to support capital projects associated with either local plans for surgery alterations or support patient services (£360 per person – circa 180 people).

Conclusion

9.94. The application is not supported by any draft head of terms for a S106 however written confirmation has been received that confirms the applicant is willing to enter into a legal agreement if the application is to be approved and do not contest any of the contributions set out above. Given the address to the S106 in the submission and written confirmation from the agent as noted to agreement of entering into an S106/S278, it is reasonable to expect that the infrastructure required to mitigate the impact of the development would be secured in accordance with Policy INF1 of the CLP 2015. In the event that the application is recommended for approval at Committee, the decision will be subject to the finalisation of the agreed S106/S278.

10. PLANNING BALANCE AND CONCLUSION

10.1. In reaching an informed decision on planning applications there is a need for the Local Planning Authority to undertake a balancing exercise to examine whether the adverse impacts of a development would be outweighed by the benefits such that, notwithstanding the harm, it could be considered sustainable development within the meaning given in the NPPF. In carrying out the balancing exercise it is, therefore, necessary to take into account policies in the development plan as well as those in the NPPF. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined against the provisions of the development plan unless material considerations indicate otherwise. The NPPF supports this position and adds that proposals that accord with an up-to-date development plan should be approved and those which do not should normally be refused unless outweighed by other material considerations.

Positive benefits - Economic

10.2. The proposals will contribute to the Council's Housing Supply in the short term due to the size and duration of the project. The proposals will create construction jobs and also support facilities and employment in businesses, shops and services within the area. Given the size of the development these are provide moderate positive weight.

Social

10.3. The proposal would provide up to 27 affordable homes which is a matter that carries substantial weight in favour of the proposal. The proposal would also provide bungalows which is recognised as a need within the Ambrosden village. Significant weight is to be afforded to the social benefits of the proposed housing.

10.4. The improvement to the footpaths also carries some positive weight in favour of the proposal as these will benefit existing and proposed residents.

10.5. The proposals would also provide significant social benefit from on site recreation and play facilities which would be at the level expected by policy, as well as a community

woodland and open space. The provision of this would also be of community benefit to existing residents.

- 10.6. Through s106 contributions the proposals would result in support for a range of community-based infrastructure in the area to a level expected by policy.

Environmental

- 10.7. The site of the housing is well screened by existing hedgerow cover and the existing housing to the west. The provision of additional built form within the countryside has been offset by the provision of community woodland and provides a landscape buffer from the Blackthorn Road when entering the village of Ambrosden. The inclusion of the community woodland contributes to the landscape mitigation ensuring the longevity and protection of the village barrier. The development would appropriately integrate satisfactorily within the village of Ambrosden.

- 10.8. Ambrosden benefits from a range of services including pre-school nurseries, primary school, food shop, post office / general store, village hall, two churches, hairdresser's, public house, recreational facilities and a limited opening doctor's surgery. It is some 4.6km from Bicester, has two bus services through the village which connect to Bicester and Oxford. An off-road cycle path links the village with Bicester and the proximity to Bicester, along with the other facilities accessible in the village, is a material consideration which weighs in favour of the proposal.

- 10.9. The proposals commit to the provision of a sustainable construction methods and should be given positive weight.

Negative impacts

- 10.10. It is also important to recognise that every development has to consider negative impacts in terms of the development and consider whether the positive benefits outweigh these negative impacts.

- 10.11. No development or construction site is silent and therefore the development will result in impacts on the area in terms of noise and disturbance as the development is completed. There would also be disruption through the implementation of the traffic mitigation. This is minimised through the development and implementation of construction management plans however some disturbance is expected. This carries moderate negative weight.

- 10.12. The proposal is considered to result in moderate harm to the character and appearance of the area from the urbanisation of the site and result in some harmful visual impacts at a more localised level. It would also result in some harm to the pattern of development and character of the edge of the village. Moderate weight is attached to the effect of the proposal on the character and appearance of the countryside through the development of greenfield land.

- 10.13. The proximity of the site from services and facilities is not ideal, however having regard to the rural context of the site and the relatively good level of services (including public transport) in the village as a whole, this is only considered to carry limited weight against the proposal.

Conclusion

- 10.14. On the basis that the Council is able to demonstrate a five-year supply of land of housing, the housing policies of the Development Plan are the starting point for decision taking and afforded full weight.

10.15. The site is unallocated in the adopted CLP 2015. The proposal seeks permission for 75 houses on the edge of a Category A Village. While the total number of houses developed under Policy Villages 2 will exceed 750, the policy is reflective of the housing strategy of the Local Plan in seeking to direct residential development to the most sustainable settlements in the District.

10.16. On the basis of the scale of the proposal and the site's sustainable location the proposal is not considered at this point in time to conflict with the overall housing strategy outlined in the Development Plan and is in accordance with Policy Village 2. In accordance with the NPPF the proposed development is considered to represent sustainable development, the planning benefits of the proposal would not be outweighed by the limited harm identified and planning permission should therefore be granted.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO:

- 1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 2. THE 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, TO SECURE THE INFRASTRUCTURE IDENTIFIED IN APPENDIX 1.**

Cherwell District Council (all contributions will be index linked)

- Provision of and commuted sum for maintenance of open space (including informal open space, mature trees, hedgerows, woodland. SUDS etc) or details of long term management provisions in accordance with the Policy BSC11 of the CLP
- Provision of a Local Equipped Area of play and commuted sum for maintenance or details of other management provisions
- £106 per dwelling for bins – WASTE
- Affordable housing provision – 35% (up to 27 units)
- CDC monitoring fee

Oxfordshire County Council

- Public transport contribution of £96,305 equated at £1,133 per dwelling for the provision of bus services in Ambrosden
- Public Rights of Way of £25,000 to mitigate the impact to the PROW in the vicinity of the site.
- Delivery of a public footway to connect to the existing footway provision at Allexus Avenue via Church Leys Field to enable appropriate pedestrian access to the village.
- Obligation to enter into a S278 agreement to secure:
 1. New site access Blackthorn Road and as shown on drawing 001 Rev P9 with a visibility splay of 2.4m x 120m
 2. New 3m wide footway as shown on drawing 001 Rev P9
 3. Realignment of existing kerbline over a distance of approximately 83m to accommodate shared footway / cycleway as shown on drawing 001 Rev P9.
 4. Relocation of speed limit terminal signs and village entry feature

5. Provision of the bridleway/cyclepath to link with Bridleway (105/6/20) and details of how this will be facilitated and constructed to adoptable standards.
6. Street lighting to be agreed in line with the agreed highway boundary.

- £598,266 towards secondary education capacity and £63,144 towards secondary school land contribution for secondary school places secondary school places in Bicester to ensure adequate secondary school provision
- £44,871 towards special school contribution to be spent on expansion of SEN school capacity to ensure adequate SEN provision.
- £7,047 contribution towards expansion and efficiency of Household Waste Recycling Centres as existing facilities at capacity and to provide additional capacity.
- Monitoring Fee

Other

- OCCG group have been consulted and stated that there are significant capacity issues serving the area. They have stated there are insufficient consulting rooms to cope with increased population. They have requested a contribution to support capital projects associated with either local plans for surgery alterations or support patient services (£360 per person – circa 180 people).

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

2. Details of the layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Compliance with Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and the following plans and documents: Drawing HLM 034/022 Rev D, HLM 034/002 Rev M, HLM 034/024 Rev E, 21297_SK_T_P4_003 and 001 Rev

P9.

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

Levels

4. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed strictly in accordance with the approved levels.

Reason: To secure an acceptable standard of development that safeguards the visual amenities of the area and the living conditions of existing and future occupiers and to ensure compliance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance within the National Planning Policy Framework.

Contamination

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

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

6. If contamination is found by undertaking the work carried out under condition 5, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

7. If remedial works have been identified in condition 6, the development shall not

be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 6. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

Drainage

8. As part of any application for reserved matters relating to layout, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall not be implemented other than in accordance with the approved details and shall be implemented before the development is completed. It shall thereafter be managed in accordance with the approved details. The scheme shall also include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan; • Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and; Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Reason: To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community and to ensure compliance with Policy ESD 6 and 7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

9. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- a) As built plans in both .pdf and .shp file format;
 - b) Photographs to document each key stage of the drainage system when installed on site;
 - c) Photographs to document the completed installation of the drainage structures on site;
 - d) The name and contact details of any appointed management company information.

Reason: In order to avoid adverse environmental impact upon the community and to ensure compliance with Policy ESD 6 and 7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework.

Archaeology

10. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with Government guidance within the National Planning Policy Framework.

11. Following the approval of the Written Scheme of Investigation referred to in condition 10, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority and approved in writing.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the National Planning Policy Framework.

Environmental Protection

12. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason: To ensure the development provides a good standard of amenity for future residents in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

13. Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.

Reason: To ensure the development protects and enhances biodiversity and the natural environment in accordance with the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

Natural Environment

14. As part of any reserved matters for layout, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS. Details must include:

- A management proposal is created for the groups in order to improve their visual contribution, and longevity, particularly when forming a screen between existing properties and the development.
- Space is afforded to the hedges/groups in order to allow future access for maintenance, and reduce likelihood of both above and below ground impact with proposed dwellings.
- Consideration is given to shading arcs where properties sit to the north of retained trees/hedges.
- A finalised plan to incorporate and improve retained groups/hedges surrounding the residential development, and community woodland/green space area to the north.
- Detailed planting plans for the community woodland/green space.

Reason: To protect the existing trees and hedgerows on site and in the interests of visual amenities of the area to ensure the creation of a pleasant environment for the development and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

15. A scheme for the community woodland shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme shall include the provision of a network of routes and their proposed surface treatment, a planting schedule, programme for implementation and areas of interest for people to dwell, including picnic areas.

The community woodland shall be implemented in accordance with the approved scheme and shall thereafter be retained as such for the lifetime of the development.

Reason: In the interests of biodiversity enhancement and visual amenity in accordance with Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

Highways

16. Prior to the commencement of the development hereby approved, full design details of the means of access between the land and the highway, including, position, layout, construction, drainage, and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to first occupation the means of access shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety, to ensure a satisfactory standard of

construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

17. Prior to the commencement of the development hereby approved, full details of the improvements to footpaths including, position, layout, construction, drainage, vision splays and a timetable for the delivery of the improvements shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety and public amenity and to comply with Government guidance contained within the National Planning Policy Framework.

18. Prior to first occupation a Residential Travel Plan and Residential Travel Information Pack should be submitted to the Local Planning Authority for approval.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

19. Prior to commencement of the development hereby approved; a construction traffic management plan shall be submitted to and approved by the Local Planning Authority. The CTMP will need to incorporate the following in detail and throughout development the approved plan must be adhered to

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction. Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing to accord with standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will park, and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.

- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

20. No development shall commence above slab level unless and until a scheme for electric vehicle infrastructure to serve each dwelling has been submitted and approved in writing by the Local Planning Authority. The approved electrical vehicle charging infrastructure shall be provide in accordance with the approved details prior to the first occupation of the dwelling it serves.

Reason - To maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

Water

21. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

Ecology

22. Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on Great Crested Newts until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

23. No development shall commence including any demolition, and any works of site clearance, unless and until a method statement and scheme for enhancing biodiversity on site such that an overall net gain for biodiversity is achieved, to

include details of enhancement features and habitats both within green spaces and integrated within the built environment, has been submitted to and approved in writing by the Local Planning Authority, which shall accompany any reserved matters application for layout and landscaping. This shall also include a timetable for provision. Thereafter, the biodiversity enhancement measures shall be carried out in accordance with the approved details and shall be retained as such thereafter in accordance with the approved details.

Reason: To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

24. No development shall commence unless and until a Landscape and Ecology Management Plan (LEMP), which shall also cover the construction phase of the development, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out or managed other than in accordance with the approved LEMP.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

25. Prior to the installation of any external lighting, a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance in relation to ecological impact, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved document.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Sustainability

26. As part of any submission for reserved matters, full details of a renewable energy strategy for the site in accordance with Policy ESD5 of the Cherwell Local Plan, shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of any building the renewable energy serves.

Reason: To encourage the use of renewable and low carbon energy in accordance with Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.

27. Prior to the commencement of any works associated with the construction of a dwelling, details of the means by which all dwellings will be designed and constructed to achieve an energy performance standard equivalent to a 19% improvement in carbon reductions on 2013 Part L of the Building Regulations (unless a different standard is agreed with the local planning authority) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until it has been constructed in accordance with the approved energy performance measures.

Reason - In the interests of environmental sustainability in construction in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.

28. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

CASE OFFICER: Natasha McCann

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning obligation	Regulation 122 Assessment
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Detail	Amounts (all to be Index linked)	Trigger points	
Provision of and commuted sum for maintenance of open space (including informal open space, mature trees, hedgerows, woodland, SUDS etc) or details of long term management provisions in accordance with the Policy BSC11 of the CLP	Provision on site. Commuted sum as set out in the Developer Contribution SPD (as updated by annual tendering). Details of ongoing management company if no commuted sum	To be delegated to officers	<p>Necessary – To meet the demands generated from the proposal and to ensure long term maintenance in accordance with Policy BSC10 and BSC11 of the CLP 2015 and advice in the Developer Contributions SPD (2018)</p> <p>Directly related – For the use of future occupiers of the development</p> <p>Fairly and reasonably related in scale and kind – In accordance with the policy and guidance provisions adopted by the Council</p>
Provision of a Local Area of Play and a Local Equipped Area of play and commuted sum for maintenance or other management provisions	Provision on site. Commuted sum as set out in the Developer Contribution SPD (as updated by annual tendering).	To be delegated to officers	<p>Necessary – To meet the demands generated from the proposal and to ensure long term maintenance in accordance with Policy BSC10 and BSC11 of the CLP 2015 and advice in the Developer Contributions SPD (2018)</p> <p>Directly related – For the use of future occupiers of the development</p>

	Details of ongoing management company if no commuted sum		Fairly and reasonably related in scale and kind – In accordance with the policy and guidance provisions adopted by the Council
Off-site outdoor sports facilities capital provision – Towards enhancement of outdoor sporting provision at Launton playing fields	£2,017.03 per dwelling	To be delegated to officers	Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD Directly related – The future occupiers will place additional demand on existing facilities. Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.
Off-site indoor sports facilities – Towards either enhancement of indoor sports provision at Launton Parish Hall or improvements at Bicester Leisure Centre-	Up to £62,621.01 (based on 75 dwellings). Final calculation to be based on calculation outlined in the Developer Contribution SPD	To be delegated to officers	Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD Directly related – The future occupiers will place additional demand on existing facilities.

			<p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.</p>
<p>Community hall facilities – To be spent on improvements/enhancements/redevelopment of Launton Parish Hall or other community building.</p>	<p>Up to £85,753.10 (based on 75 dwellings). Final calculation to be based on calculation outlined in the Developer Contribution SPD</p>	<p>To be delegated to officers</p>	<p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p> <p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.</p>
<p>Contributions to bins</p>	<p>£106 per dwelling</p>	<p>To be delegated to officers</p>	<p>Necessary – The dwellings will required adequate waste receptacles for future occupants and in accordance with the advice in the Developer Contribution SPD</p> <p>Directly related – The need for these comes from the increase in the number of dwellings</p> <p>Fairly and reasonably related in scale and kind – Costs in accordance with the advice in the Developer Contribution SPD</p>

<p>Affordable housing provision on site</p>	<p>At least 35% of total number.</p> <p>25% First Homes</p> <p>70% Social/affordable rent</p> <p>-5% Intermediate housing such as shared ownership.</p> <p>To be in accordance with the standards outlined in Developer Contributions SPD</p>	<p>To be delegated to officers</p>	<p>Necessary – as would provide housing for those who are not able to rent or buy on the open market pursuant Policy BSC3 of the Cherwell Local Plan</p> <p>Directly related – The affordable housing would be provided on-site in conjunction with open market housing</p> <p>Fairly and reasonably related in scale and kind – Based on the Cherwell Local Plan requirement for percentage of affordable housing.</p>
<p>Provision of Landscape and Ecological Management Plan and long term management arrangements (including funding) for the land proposed for biodiversity enhancement identified in the blue line.</p>	<p>To be provided and managed long term in accordance with the LEMP</p>	<p>To be delegated to officers</p>	<p>Necessary – In order to provide sufficient space to allow a net gain in biodiversity to be achieved on site in accordance with Policy ESD10 and the NPPF</p> <p>Directly related – The development will impact on the current ecological value of the site and the area of land is required to provide opportunities for a net gain in biodiversity.</p> <p>Fairly and reasonably related in scale and kind – To off-set the impacts of the development and provide a net gain.</p>

<p>Financial contribution to Oxfordshire Clinical Commissioning Group to support capital projects associated with either plans for surgery alterations/extensions or support patient services to increase capacity</p>	<p>£360 per person generated (from SHMA occupancy) based on final housing mix</p>	<p>To be delegated to officers</p>	<p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p> <p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD and evidence from OCCG based on the final mix of housing and number of occupants.</p>
<p>Monitoring Fee Contribution towards the Council's (both district and County Council) costs of monitoring compliance with the agreement or undertaking</p>	<p>To be confirmed</p>	<p>To be delegated to officers</p>	<p>Necessary in order to ensure the planning obligations are complied with.</p> <p>Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.</p>
<p>Public transport contribution of £1,133 per dwelling to maintain the operation of the bus service serving Launton</p>	<p>£1,133 per dwelling</p>	<p>To be delegated to officers</p>	<p>Necessary to ensure sustainable mode of transport and encourage and integrated into the development</p>

Public transport infrastructure contribution of £96,305	£96,305		<p>and made attractive to future users to reduce car dependency.</p> <p>Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality.</p> <p>Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development.</p>
Public Rights of Way of £15,000 toward improvements to PROW in the vicinity of the site.	£25,000		<p>Necessary to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency.</p> <p>Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality.</p> <p>Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development.</p>
Delivery of a public footpath from the new pedestrian overbridge to Station Road and connection to existing PROW network.	New public footpath		<p>Necessary to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency.</p>

			<p>Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality.</p> <p>Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development.</p>
<p>Obligation to enter into a S278 agreement to secure:</p> <ol style="list-style-type: none"> 1. New site access Blackthorn Road and as shown on drawing 001 Rev P9 with a visibility splay of 2.4m x 120m 2. New 3m wide footway as shown on drawing 001 Rev P9 3. Realignment of existing kerblines over a distance of approximately 83m to accommodate shared footway / cycleway as shown on drawing 001 Rev P9. 4. Relocation of speed limit terminal signs and village entry feature 5. Provision of the bridleway/cyclepath to link with Bridleway (105/6/20) and details of how this will be facilitated and constructed to adoptable standards. 	To be delivered on and off site	To be delegated to officers	<p>Necessary to provide safe and suitable access to the site and the highway network and ensure the development does not result in unacceptable impacts on highway safety.</p> <p>Directly related. This will provide safe and suitable access to the site and as a result of additional traffic and pedestrian movements associated with the development.</p> <p>Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development.</p>

6. Street lighting to be agreed in line with the agreed highway boundary.			
Secondary education capacity contribution and contribution towards secondary school land in Bicester	£598,266 towards secondary education capacity and £63,144 towards secondary school land contribution for secondary school places secondary school places in Bicester to ensure adequate secondary school provision	To be delegated to officers	<p>Necessary to provide adequate education provision in the locality as existing infrastructure is at capacity with planned growth.</p> <p>Directly related. Will provided additional school places for children living at the proposed development</p> <p>Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision of new school places based on cost per additional pupil.</p>
Special School contribution to be spent on expansion of SEN school capacity	£44,871 (final amount to be based on final housing mix)	To be delegated to officers	<p>Necessary to provide adequate education provision in the locality as existing infrastructure is at capacity with planned growth.</p> <p>Directly related. Will provided additional school places for children living at the proposed development</p>

			<p>Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision of new school places based on cost per additional pupil.</p>
<p>Contribution towards expansion and efficiency of Household Waste Recycling Centres.</p>	<p>£7,047</p>	<p>To be delegated to officers</p>	<p>Necessary to provide adequate waste and recycling provision in the locality as existing infrastructure is at capacity with planned growth.</p> <p>Directly related. Will provided additional capacity for household waste recycling centres which the occupiers of the proposed development will utilise.</p> <p>Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision based on build costs.</p>