

**Land At Islip Fuel Depot, Adjoining Oxford to
Bicester Railway, Bletchingdon Road, Islip**

25/02918/OUT

Case Officer: Katherine Daniels

Applicant: Barwood Development Securities Ltd and NCM Real Re

Proposal: Outline application (All Matters Reserved except for Access) for the development of up to 150 homes (Class C3), up to 70-bed care home (Class C2), up to 65 no. retirement/assisted living units (Class C2/C3) and associated facilities, car parking associated with the neighbouring land use (sui generis), public open space, pedestrian and cycle links, play area, drainage, landscaping, and all other related works including the removal of fuel storage tanks and associated engineering/remediation works and demolition of associated structures and buildings

Ward: Launton And Otmoor

Councillors: Cllr. A Russell, Cllr. J Nedelcu and Cllr. T Faltermeyer

Reason for Referral: Major development

Expiry Date: 12 June 2026

Committee Date: 23 July 2026

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The brownfield application site, which is just over 14 hectares in size, is a former oil distribution depot located to the immediate north of the village of Islip. Although the site is well screened with an existing mature hedgerow there are points along the boundary where views into the site are possible. The main area of the site appears relatively green with a limited number of structures above the ground level. The main storage tanks are located below ground and are mounded with solid flat tops.
- 1.2. The oil depot was opened by the RAF in 1930. After the Second World War, control was transferred to ESSO who occupied the site until 1969. More recently the MoD supplied jet fuel, by pipeline, to RAF Upper Heyford. The site ceased use in 1994, when airbase closed. It has been largely redundant since this date. The depot has two points of access onto the Bletchingdon Road and is relatively close to the A34 which is to the north of the site.

2. CONSTRAINTS

- 2.1. The application site is in an area of potentially contaminated land and is within the Oxford Green Belt. The East West Rail Safeguarded area is located to the south. The

site is also in an 'explosive zone'. Islip's Conservation Area is located approx. 130m to the south. The site lies within a flood zone 1.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. This is an outline planning application for the construction of up to 150 dwellings, a 70 bed care home and 65 bed retirement/assisted living units. The applicants have provided a masterplan which shows how the development could be developed. The proposed development is in two principal parcels. The residential care home, and retirement village are located to the south of the site, and the proposed dwellings are located to the north of the site. The parcels are proposed to have green space between them, as well as being set off from the boundary of the site. The majority of the green space is located to the northeast of the site.
- 3.2. The dwellings, retirement home, and the care homes would have maximum heights of 10.5m (2.5 storeys), 11m (2.5 storeys) and 11.5m (2.5 storeys) respectively. The tallest residential buildings in the northern parcel are proposed to be located centrally in an attempt to limit the visual harm from outside the site's perimeter.

4. RELEVANT PLANNING HISTORY

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

24/00295/PIP – Permission in Principle – redevelopment to provide 9 dwellings.
Withdrawn

13/00311/CLUE – Certificate of Lawful Use Existing – Oil Storage Depot. Permitted

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 **9 December 2025**, although comments received after this date and before finalising this report have also been taken into account.

- 6.2. The comments raised by third parties are summarised as follows:

- Scale and Overdevelopment of Islip
 - Increase the population of Islip by 50-70%.
 - Outside the established confines of Islip
- Impact on Village Character and Heritage
- Pressure on infrastructure
 - School is at capacity
 - GP surgery is overstretched
- Highway Safety and Traffic Impacts

- Residential amenity
 - Noise, traffic and disturbance
 - Loss of Privacy
- Loss of Green Belt
- Premature application
- Additional flooding in the locality
- Impact on ecology and biodiversity
 - Insufficient information
 - Further surveys are required
- The need for the care home
- Increase in crime

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.

7.2. ISLIP PARISH COUNCIL: **object** to the proposal. Have the following concerns:

- Contamination – especially with PFAs
- Traffic and Highway Safety
- Sewage and Foul Waste Capacity
- Flooding and Drainage
- Medical Services Capacity
- School Capacity
- Concerned about the masterplan and what will be built
- Scale and Impact on Village Character
- Noise Impact
- Housing Type and Mix
- Impact on the Green Belt
- Residential Amenity

7.3. OCC HIGHWAYS: **no objections** subject to S106 contributions towards highway works, public transport services, travel plan monitoring, obligation for a S278 agreement as well as planning conditions for the access, travel plan for the dwellings and the care home, a construction management plan

7.4. OCC LEAD LOCAL FLOOD AUTHORITY: Has no objections subject to conditions relating to Surface water Drainage, and SuDS as built and maintenance details.

7.5. OCC EDUCATION: Has no objection subject to S106 contributions for primary and nursery education, secondary education, secondary education land and special education.

- 7.6. OCC ARCHAEOLOGY: No archaeological constraints
- 7.7. OCC WASTE MANAGEMENT: **No objections** subject to S106 contributions towards household waste recycling centres
- 7.8. OCC LIBRARY SERVICE: **No objections** subject to S106 contributions towards expanding capacity and stock at Kidlington Library.
- 7.9. OCC PUBLIC HEALTH: Public Health are generally supportive of the proposals on the basis that the applicant ensures the following issues are addressed:
- Local healthcare facilities have sufficient capacity to cope with the anticipated increase in the local population on completion of the development
 - Adequate community stakeholder engagement is conducted throughout the continued development of the site to reduce unnecessary stress on local people.
 - The development actively promotes positive health and wellbeing considering the identified health needs and demographics of the future residents.
- 7.10. NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board: **No objections** subject to Section 106 for the improvements to Islip Doctors Surgery.
- 7.11. CDC PLANNING POLICY: **No objection** to the proposal subject to no substantial harm to the openness of the green belt.
- 7.12. NATURESPACE: There is a high likelihood that Great Crested Newts would be impacted by the development proposals.
- 7.13. CDC ECOLOGY: Has **no objection** to the proposal following confirmation that there are no bats in the tanks, and confirmation that the applicants will be going down the licence from Natural England for Great Crested Newts. Recommends conditions, CEMP, LEMP, Sensitive Lighting scheme, updated surveys if current surveys expire prior to works starting. S106 for BNG.
- 7.14. CDC ENVIRONMENTAL PROTECTION: **No objections** subject to conditions relating to noise, CEMP, Air quality, Contamination. Have no comments on light or odour.
- 7.15. ENVIRONMENT AGENCY: Have **no objections** to the proposal provided suitable conditions are imposed relating to contamination, drainage, piling and boreholes.
- 7.16. CDC BUILDING CONTROL: Would be subject to building regulations.
- 7.17. CDC LAND DRAINAGE: It is recommended that SuDS are incorporated within the design. Site discharge is restricted to greenfield run off rate.
- 7.18. CHILTERN AND NETWORK RAIL: Has no objections to the proposal providing suitable conditions are imposed.
- 7.19. THAMES VALLEY POLICE CRIME PREVENTION DESIGN ADVISOR: Has made comments on the potential layout of the proposal, and how the layout can respond to designing out crime at the Reserved matters stage.
- 7.20. THAMES VALLEY POLICE: Requests S106 for new policing growth, monies towards new vehicles, APNR cameras, premises, and Mobile IT.

- 7.21. CPRE: Has concerns on developing the site. Agree in principle to the brownfield first approach, this does not mean it should be developed. Concerns on the impact on ecology, and the water and wastewater infrastructure.
- 7.22. THAMES WATER: Has identified the foul water network does not have sufficient capacity and recommend that conditions are imposed.
- 7.23. CDC RECREATION AND LEISURE: Request monies towards sports provision (indoor and outdoor), community hall facilities, community warden, community development fund and public art.
- 7.24. OXFORDSHIRE FIRE AND RESCUE: Development would need to be subject to building regulations and fire service access with appropriate flow rates provided.
- 7.25. CDC URBAN DESIGNER: Given the site's brownfield use and clear relationship with the station, I support the principle of redevelopment. However, I object to the design proposals that have been brought forward. Further thought should be given to the disposition of land uses, densities and heights, which the applicant is seeking to fix at this outline stage. I would support a form of development that is more closely relate to the existing village and the station. Considerations such as railway noise could be addressed at the detailed stage, rather than the imposition of a fixed buffer at this outline stage. Alternative design options should be fully explored to ensure a scheme that makes efficient use of the land; is sympathetic to the local character; and fully optimises the sustainable location. The parameters will need to allow sufficient flexibility for this to be achieved. They should not inhibit sustainable, innovative and contextually responsive design.

AMENDED COMMENTS: Further to the applicants' technical note my comments of the 18th June remain unchanged. I make the following observations:

Relationship to the Existing Settlement of Slip

The response does not address my concern, which relates to the disposition of land uses. The applicant seeks to justify the design approach by talking about issues such as block structure, character and appearance. This is a distraction because these elements are not for determination at this outline stage. Given the applicant is a land promoter, their interest in design and placemaking is unlikely to extend beyond achieving outline planning.

Approach to Compact Development

Compact development means establishing walkable neighbourhoods by locating higher densities close to existing and proposed amenities. In the context of this scheme, the station would be the obvious location to focus development. However, the applicant has chosen to locate lower density retirement living and open space in this location.

Evidence based approach to noise constraints

The applicant states that the outline scheme has been informed by robust technical evidence, rather than an arbitrary design decision. My comments do not suggest the design decisions are arbitrary. On the contrary, I believe the applicant would rather over egg the buffers to ensure a clean site to pass onto house builders.

The Noise and Vibration assessment is in outline and clearly shows that built development could be located closer to the railway with standard glazing, and in fact right up to the site boundary with enhanced glazing. The deep offset is not justified in design terms. Appropriate design and mitigation can be developed at reserved matters; noise should not be used as a reason to stymie development within the most sustainable part of the site at this outline stage.

Density Strategy

No further comments.

Building Heights Strategy

No further comments.

7.26. LANDSCAPE CONSULTANT: CDC LANDSCAPE COMMENTS ON AMENDED INFORMATION:

On the basis of the additional information submitted, I am satisfied that the applicant has fully addressed the comments and requests for clarification set out in the HBA review. The LVA and Addendum together now provide a sufficiently robust and transparent assessment to inform the Council's consideration of landscape and visual matters. On this basis, I raise no objection on landscape grounds.

7.27. HUSKISSON BROWN (HBA) COMMENTS:

Confirmation of the brief issued to the reviewer setting out the scope of the review;

The scope of this review was to undertake a review of the submitted Landscape and Visual Appraisal in general accordance with the Landscape Institute's Technical Guidance Note (TGN) 1/20 (10 Jan 2020). This gives guidance for reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs). It identifies the three main components of a review as to the completeness, competency, and reliability of an LVIA / LVA. These are stated as:

- 1) Checking the methodology used to undertake the assessment, the criteria selected (including balance between), and the process followed;
- 2) Checking the baseline, content and findings of the assessment; and
- 3) Checking the presentation of the assessment findings.

Chapter 8 of GLVIA3 'Presenting information on landscape and visual effects' has also informed the review.

The review was undertaken by a Chartered Member of the Landscape Institute experienced in the preparation and review of LVIA's and LVA's and familiar with the landscape of the district.

A summary of how the review was undertaken;

The work involved both desk-based review and a site visit. The desk-based work centred on reading the LVA, following through the methodology by means of both the text and tables and spot checking a range of the other documents referred to. The Design and Access Statement, access proposals plans and topographical survey were also briefly reviewed

Site work involved inspecting the site from the existing entrance gates on Bletchington Road, driving the local roads on approach to Islip and the site and within the village, and walking the local Public Rights of Way and roads both in the vicinity of the site and further afield to confirm the existing character of the site and locality and to inspect the LVA viewpoints.

A summary of findings of the review of the assessment methodology;

The LVA methodology is overall considered compliant with GLVIA3 and relevant technical guidance notes, however a number of weaknesses are identified that leave

it open to challenge and could be tightened up. The methodological approach to judging landscape value and the balance of criteria used to inform landscape susceptibility has been questioned and further clarification should be provided.

A summary of findings of the review of the scope of the assessment;

A typical temporal and geographical scope are set out in the LVA and are appropriate. The scope is not otherwise defined in the LVA. The following comments are made regarding the scope based upon the LVA content:

- An element of Green Belt assessment within the LVA assessment of effects. It should be separately considered. Compliance with Green Belt policy is not a consideration for the LVA.
- The LVA baseline does not refer to or consider all of the relevant Landscape Types (LT) and Landscape Character Areas (LCA) within the 2km Study Area and ZTV, or provide sufficient justification for their scoping out. Potential landscape receptors are therefore missing or have not contributed to a thorough understanding of the baseline for 'the site in its context'. These are:
 - Clay Vale LT which adjoins the site.
 - Alluvial Lowland LT which covers the landscape across much of the countryside to the east of the Site. Both require consideration in the baseline.
 - The Lower Cherwell Floodplain LCA and the Oxfordshire Estate Farmlands LCA.
- In terms of visual receptors, users of Kidlington Road and residents on the northern side of Kidlington Road lie within the Study Area and ZTV but have been scoped out of the LVA. Given that the LVA considers the proposed development would be perceived in more distant views beyond Kidlington Road, this would seem an error.
- The effects of the height, scale and mass of development in this landscape and upon the settlement character of Islip are not fully assessed.
- The basis for the LVA (ie the scheme proposal that has been assessed in the LVA) is not clear; whether this is the Parameter Plans and access proposal (which are for determination but neither the drawings nor the proposed heights and scale of built form and open space etc indicated upon them are referenced or specifically assessed in the LVA) or indicated in the illustrative material.
- The effects of the access proposal do not appear to have been assessed.

The LVA methodology appears generally in line with GLVIA3 and the associated Technical Notes however some methodological issues have been raised, predominantly relating to the approach to landscape value and the balance/completeness of the landscape susceptibility criteria that are not robust or entirely clear.

A summary of findings of the review of the actual assessment of effects;

The LVA baseline is not thorough. It does not address some of the relevant LTs, LCA or all of the relevant characteristics/qualities of the landscape as identified in published studies and scopes out some visual receptors that should be included. This

means that key aspects of landscape character have not been fully analysed in the LVA, used to inform the scheme design or subsequently carry through into the consideration of landscape value and susceptibility, landscape sensitivity and the assessment of effects.

There is therefore a disconnect between the findings of the LVA baseline studies and noted characteristics/issues in the published landscape studies and the scheme proposal itself as well as the subsequently assessed findings with regard to landscape and visual effects. The scheme proposal does not demonstrate that it has been appropriately informed by the range of sensitivities and valued qualities noted in the published studies. The LVA does not robustly assess the scheme against all of the characteristics of this landscape; notably in terms of the recognised scale and settlement pattern of Islip.

Visual effects are not adequately described in terms of the scale/amount of proposed development that would be visible and how this would relate to the overall composition of the view (ie. would it break the skyline or create a depth of development in any views?) or to the visual relationship with the village and the wider countryside in order to justify the assessment rankings.

Photowire visualisations could have helpfully illustrated how the parameters for the proposed development would appear in views and corroborate the assessment, particularly where the LVA indicates uncertainty. They could help to demonstrate how the proposed development would be perceived and 'fit' in this landscape and assist in communicating the assessment of landscape and visual effects and supporting the assessed findings. This would be a proportionate approach given the scale of development that is being proposed and the noted uncertainties over what effects may arise in the LVA.

The findings are not always clearly set out in relation to both landscape and visual issues with some erroneous or misleading language used. Some of the LVA findings are not considered reliable on account of mis-recording of the sensitivity of landscape receptors that has fed through the assessment.

The overall landscape effects assessed in the LVA are likely to be understated due to not adequately considering all of the relevant baseline characteristics, in particular the topography of the site on east facing slopes on high ground extending north from the settlement, and the role of this landscape in relation to settlement pattern and the effects of the proposed scale of development upon the small-scale of Islip village (as noted in the published character and sensitivity studies).

The findings of the LVA are open to criticism as a result of the above issues which are recommended to be addressed.

A summary statement by the reviewer in respect of appropriateness, quality, comprehensiveness, compliance and conformity with relevant guidance and regulations;

The LVA methodology is largely compliant with GLVIA3 however some methodological issues have been identified that should be addressed or clarified. Some errors in the application of the methodology are also flagged.

The consideration of the landscape baseline and identification of both landscape and visual receptors and effects is not comprehensive. The narrative of the LVA is somewhat generic and lacks in site-specific analysis, notably with regard to the key characteristics of landscape character and predicted visual effects. This arises to a

degree from the gaps in the baseline consideration and identification of receptors as well as some errors in the application of the methodology.

The LVA is silent on the scheme that has formed the basis of the assessment. The building heights and overall scale of development being proposed by the outline scheme are not referenced or analysed in terms of how this would relate to the existing landscape character and the way that Islip is perceived in the landscape.

Elements of Green Belt assessment and testing against policy are amalgamated within the landscape and visual effects assessment which is not appropriate or in accordance with best practice.

Recommendations for further information to be sought (if necessary);

In order to present a robust LVA upon which CDC can make a fully informed planning decision, the following information is recommended to be addressed by the applicant's Landscape Architect:

- Confirm the basis on which the LVA is made (ie. Parameter Plans and access proposal or Illustrative Masterplan).
- Clarify the LVA methodology approach to landscape value and include all relevant landscape susceptibility criteria within the methodology or clarify how indicators of susceptibility such as landform/topography and settlement pattern are addressed.
- Update baseline to provide a more comprehensive and robust consideration of all relevant LTs and LCA that adjoin the site and lie within the study area and the, and use this to inform the assessment of landscape effects, or justify why they are not relevant.
- Justify exclusion of users of Kidlington Road and properties on Kidlington Road as visual receptors, or include in the assessment.
- Illustrate extent of the ZPV on Plan EDP 5.
- Clarify extent of the identified landscape receptors – notably to confirm whether the site is a receptor in isolation or 'in its context' (both are variably referenced throughout the LVA). If the site is considered in its context, clarify how this overlaps with the host LT and LCA which are also assessed as separate receptors with variable extents referenced.
- Landscape value judgements (LVA Table EDP3.1) need to more comprehensively address and analyse the range of key characteristics and valued qualities recorded in the published studies. (noting also the missing LT and LCA characteristics).
- Address typographic errors and erroneous statements and correct errors in the application of the assessment criteria/rankings.
- The elements of Green Belt assessment and testing against policy in LVA Section 6 should be presented separately from the landscape and visual effects assessment.
- Identify the pertinent aspects of the development proposal for the LVA and describe how the landscape and visual baseline has informed the development of the Parameter Plans in LVA Section 5.

- Provide further narrative reasoning for the magnitude of change judgements in the landscape effects assessment, with reference to the development indicated on the Parameter Plans and access proposal.
- Provide more in-depth and site-specific analysis and supporting visual material (eg. Photowires/wireframe views) in order to inform and justify the assessed rankings of visual magnitude of change and level of visual effects and to address missing visual receptors on Kidlington Road. Further clarification and consistency is required in describing the visual effects for all receptors in relation to the specific development proposal and the visual context of this landscape

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)

- Policy PSD 1 – Presumption in favour of Sustainable Development
- Policy SLE 4 – Transport Connections
- Policy BSC 1 – District Wide Housing Distribution
- Policy BSC2 - he Effective and Efficient Use of Land -Brownfield land and Housing Density
- Policy BSC 3 – Affordable Housing
- Policy BSC 4 – Housing Mix
- Policy BSC 10 – Open Space, Outdoor Sport and Recreation provision
- Policy BSC 11 – Local standards of provision – Outdoor Recreation
- Policy BSC 12 – Indoor Sport, Outdoor Sport and Recreation provision
- Policy ESD 1 – Mitigating and Adapting to Climate Change
- Policy ESD 2 – Energy Hierarchy and Allowable Solutions
- Policy ESD 3 – Sustainable Construction
- Policy ESD 4 – Decentralised Energy Systems
- Policy ESD 5 – Renewable Energy
- Policy ESD 6 – Sustainable Flood Risk Management
- Policy ESD 7 – Sustainable Drainage Systems
- Policy ESD 8 – Water Resources
- Policy ESD 10 - Protection and Enhancement of Biodiversity and the Natural Environment
- Policy ESD 13 – Local Landscape Protection and Enhancement
- Policy ESD 14 – The Oxford Green Belt
- Policy ESD 15 – The Character of the Built and Historic Environment
- Policy ESD 17 – Green Infrastructure
- Policy Villages 1 – Village Categorisation
- Policy Villages 2 – Distributing Growth Across the Rural Areas
- Policy INF 1 – Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- Policy H18 – New dwellings in the Countryside
- Policy C28 – Layout, design and external appearance of new development
- Policy C30 – Design control
- Policy ENV1 – Environmental Pollution
- Policy ENV12 – Contaminated Land

The District Council has prepared a 2042 Review Local Plan that has passed through Reg.18 and Reg.19 consultations and has now been submitted for Examination (31 July 2025). Even though it has not been statutorily adopted, by virtue of its advanced stage of preparation and Council endorsement as adopted emerging strategy worthy of consideration at Examination, some weight must now be afforded to its policies and proposals, with the weight attributable dependent upon the level of objection and/or support offered in representations made in respect to the two rounds of public consultation. Emerging policies of relevance to this proposal are:

CHERWELL LOCAL PLAN REVIEW 2042 PROPOSED SUBMISSION (CLPR 2042)

- SP1 – Settlement Hierarchy
- CSD1 – Mitigating and adapting to climate change
- CSD2 – Achieving Net Zero Carbon Development – Residential
- CSD6 – Renewable energy
- CSD7 – Sustainable Flood Risk Management
- CSD8 – Sustainable Drainage Systems
- CSD11 – Protection and enhancement of Biodiversity
- CSD12 – Biodiversity Net Gain
- CSD15 – Green and Blue Infrastructure
- CSD17 – Pollution and Noise
- CSD19 – Soils, Contaminated Land and Stability
- CSD22 – Sustainable Transport and Connectivity Improvements
- CSD23 – Assessing Transport Impact/Decide/provide
- CSD25 – The Effective and Efficient Use of Land – Brownfield Land and Housing Density
- COM1 – District Wide Housing Distribution
- COM2 - Affordable Housing
- COM3 – Housing Size/Type
- COM4 – Specialist Housing
- COM10 – Protection and Enhancement of Landscape
- COM12 – The Oxford Green Belt
- COM14 – Achieving Well Designed Places
- COM15 – Active Travel – Walking and Cycling
- COM17 – Health Facilities
- COM18 – Creating Healthy Communities
- COM20 – Providing Supporting Infrastructure and Services
- COM21 – Meeting Education Needs
- COM22 – Public Services and Utilities
- COM23 – Local Services and Community Facilities
- COM24 – Open Space, Sport and Recreation
- COM27 – Conservation Areas
- RUR1 – Rural Areas Housing Strategy
- RUR3 – New Dwellings in the Open Countryside

8.3. Other Material Planning Considerations

- The National Planning Policy Framework (2024)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide SPD (July 2018)

- Developer Contributions SPD (February 2018)
- CDC Green Belt Study (2003)
- National Design Guide
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)

9. APPRAISAL

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

- Principle of development in the Green Belt
- Highway Safety
- Landscape and Visual Impact
- Design and Layout Principles
- Impacts on Heritage Assets
- Residential Amenity
- Sustainable Construction and Energy Efficiency
- Ecology and Biodiversity
- Flooding and Drainage
- Affordable Housing
- Noise, Contamination and Air Quality
- Planning Obligations
- Other material considerations
- Planning Balance and Conclusion

Principle of Development in the Green Belt

9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan relevant to the proposal site is the CLP 2015, its Partial Review and the saved policies of the Cherwell Local Plan 1996, which contain strategic and non-strategic planning policies for development and the use of land.

9.3. The CLP 2015 seeks to allocate sufficient land to meet District-wide housing needs. The overall housing strategy is to focus strategic housing growth at the towns of Banbury and Bicester, and a small number of strategic sites outside of these towns including an allowance for housing in the rural areas. This is outlined in Policy BSC1 of the CLP 2015, which states that an additional 22,840 dwellings will be delivered between 1 April 2011 and 31 March 2031 (plan period). The delivery strategy for meeting the above housing target is through existing extant planning permissions, local plan allocations and windfall sites. Whilst Policy BSC1 is now out of date insofar as the number of dwellings required to be delivered, the housing strategy remains relevant. The CLP Partial Review was a focussed plan to allocate land to meet Oxford's unmet housing needs.

9.4. The development site is an unallocated Green Belt site located beyond the built-up limits of Islip. Policy Villages 1 (PV1) identifies the most sustainable villages (Category C) and identifies infilling and conversions within built-up limits is in principle acceptable.

9.5. Islip is identified as a Category C village under PV1, therefore, housing development which is not infilling or conversion will not be supported. The general local plan direction for villages and rural areas is to protect and enhance the services, facilities, landscapes, and natural and historic built environments within these areas.

- 9.6. Saved Policy H18 of the CLP 1996 refers to the development of dwellings beyond the built-up limits of settlements.
- 9.7. Cherwell District Council's latest Annual Monitoring Report, dated December 2025, confirms that Cherwell District Council can only demonstrate a housing land supply of 3.1 years.
- 9.8. This figure accounts for the land supply calculations for deliverable housing sites measured against identified need, including that for Oxford's unmet need, as outlined in the Cherwell Partial Review Plan (2020). The land supply calculations are in light of the revised NPPF (December 2024) and appeal decision ref; APP/C3105/W/23/3326761 (March 2024) and the subsequent High Court decision for the appeal, for which the judge ruled that a single housing land supply calculation for the whole district must be used, incorporating both Cherwell's own need within the CLP 2015 and Oxford's unmet need (PR Plan 2020).
- 9.9. Paragraph 11 (d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.
- 9.10. The policies which are most important for determining the application are out of date, as per footnote 8 of the NPPF, this relates to applications involving the provision of housing in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 9.11. As outlined in paragraph 9.7 of this report, the Council cannot presently demonstrate a 5 year housing land supply. On this basis, the housing policies BSC1, PV1 and PV2, along with H18, cannot be deemed up to date. Therefore, paragraph 11 (d) of the NPPF, which sets out the presumption in favour of sustainable development, is engaged.
- 9.12. The PPG provides guidance regarding planning for the housing needs of older people, stating that "the need to provide housing for older people is critical" and that "offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems" (Paragraph: 001 Reference ID: 63-001-20190626). It goes on to identify different types of specialist housing for older people, including "Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services but provides some support to enable residents to live independently." (Paragraph: 010 Reference ID: 63-010-20190626). In addition to this, the MHCLG 'Older People's Housing Taskforce' published a report in November 2024 that identified a national need to build an estimated 30-50,000 new later living homes per annum to meet the needs of an aging and increasingly diverse older population, compared to current delivery (at the time of publication) of around 7,000 per annum.

- 9.13. Policy PSD1 of the CLP 2015 sets out the plan's presumption in favour of sustainable development, stating that when considering development proposals, the council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework, therefore, echoing paragraph 11 (d) of the Framework.
- 9.14. As outlined earlier, the development site is in the Green Belt, and it is also within the setting of designated heritage assets. Footnote 7 of the NPPF outlines the policies in the Framework which relate to protected areas or assets of particular importance, which include land designated as Green Belt and designated heritage assets.
- 9.15. The key considerations pertinent to the principle of development are therefore;
- whether the application of Green Belt and relevant heritage policies in the NPPF provides a strong reason for refusing the development proposed or;
 - whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.
- 9.16. Section 13 (paragraphs 142 to 159) of the NPPF sets out the national Green Belt policy. The NPPF post-dates the CLP 2015, and so the NPPF provides the most up-to-date reference point for Green Belt Policy.
- 9.17. Paragraph 142 of the NPPF outlines that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of Green Belts are their openness and their permanence. In turn, Paragraph 143 outlines the purposes of the Green Belt, which are as follows;
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 9.18. Policy ESD14 of the CLP 2015 is consistent with paragraph 143 of the NPPF identifying the following purposes;
- a) Preserve the special character and landscape setting of Oxford;
 - b) Check the growth of Oxford and prevent ribbon development and urban sprawl;
 - c) Prevent the coalescence of settlements;
 - d) Assist in safeguarding the countryside from encroachment;
 - e) Assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 9.19. Policy COM12 of the emerging Reg 19 Cherwell Local Plan Review (CLPR) 2042, whilst it is attributed limited weight given it's the stage of preparation it is at, echoes the NPPF and is similar in approach to Policy ESD14, in terms of the Green Belt purposes.

- 9.20. Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.21. Paragraph 154 of the NPPF sets out exceptions to development being considered inappropriate in the Green Belt, and none of the exceptions listed relate to the proposed development.
- 9.22. However, as part of the revisions to the NPPF in December 2024, paragraph 155 was introduced, which states the following;

Development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

There is a demonstrable unmet need for the type of development proposed;

The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and

d) Where applicable, the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 [of the Framework].

- 9.23. 155(a) above requires an assessment of whether the development would utilise grey belt land, which is defined in Annex 2 of the NPPF as the following;

'For the purposes of plan-making and decision-making, 'Grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of the purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'

- 9.24. Although the site is classed as previously developed land, it still needs not to strongly contribute to any of the purposes (a), (b), or (d) as set out in paragraph 143 of the NPPF. Furthermore, as outlined in paragraph 155(a) of the NPPF, it would need to be demonstrated that development of homes would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
- 9.25. Lastly, the development site would also not be grey belt land, where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.
- 9.26. The Government has provided guidance on assessing the purposes of the Green Belt in the form of an updated Green Belt section within the PPG. This sets out guidance on what may be considered a 'strong' contribution, versus a 'moderate' or 'weak' contribution to each of the above purposes. An assessment will be undertaken in the latter part of this report.
- 9.27. Further to the above assessments, it must also be demonstrated against the rest of the provisions in paragraph 155 of the NPPF that;

- (b) There is a demonstrable unmet need for the type of development proposed and;
 - (c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF and;
 - (d) The development proposed meets the '*Golden Rules*' requirements set out in paragraphs 156-157 of the NPPF.
- 9.28. Paragraph 156 of the NPPF states that, where major development involving the provision of housing is proposed on land released from the Green Belt or in the Green Belt subject to a planning application, the following contributions ('*Golden Rules*') should be made:
- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 of this Framework;
 - b. necessary improvements to local or national infrastructure; and
 - c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.
- 9.29. Paragraph 157 of the NPPF outlines that, before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability.
- 9.30. The affordable housing policy BSC3 within the current adopted CLP 2015 does not account for paragraphs 67-68 of the NPPF, nor does the emerging affordable housing policy COM 2 of the Reg 19 CLPR 2042 (which, in any case, for the reasons outlined earlier, is given limited weight).
- 9.31. Policy BSC3 of the CLP 2015 outlines a 35% requirement for affordable housing for all major developments outside of Banbury and Bicester. Therefore, for the proposed development, accounting for the 15% uplift outlined in paragraph 157 of the NPPF, the requirement is for 50% provision of affordable housing to satisfy this part of the '*Golden Rules*'. It is noted that the applicants have offered 35% affordable housing, this is not part of the Golden Rules, and no case has been submitted to demonstrate viability. It will be expected that the applicants provide 50%
- 9.32. Paragraph 158 of the NPPF outlines that a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission. Lastly, paragraph 159 outlines that:
- 'The improvements to green spaces required as part of the Golden Rules should contribute positively to the landscape setting of the development, support nature recovery and meet local standards for green space provision where these exist in the development plan'*
- 9.33. The proposed development will be assessed in accordance with the above provision with regard to the local standards for green space CLP 2015.

- 9.34. The following part of this section will assess the development's compliance with the Green Belt policies, set out above, to establish its principal acceptability in regard to this footnote 7 Green Belt policies relative to Paragraph 11d (i) of the NPPF. Footnote 7 heritage policies also apply to the proposed development, and the detailed assessment of such policies will be undertaken in the heritage section of this report and thereafter feed into the planning balance section of the report, in terms of acceptability.
- 9.35. The assessment of Paragraph 11 d(ii) of the NPPF, in terms of the development's adverse impacts and benefits, will be filtered through within the assessment of different considerations outlined in various sections of the report. An overall conclusion on this part of Paragraph 11, as it pertains to the principal acceptability of the development, will be reached in the final conclusion and planning balance section of the report, where a comprehensive weighing exercise of the scheme's impacts and benefits will be undertaken.

Is the site grey belt?

- 9.36. To be considered grey belt there is a two-part assessment is to be undertaken which requires demonstration that:
- The development site does not strongly contribute to any purposes of (a), (b), or (d) in paragraph 143 of the Framework. Within this assessment and further the grey belt definition, it will also be demonstrated whether the development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Therefore, an assessment of the purposes related to (c) and (e) of paragraph 143 will also be undertaken.
 - For this development site in particular does the application of heritage policies provide a strong reason to refuse or restrict development.
- 9.37. In regard to the first part of the test, the PPG provides useful guidance on establishing whether an assessment area is grey belt, as outlined in the table below;

Purpose A – to check the unrestricted sprawl of large built-up areas	
Strong Contribution	Assessment area which is; Free of existing development. Lacks physical features in reasonable proximity that could restrict and contain development. Adjacent or near to a large built-up area. If developed, results in an incongruous pattern of development (such as an extended 'finger' of development into the Green Belt)
Moderate Contribution	Assessment area which is likely to be adjacent to or near a large built up area and includes one or more features that weaken the land's contribution, such as (but not limited to); -Having physical feature(s) in reasonable proximity that could restrict and contain development.

	-Be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development. -Contain existing development. -Be subject to other urbanising effects.
Weak or no Contribution	Assessment area which is; -Adjacent to or near a large built up area. -Adjacent to or near a large built up area, but containing or being largely enclosed by significant existing development.
Purpose B – to prevent neighbouring towns from merging into one another	
Strong Contribution	Assessment area which is free from existing development and includes all of the following features; • -Forms a substantial part of a gap between towns. • The development of which would be likely to result in the loss of visual separation of towns.
Moderate Contribution	Assessment area, which is located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to): • -Forming a small part of the gap between towns. • - • Being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation.
Weak or no Contribution	Assessment area which; • does not form part of a gap between towns, or • forms part of a gap between towns, but only a very small part of this gap, without contributing to visual separation.
Purpose D – to preserve the setting and special character of historic towns	
Strong Contribution	Assessment area which is free of existing development and includes the following features; • forms part of the setting of a historic town; • makes a considerable contribution to the special character of a historic

	town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town.
Moderate Contribution	Assessment area which forms part of the setting and/or contributes to the special character of a historic town but includes one or more features that weaken their contribution to this purpose, such as (but not limited to): • being separated to some extent from historic aspects of the town by existing development or topography • containing existing development. • not having an important visual, physical, or experiential relationship to historic aspects of the town.
Weak or no Contribution	Assessment area which; • does not form part of the setting of a historic town. • have no visual, physical, or experiential connection to the historic aspects of the town.

9.38. The application site was considered as part of the Housing and Economic Land Availability Assessment (HELAA) 2024, as part of a wider submitted site (HELAA144). The HELAA gives an overview on sites that maybe available, and the effect it could have on the character of the locality to inform future developments as part of the Local Plan review. The site was also considered in the Green Belt review. The site is considered suitable, available, and achievable. The HELAA notes the site is brownfield land and outside Islip's built-up limits, within the Oxford Green Belt. The landscape study 2017 considers that the site is poorly related to the village, and local road congestion is a constraint. The Landscape Character Sensitivity and Capacity Assessment 2017 found low landscape sensitivity, medium visual sensitivity, and medium capacity for development, but warned that full development could be out of scale and impact the River Cherwell Valley. Extensive screening (north and east) would be needed due to limited natural cover. Not all land is suitable for development. Potential capacity: around 150 dwellings (based on 10 ha at 20 dph, discounted by 0.75). However, infrastructure, transport, landscape constraints, and possible contamination from former oil depot use could affect viability.

9.39. The above documents reviewed the development site against the five nationally defined purposes of the Green Belt as set out in the NPPF at the time (2012 and 2021 versions) to provide clear conclusions on the relative performance of the Green Belt and the potential degree of harm that may result from the site's release from the Green Belt.

9.40. The Green Belt purposes in those two versions of NPPF remain identical to the current purposes outlined in paragraph 143 of the latest 2024 version. Therefore, it is considered that the above evidence base is useful in understanding how the development site contributes to purposes a, b and d of paragraph 143 of the NPPF, relative to the green belt assessment for the subject development site.

- 9.41. **Purpose a** is intended to check the unrestricted sprawl of large built-up areas. Islip is defined within the CLP 2015 as a Category C village. The PPG outlines that this purpose relates to the sprawl of large built-up areas and that villages should not be considered large built-up areas.
- 9.42. Based on the above, for the purposes of the development's grey belt assessment, Officers consider Islip not to be a 'large built up area'
- 9.43. Based on the assessment criteria within the PPG, the application site is adjacent and located to the north of the settlement edge of Islip, which comprises residential properties along Bletchington Road, and the railway and station to the south.
- 9.44. The site's contribution is also physically weakened by a hedgerow that marks the northern edge of the development, whilst this is a weak hedgerow in its current form, it will be enhanced as a result of the development, therefore, consolidating the physical barrier between the site and the fields north of the site. The PPG does not restrict the enhancement of existing physical features to facilitate checking unrestricted sprawl.
- 9.45. The PPG outlines that assessment areas that contribute **moderately** are likely to be **adjacent or near to a large built up area**, but include **one or more features that weaken the land's contribution to purpose A**, such as (but not limited to):
- having physical feature(s) in reasonable proximity that could restrict and contain development
 - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development
 - contain existing development
 - being subject to other urbanising influences
- 9.46. Therefore, the presence of **only two of the 4 features** outlined above is enough to weaken the contribution of purpose A of the Green Belt to an extent that the assessment area only moderately contributes to this purpose. it is considered that the site contributes **moderately** to Purpose A of the Green Belt.
- 9.47. In respect to the assessment site's contribution to **Purpose b**, 2023 Green Belt studies outline the following;
- 'Development here would represent encroachment on countryside but would not have a strong impact on the contribution of adjacent Green Belt, given that these areas are already contained to an extent by the village. In character, form and density, the core of Islip to the south of the railway line is commensurate with its washed-over status, and the current extent of development to the north of the railway is insufficient to significantly affect this.'*
- 9.48. The development site does not form any part of a gap and contribute to the visual separation between Islip and the nearest city of Oxford. Oxford Centre is located approx. 8km from the site is 4km to the edge of Cutteslowe. Furthermore, whilst not directly relevant, the development site is also not close to or forms any gaps between Islip and nearby villages of Kidlington and Bletchington. Overall, the assessment area contributes **weakly** to Purpose b of the Green Belt.
- 9.49. With respect to the assessment site's contribution to **Purpose d**, the CLP (2015) and Reg 19 of the CLPR 2042 repeatedly refer to the 'Oxford Green Belt'. Furthermore, supporting text B.256 of the CLP 2015 states;

*'The **Oxford Green Belt** was designated to restrain development pressures which could damage the **character of Oxford City and its heritage** through increased activity, traffic and the outward sprawl of the urban area. Similarly, the character of **Oxford in a rural setting** cannot be maintained without the protection of the spatial relationship of Oxford with nearby settlements and the maintenance of the character of the intervening countryside'.*

- 9.50. The site forms part of the wider setting of Oxford but does not make a meaningful or strong contribution to preserving the setting and special character of Oxford. Overall, the assessment area **does not** contribute to purpose d of the Green Belt.
- 9.51. Based on the above assessments, the development site is not considered to strongly contribute to any of the purposes of a, b, or d in paragraph 143 of the Framework.
- 9.52. Paragraph 155 (a) of the NPPF outlines that for the proposal to be considered appropriate development in the Green Belt, the development should not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Therefore, an assessment of the development's implications to the remaining purposes (c) and (e) of paragraph 143 is also requirement and is outlined below.
- 9.53. **Purpose c** relates to assisting in safeguarding the countryside from encroachment. The PPG provides no guidance in respect of considering Purpose C, but Officers consider that the key factors on whether the site would represent encroachment are whether there is urbanising development within it, whether it is subject to urbanising influence from outside of the site and whether its development would increase urbanising influence on adjacent open land.
- 9.54. The proposal would by its nature have an urbanising effect on the site. However, the site is brownfield, therefore defined as previously developed land. The site is on the Council's Brownfield Land Register (BLR118). The impact is considered to be reduced, given its brownfield status.
- 9.55. In regard to urbanising influence from outside of the site, as already outlined above, the site is partially enclosed by existing urban development and features (housing, and railway line), east, and south of the site. The site also has adequate physical separation from the northern fields beyond the site, which will be enhanced by planting along the northern boundary as a result of this development.
- 9.56. Based on the above, the site is not considered to have a **strong and strategic role** in the functioning of the Green Belt with respect to Purpose C.
- 9.57. **Purpose e** relates to assisting in urban regeneration by encouraging the recycling of derelict and other urban land. The assessment of the site is a previously developed site, which makes **no strategic contribution** to Purpose E.
- 9.58. The 2023 Green Belt Study outlined that if the development site was released from Green Belt for future development, the resulting harm to the Green Belt would be '*moderate-high*'. This area was a larger part of the Green Belt around Islip, which would have a greater impact on the Green Belt. It concluded that the development to the north of the railway would have an insignificant effect on the Green Belt. Based on the above assessments, the development would not fundamentally undermine the purposes (taken together; parts a-e of part 143) of the remaining Green Belt across the area of the plan. Therefore, the assessment site is considered to satisfy the first part of the grey belt assessment as per the grey belt's definition and paragraph 155 (a) of the NPPF.

9.59. Turning to the second part of the grey belt definition's assessment, which relates to whether the application of heritage policies provides a strong reason for refusing or restricting development.

9.60. The second strand of the grey belt definition, as outlined in Annex 2 of the NPPF, states that;

'For the purposes of plan-making and decision-making..... 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'

9.61. Para 11 b (i) stipulates how for 'plan making'....strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for **restricting** the overall scale, type or distribution of development in the plan area.

9.62. Whilst Para 11 d (i) outlines that for 'decision making' where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for **refusing** the development proposed.

9.63. Based on the above, Officers consider that the application of this second part of the grey belt's definition is dependent on whether it is being applied for plan making or decision making purposes. Indeed, the reference to footnote 7 originally derives from paragraph 11 of the NPPF, where there is a clear differentiation between 'plan making' and 'decision making'.

9.64. It is considered that the relevant test in this instance is whether, for the decision making process of this subject development, the application of policies that protect areas or assets of particular importance would provide a strong reason to refuse the development. In this case, the relevant policies relate to heritage assets.

9.65. The development's heritage impact on the setting of the nearby Islip Conservation Area will be assessed in the heritage section of this report. Should it be concluded that there are no heritage impact that would provide a strong reason to refuse the development, then the second part of the grey belt definition would be satisfied.

9.66. If there is any heritage harm to the setting and significance of the nearby heritage assets will be assessed based on the merits of the proposed development and mitigations outlined to offset any harm for this specific scheme. Therefore, should it be considered that no heritage impact would provide a strong reason to refuse the proposal, this conclusion will only apply to the proposed development in its current form and any future development within the site different in form to the proposed development will be subject to a separate grey belt assessment on its own merits

9.67. Officers also note within the draft NPPF, published on the 16th of December 2025, there is a proposed change to the definition of 'grey belt' to remove reference to the other "Footnote 7" areas. Whilst this document is still at draft consultation stage and, therefore, given limited weight in the determination of the current application, the proposed change outlines the direction of travel in how the 'grey belt' test will be applied without consideration to Footnote 7 policies, which already provide protection for the relevant areas in the Framework.

- 9.68. Paragraph 155(b) outlines that there should be a demonstrable unmet need for the type of development proposed. As outlined above, the Council has a housing land supply of 3.1 years, which is below the required 5 year supply. The Government has also identified a national need for providing 30-50,000 new later living homes to meet an aging population. Overall, 7,000 new later living homes are required. Therefore, it is clear that there is an unmet housing need, and on this basis, part b of paragraph 155 is satisfied.
- 9.69. Paragraph 155 (c) requires the development to be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF.
- 9.70. Islip is identified as Category C village which would normally mean that it was one of the least sustainable settlements in the district. However, this classification is based on Islip's location inside the Green Belt and does not take into account the village's sustainability credentials which would otherwise quite probably identify it as a Category A village. It is worth noting that new housing in Bletchington and Weston-on-the-Green is restricted to infills and conversions in respect of the parts of the villages located within the Green Belt, but as Category A settlements for the land outside the Green Belt. Islip has many of the amenities you would associate with a Category A village such as a primary school, shop, pubs and a doctor's surgery. The village also has a train station which provides regular access to Oxford and London.
- 9.71. Officers also note within the draft NPPF Policy S5 (Principle of development outside settlements) states that only certain forms of development should be approved outside settlements, and development for housing within reasonable walking distance of a railway station which provides a high level of connectivity to jobs and services (h). Draft Policy GB7 (Development which is not inappropriate in the Green Belt) also includes development within walking distances of a railway station.
- 9.72. For the purposes of a well-connected station, footnote 26 is relevant. This states '*Rail stations and underground, tram and light rail stops are those in a top 60 Travel to Work Area located partially or fully within England by Gross Value Added (GVA) and which, in the normal weekday timetable, are served (or have a reasonable prospect of being served due to planned upgrades or through agreement with the rail operator) throughout the daytime by four trains or trams per hour overall, or two trains or trams per hour in any one direction.*'
- 9.73. Islip station has the reasonable prospect of being served by 4 trains per hour. These are planned as part of Oxfordshire County Council Local Transport Strategy.
- 9.74. Although, the Draft NPPF has been through its Consultation stage, it can only be given very limited weight. However, the Draft NPPF indicates the government's direction of travel.
- 9.75. The development itself would also improve sustainable transport options by enhancing existing active travel (walking and cycling) and public transport infrastructure in the area. Furthermore, safe and suitable access provisions for all users will be incorporated into the development and mitigation measures will also be secured in relation to the development's impact on the transport network. Lastly, the design of streets, parking areas and transport elements at the reserved matters stage will have due regard to the relevant design guidance. Overall, the development aligns with paragraphs 110 and 115 of the NPPF, which seek to promote sustainable transport.
- 9.76. Based on the above, part (c) of part 155 is satisfied.

9.77. Paragraph 155 (d) references the 'Golden Rules' set out in paragraph 156 of the NPPF, detailed below;

Criteria	Assessment
a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the Policy set out in paragraph 157 of this Framework.	The development proposes 50% affordable housing, which will be secured in a s.106 agreement, along with the appropriate tenure mixes to reflect local need. Therefore, Para 156 (a) is satisfied.
b. necessary improvements to local or national infrastructure.	The development proposes necessary improvements to local infrastructure, which will be secured as planning obligations in a s.106 agreement. Therefore, Para156 (b) is satisfied.
c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.	There is a provision of green spaces within the site development that will be publicly accessible. The layout and design of the green spaces will be finalised at the reserved matters stage, and Officers will ensure they accord with local standards in the development plan. Furthermore, as per paragraph 159 of the NPPF, the green spaces are considered to contribute positively to the landscape setting of the development, supporting nature recovery. Therefore, Para 156 (c) is satisfied.

9.78. Concern has been expressed that the development would significantly increase the size of Islip, and the facilities would not be able to cope with the additional residents, therefore affecting its sustainability criteria.

9.79. Islip has had limited growth, as it has been protected given the village is within the Green Belt, and traditionally policies have prevented development outside the established confines of the village. However, as previously discussed, the village has a number of facilities including a primary school, shop, regular bus service and train service which demonstrate that Islip, leaving aside its Green Belt status, has the sustainability credentials to warrant additional housing.

Conclusion

9.80. Based on the above assessment and subject to the consideration of impact upon heritage assets, the proposed development could satisfy the grey belt criteria set out in paragraphs 155-159 of the NPPF. Should this be the ultimate conclusion then the development would be considered to be appropriate development in the Green Belt in principle, however this conclusion can only be reached once the consideration of all impacts have been undertaken which will be concluded upon in the planning balance section of this report.

- 9.81. As already mentioned, the assessment of Paragraph 11 d(ii) of the NPPF in respects of a comprehensive weighing exercise of the scheme's impacts and benefits will be undertaken in the final conclusion and planning balance section of the report to establish whether presumption in favour of sustainable development also applied in that instance.

Highways Safety

- 9.82. 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.
- 9.83. 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 has a severe traffic impact, will not be supported.
- 9.84. Paragraph 115 of the NPPF states that, in assessing specific applications for development, it should be ensured that:
- a) sustainable transport modes are prioritised, taking into account the vision for the site, the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision led approach.
- 9.85. In addition to this, paragraph 116 of the NPPF highlights that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.86. Originally the Local Highway Authority (LHA) objected to the proposal. Their concerns included the insufficient width of the 'ghost island', a stage 1 road safety audit had not been carried out, and the applicants needed to demonstrate the access could accommodate a 11.6m long vehicle.
- 9.87. The LHA, following the receipt of the amended plans, do not consider the proposal would result in a danger to those using the highway, provided the applicants enter into a S106 agreement for contribution towards highway works (Kidlington Road signage, wayfinding), public transport (local bus service), Traffic Regulation Order (TRO) (Speed Limit Change on Kidlington Road), and a Travel Plan Monitoring fee. A Section 278 agreement is also required to include a new shared footway/cycleway, a zebra crossing on the southern side of the railway bridge, an uncontrolled crossing on the southern side of the railway bridge with a cycle transition to the west side of the B4027, and other footway improvements along Bletchington Road and High Street.
- 9.88. The LHA has also requested conditions to mitigate against the impact of the development, these include full details of the means of access, a residential and care home travel plan, as well as a Construction Traffic Management Plan to be submitted to the Local Planning Authority.

- 9.89. The improvements to the access would require 100m of the hedgerow to be removed from the boundary to accommodate the visibility splays. This will be considered further in the paragraphs below on landscape impact.
- 9.90. Officers consider that the proposals demonstrate that safe and suitable access can be achieved, that pedestrian and cycle links are deliverable, that the site is accessible to public transport with proportionate contributions and improvements secured. Lastly, the residual traffic impacts would also be appropriately mitigated through financial contributions. The application is therefore acceptable in highway and transport terms, subject to the conditions and obligations outlined above.

Landscape and Visual Impact

- 9.91. 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
- 9.92. 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 should be configured to create clearly defined active public frontages.
- 9.93. As outlined in the principle of development section, Policy Villages 2 (PV2) of the CLP 2015 is a housing policy considered 'out of date' for the purposes of determining the principle of housing development. However, the Policy still provides useful guidance in assessing landscape and visual harm related to development proposals within and around villages. PV2 outlines that consideration is required of whether significant landscape and visual impacts can be avoided and whether the development would contribute to enhancing the built environment.
- 9.94. The site is located within the Lowland Village Farmlands Landscape Type, by the Oxfordshire Wildlife and Landscape Study (OWLS) 2004. The locality is characterised by the following:
- A varied gently rolling and almost flat topography
 - Medium to large sized arable and hedged fields
 - Thinly scattered hedgerow trees, which are mostly ash
 - Ash, willow and poplars fringing ditches and streams
 - Prominent village settlements scattered throughout the area.
- 9.95. The Landscape Character Sensitivity and Capacity Assessment 2017 found low landscape sensitivity, medium visual sensitivity, and medium capacity for development, but warned that full development could be out of scale and impact the River Cherwell Valley.

- 9.96. The applicants LVIA, viewpoint EDP4, has analysed the impact at year 1 to be moderate, but at year 15, the level of impact is reduced to moderate/minor harm. This is reduced by the proposed landscaping scheme, and the Council's Landscape Officer considers that landscaping is important to the overall scheme.
- 9.97. The applicants consider the impact to viewpoint EDP3, which is north-west of the Oxfordshire way towards Weston on the Green. This view is limited due to the intervening vegetation. The impact is considered to be moderate/minor at year 1, and minor at year 15.
- 9.98. Viewpoint EDP8 which is located to the east of the site from the Oxfordshire Way, has medium range views of the site. This is one of the more open viewpoints, therefore the impact of the proposed development is greater in this location. The applicants consider that this impact greater and would have a major/moderate impact at year 1 and the impact at year 15 will be moderate.
- 9.99. Viewpoint 13 is taken along the Oxfordshire Way at the footpath bridge over the railway. This viewpoint is on a higher level than others. The railway is an urban feature in this viewpoint, which reduces the overall impact on the character of the locality. The applicants consider that the impact in this location will be moderate at year 1, reducing to moderate/minor at year 15. This is reduced to the landscape to the eastern boundary.
- 9.100. The viewpoints to the south-east, EDP6 and EDP7, these views of the site are restricted due to the long distanced views and the intervening vegetation. Long distance views of rooftops may occur, and the magnitude of change at year 1 is moderate to minor, with no effect at year 15. At viewpoint EDP, the impact is slightly more at year 15, but this impact is negligible.
- 9.101. To the west of the application site, viewpoint EDP1, to the south of Bletchingdon, the views are reduced, due to the distance and the intervening vegetation. The site would not be visible from this location, therefore the impact in both year1 and year 15 is negligible.
- 9.102. Viewpoint EDP11 is on the public right of way between the Kidlington Road and Bicester Road. These views are glimpsed with long distanced views and intervening vegetation which reduces the view of the site. Rooftops may be visible. The impact on year 1 is considered to be minor, with it reducing to negligible at year 15.
- 9.103. Road users along Bletchington Road (Viewpoints EDP 2 and EDP10) are obstructed by dense roadside vegetation. Viewpoint 9 is located at the settlement edge of Coyner Close and Bletchingdon Road. The development would be seen in this viewpoint, however existing dwellings can already be seen within this view. At the year 1 stage the impact is considered to be moderate/minor reducing to minor at year 15.
- 9.104. Properties along Bletchingdon Road would be impacted as a result of the proposed development, and the development would be highly visible from these properties. The impact at year 1 is considered to be a major level of change. This is reduced to major/moderate once the landscaping becomes mature at year 15.
- 9.105. The Council's external landscape consultant assessed the applicants' LVIA and raised concerns that that the harm to the landscape could be worse than stated. Further clarification from the applicants was requested and have been provided to the Council.

9.106. Further details have been submitted to overcome the concerns raised. The additional information related to the following:

- Clarification of the basis of assessment, confirming that the LVA has been undertaken with reference to the Parameter Plans and fixed access arrangements (Addendum paras. 2.1–2.3).
- Expanded explanation of the landscape value methodology, including how TGN 02-21 criteria have been applied and how overall value judgements were reached (paras. 2.4–2.8).
- Updated and more comprehensive baseline analysis, addressing all relevant Landscape Character Types and Areas within the study area (paras. 2.9–2.12).
- Inclusion of receptors along Kidlington Road, with justification of the assessed magnitude and level of effect (paras. 2.13–2.14).
- Updated Plan EDP 5 showing the Zone of Primary Visibility, as requested (paras. 2.15–2.18).
- Clarification of the extent and definition of landscape receptors, distinguishing between the site, its immediate context, and host/surrounding LCAs (paras. 2.19–2.20).
- Clearer explanation of the development parameters relevant to the LVA, including height ranges and landscape-led design responses (paras. 2.21–2.23).
- Further narrative on magnitude of change and landscape effects, supported by additional wirelines and viewpoint analysis (paras. 2.24–2.35).

9.107. Following the submission of the addendum, the Council's Landscape Officer is satisfied that the previous deficiencies have been addressed, including providing wireframes to show the building heights of the proposed development. The main residential use has been moved slightly away from the northern boundary to allow for greater planting and walking routes around the site. As a result, Council's Landscape Officer is content that the applicants have overcome the concerns raised by the Council's external advisor. and recommends the imposition of planning conditions relating to a landscape scheme, landscape management plan, tree protection measures, levels condition, and a lighting strategy. The Council's Landscape Officer considers that the reserved matters should be landscape led.

9.108. Based on this assessment although there would be changes to the landscape character of the area, the impacts are not so significant to justify a refusal. The proposal is nonetheless considered to be in accordance with the aforementioned policies.

Design and Layout Principles

9.109. Section 12 of the NPPF relates to achieving well-designed places and advises that the creation of high-quality buildings and places is fundamental to what planning and the development process should achieve. At paragraph 131 it advises that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities' and at paragraph 135(b) it further advises that planning decisions should ensure that *'developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'*.

- 9.110. CLP 2015 Policy ESD15 advises that design standards for new development, whether housing or commercial development, are equally important and seeks to provide a framework for considering the quality of the built development which reflects and respects the urban or rural context within which it sits. The adopted Cherwell Local Plan 1996 contains saved Policy C28 which states that *'control will be exercised over all new development to ensure that the standard of layout, design and external appearance, including choice of materials are sympathetic to the character of the urban or rural context of that development'*. Saved Policy C30 states that *'design control will be exercised to ensure...(i) that new housing development is compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity and...(iii) that new housing development or any proposal for the extension (in cases where planning permission is required) or conversion of an existing dwelling provides standards of amenity and privacy acceptable to the Local Planning Authority'*. These are all relevant to the proposals considered here.
- 9.111. Designated heritage assets are also protected by the Planning (Listed Buildings and Conservation Areas) Act 1990, of particular relevance to this development is Section 66 of this act, which states that; in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.
- 9.112. The proposed development relates to an outline application for access only, with all matters regarding layout, scale, appearance, and landscape reserved for approval at a later date.
- 9.113. The current development would, however, establish the development parameters which will inform any future reserved matters application. To this effect, the proposed development has been accompanied by the following parameter plans:
- Land use and access parameter plan.
 - Density parameter plan.
 - Tree and vegetation retention/removal parameter plan.
 - Building heights parameter plan.
- 9.114. The plans as submitted show that the development would be in two parcels, one including the care home and assisted living facility. The other parcel is the majority of the housing. There are green gaps in between the parcels of land, as well as an green infrastructure around the site. Given that Islip has had limited development in recent years, (majority along the Kidlington Road) it is important to demonstrate the development would be in keeping with the character and appearance of the locality. This can be conditioned by way of a design code, in addition to the conditioning of the parameter plans.
- 9.115. The building heights plan indicates all the dwellings will be limited to 2 storeys in height, whereas the care home and assisted living accommodation will be 2.5 storeys. The higher development is closer to the built form of Islip; therefore, the proposal would be less prominent on the edge of the development.
- 9.116. The Council's Urban Design Officer has raised concerns over the two parcels and suggests that the development should be sited closer to the railway to the south and only have a single parcel of development. This would allow a larger green space to the north of the site.
- 9.117. The applicants maintain that they are satisfied that the current masterplan has been carefully developed, as a result of a rigorous and evidence-based analysis of the sites' constraints and opportunities.

- 9.118. The submitted information shows how the site could be developed, and not how it would be developed. Whoever takes on the site to develop may deviate from the masterplan. It is acknowledged that the development should be developed closer to the village and perhaps allow for a visually softer approach into Islip. This should be encouraged as part of the reserved matters application(s). Therefore, it is not recommended to impose conditions requiring the masterplan to be followed. A Design Code approach would however be beneficial, and a condition is therefore recommended.
- 9.119. It is considered that, notwithstanding the submitted information which shows how the land could be developed, with a planning condition relating to design codes, the proposal would demonstrate a good basis for the design, layout and scale principles which would inform any future reserved matters application.

Impact on Heritage Assets

- 9.120. Paragraph 212 of the NPPF outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 213 goes on to say that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 9.121. Paragraph 215 outlines; Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.122. Policy ESD15 of the CLP 2015 outlines that new developments should conserve, sustain and enhance designated and non-designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and PPG. C23 of the CLP 1996 outlines a presumption in favour of retaining positive features within a Conservation Area.
- 9.123. Designated Heritage Assets are also protected by the Planning (Listed Buildings and Conservation Areas) Act 1990, of particular relevance to this development is Section 66 of this act, which states that; in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.
- 9.124. Paragraph 207 of the NPPF outlines that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to

submit an appropriate desk-based assessment and, where necessary, a field evaluation. Furthermore, as a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

- 9.125. The Islip Conservation Area is located approximately 130m from the closest part of the application site. The War Memorial is located to 180m to the south of the application site. This is a Grade II Listed Structure. Manor Farm, is located 278m to the South of the site, and is a Grade II Listed Farmhouse. Saint Nicholas Church is a Grade 1 Listed Building and is approximately 300m to the south from the site. A Heritage and Archaeology Assessment has been submitted as part of the application.
- 9.126. This document states that the proposed development would not adversely affect the significance of any of the designated heritage assets. Views maybe had to the Belfry tower of the Church, but these views are limited. Development of the site would not affect the appreciation of the Church or its setting.
- 9.127. Given the distances from the site, and its topography the proposal would not have a negative impact on the setting of these buildings.
- 9.128. Islip's Conservation Area Appraisal does not indicate that there are any important views in or out of the Conservation Area from the application site. The applicants' heritage and archaeology assessment also confirms that the proposal would not harm the designated heritage asset.
- 9.129. OCC Archaeology has confirmed there are no archaeological constraints on site.
- 9.130. Overall, it is considered that the proposal will not have a harmful impact on the nearby designated heritage assets. The proposal, therefore, accords with the aforementioned policies.

Residential Amenity

- 9.131. Paragraph 135(f) of the NPPF, Policy ESD15 of the CLP 2015 and Saved Policy C30 of the CLP 1996 seek to ensure development proposals provide a good standard of amenity for both existing and proposed occupants of land and buildings relating to privacy, outlook, natural light, and indoor and outdoor space.
- 9.132. The proposed development relates to an outline application with layout, scale and landscape measures reserved for approval at a later stage. Therefore, a comprehensive amenity related assessment would be undertaken at that stage. However, the plans indicate that there is an intention for the proposed development to retain landscape buffers along the site boundaries adjacent to existing neighbouring properties, south, west, and east of the site.
- 9.133. As such, it appears unlikely that the development would cause amenity issues to the surrounding neighbouring properties. The nearest neighbour would be at least 40m away from built development.
- 9.134. As far as can be assessed at this outline stage, the proposal is considered to be acceptable.

Sustainable Construction and Energy Efficiency

- 9.135. 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. In regard to energy efficiency, this is generally secure via the Building Regulations which now secure a good standard; however the inclusion of renewable energy infrastructure is important. Lastly, Policy ESD5 outlines that developments which propose over 100 dwellings should consider the provision of on-site renewable sources, with a feasibility assessment highlighting the most viable options.

- 9.136. The proposed development is accompanied by an energy statement that highlights renewable energy measures, such as solar PV panels, air source heat pumps, ground source heat pumps and Biomass CHP which are deemed feasible and appropriate for the site. Furthermore, the statement indicates the adoption of a fabric first approach to ensure that the residential proposal meets or exceeds the Part L Building. Therefore, a planning condition would be added to a permission to ensure that such sustainability principles are reflected in later submissions.

Ecology and Biodiversity

- 9.137. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations 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.
- 9.138. Under the Regulations, competent authorities i.e., any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.139. A mandatory 10% net gain on-site would be required for this development in accordance with the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 9.140. Paragraph 187 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.141. Paragraph 193 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

- 9.142. Paragraph 198 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location considering 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.
- 9.143. 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.
- 9.144. The application site is located within a rural area along Islip's northern settlement edge. Therefore, the site is surrounded by mature planting in particular along the northern boundary.
- 9.145. The applicants have provided a preliminary ecological report and Biodiversity Net Gain Assessment and Biodiversity Metric. that the report states that the proposal is capable of delivering a 10.49% net gain in hedgerow units. Whilst there would be a loss of net gain on the site, the applicants state that this would be addressed via an off site solution to overcome the shortfall in units. This can be controlled by the way of a S106 agreement.
- 9.146. However, CDC Ecology originally expressed concerns in relation to the points below;
- Bat Activity Surveys, as the site has structures which have the potential to house bats.
 - The site has the potential to impact on Great Crested Newts (GCN)
 - Licences may be required in regards to GCN
- 9.147. The applicants provided additional information, including bat activity surveys within the oil tanks, which identified that no activity was recorded within these areas. The applicants also confirmed that they will not be applying for a licence from Naturespace in respect of the potential presence of Great Crested Newts. The applicants will also be applying to Natural England for a Licence for Newts. The Council's Ecologist is content with this approach. Other concerns of the Council's Ecologist can be conditioned by requiring CEMPs and, LEMPs, and by requiring that the applicants apply for relevant licences.
- 9.148. Overall, officers are satisfied, on the basis of the advice from the Council's Ecologist and Naturespace, and subject to conditions and planning obligations, that the proposed development would not cause harm to any protected species. Furthermore, the on-site biodiversity enhancements would achieve the required legislative biodiversity net gain for a development of this scale. Therefore, the proposed development is considered to be compliant with the NPPF, relevant legislation and Policies ESD10 of the CLP 2015.

Flooding and Drainage

- 9.149. The NPPF states at paragraph 181 that when determining 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. Policies ESD6 and ESD7 of the CLP 2015 together resist new development where it would increase flood risk or be unduly vulnerable to flooding.

They also seek to ensure that the proposals incorporate sustainable drainage systems in order to prevent increased risk of flooding.

- 9.150. The site lies primarily within a Flood Zone 1, which is land which has less than 1 in 1,000 annual probability of river or sea flooding. A small portion of the eastern open space area, proposed for recreation with no built development, encroaches into a Flood Zone 2. All residential and built development associated with the development is located entirely within Flood Zone 1. Therefore, in light of this, a sequential test is not required as per the guidance in Section 14 of the NPPF.
- 9.151. The Environment Agency was consulted and offered no objections to the scheme in flooding terms. The LLFA has also raised no objections to the proposal provided appropriately worded to ensure foul and surface water is adequately dealt with.
- 9.152. Thames Water was also consulted on the scheme, and they raised no objections to the development in regard to the proposed foul water strategy, and surface water strategy (subject to satisfactory review by the LLFA). However, due to the identified inability of the existing water network infrastructure to accommodate the needs of this development proposal, they requested a pre-occupation condition related to water network upgrades being undertaken to accommodate additional demand related to the development. This condition is set out below.
- 9.153. Based on the submitted flood and drainage information at this outline stage, the development, subject to further drainage details at a later stage, is not considered to increase the risk of flooding at the site and can be drained appropriately using SUDs techniques. Therefore, the proposals are considered to be satisfactory in this regard, in accordance with the requirements of Policies ESD6 and ESD7 of the CLP 2015 and Section 14 of the NPPF.

Affordable Housing

- 9.154. In the absence of any significant harm to the surrounding heritage assets, the proposal is considered to be 'grey belt' development which requires 50% affordable housing. In terms of tenure splits, Policy BSC3 of the CLP 2015 and Policy COM 2 of the emerging CLPR 2042 outlines that it is expected that major development will provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes.
- 9.155. The Developer Contributions SPD (2018) also sets out further guidance on affordable housing provisions.
- 9.156. The development proposes a tenure split of 60% social rented and 40% shared ownership (intermediate) rather than the 70/30 split outlined in Policy BSC3 of the CLP 2015 and Policy COM2 of the emerging CLPR (2042). CDC Strategic Housing stated that they would be comfortable with the split as proposed primarily due to the provision of a higher percentage (50%) of affordable housing relative to market housing as a result of the 'Golden Rules' requirements, as opposed to the standard 35% provision outlined in the relevant policies. This therefore ensures that a higher quantum of social rent is still secured irrespective of a deviation away from the standard tenure splits outlined in the adopted and emerging affordable housing policies.
- 9.157. Furthermore, the policies also outline that the 70% of affordable housing should be proposed as either affordable rent or social rent dwellings, in this instance the development proposes 60% social rent, with no affordable rent proposed. Social rent is more affordable than affordable rent relative to market rent prices. Therefore, this is considered to be an additional factor which mitigates the departure (which is not

significant) from the policy tenure splits as for affordability reasons, social rent is more preferred to affordable rent.

- 9.158. Lastly, the uplift from 30% to 40% in terms of intermediate affordable housing is also deemed acceptable as the type proposed in the form of shared ownership is considered to be in reasonable demand and need based on the information provided by CDC Housing. Therefore, shared ownership units would assist in attracting registered provider interest, this is prescribed by supporting text B.108 in the CLP 2015 which outlines that; *'The Housing Strategy recognises the need for affordable homes and aims to ensure that Cherwell is well-placed to maximise investment by Registered Providers and to respond to opportunities as they arise'*.
- 9.159. Based on the above, the proposed tenure splits are considered to be acceptable and the stray away from the policy tenure split provisions is deemed to be significant. The above tenure mixes will be secured within the s.106 agreement for the scheme, together with the rest of the affordable housing provisions in respect of sizes, standards, and cascades etc.
- 9.160. To conclude the proposed development subject to a satisfactory s.106 agreement is considered to meet the NPPF's 'Golden Rule' at para 156 a) and CLP 2015 affordable housing provisions.

Noise, Contamination and Air Quality

- 9.161. Policy ENV1 of the CLP 1996 states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other types of environmental pollution will not normally be permitted. The policy states that the Council will seek to ensure that the amenities of the environment and in particular the amenities of residential properties are not unduly affected by development proposals which may cause environmental pollution including that caused by traffic generation. Policy ENV12 of the CLP 1996 relates to contaminated land and states that development on land which is known or suspected to be contaminated will only be permitted if adequate measures can be taken to remove any threat of contamination to future occupiers of the site.
- 9.162. The site is the former oil depot for Upper Heyford USAF Base; therefore, the site presents a high risk of contamination. The Environment Agency is concerned that contamination could be disturbed during construction which could pollute controlled water. The Environment Agency is satisfied that the risks can be managed, and a planning condition can be imposed to ensure the development is carried out with an approved remediation strategy. The Environment Agency also has recommended that a condition is imposed to ensure any unidentified contamination that may be found during development, construction is ceased and further mitigation details are submitted to and approved in writing by the Local Planning Authority.
- 9.163. The Council's Environmental Protection Officer also has no objection to the development of the site, and, similar to the Environment Agency's requirements, a full intrusive investigation and a remediation strategy are required.
- 9.164. It is noted that there are concerns from local residents regarding Per- and polyfluoroalkyl substances (commonly referred to by the acronym PFAs or as 'forever chemicals'). This is due to the site's ties with RAF Upper Heyford. However, the two sites are very different and there is no evidence that the practice of washing firefighting chemicals down the drain at the former RAF site was replicated at the Islip site.

- 9.165. Given the comments from the Environment Agency and the Council's Environmental Protection Officer, it is considered that the land can be successfully remediated, through the imposition of appropriately worded conditions. The proposal is therefore in accordance with the aforementioned policies.

Planning Obligations

- 9.166. Policy INF1 requires development proposals to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.
- 9.167. Oxfordshire County Council has requested a developer contribution of £1,465,915 towards the expansion of the North Kidlington Primary School. Details are currently being sought from the County Council to confirm the requirement, and if Doctor South's CofE Primary School in Islip is able to expand.
- 9.168. Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 9.169. OCC has advised that the capital works were phased in response to a shortage of capital funding, but it became unreasonable to delay this final phases any longer to the detriment of pupils at the school. OCC has referred to Department for Education Guidance (paragraph 15) in their response which makes clear that when school places have been forward funded, you can secure developer contributions to recoup the monies spent, including interest, fees, and expenses as well as the principal sum spent.
- 9.170. Paragraph 56 of the NPPF requires local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of condition or planning obligations. The Department for Education Guidance makes clear that when school places have been forward funded you can secure developer contributions to recoup the monies spent.
- 9.171. There is currently an ongoing discussions regarding the exact school for the S106 contributions and providing the Local Education Authority can provide justification, the monies sought would be in accordance paragraph 58 of the NPPF in terms of being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 9.172. A contribution of £149,842 has also been sought towards special education provision. The proposed development is expected to further increase demand for special education needs in the area, and a contribution towards the expansion of special schools is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school. OCC has based their contribution on pupil census data. The special education provision is therefore considered to meet the three tests contained in paragraph 58 of the NPPF.
- 9.173. A Contribution of £1,465,914 has been sought towards primary education serving the development. A Contribution of £1,453,680 has also been sought towards secondary education provision serving the development, with an addition of £101,556 for secondary education land. The proposed development is expected to

further increase demand for places at secondary schools in the area, and a contribution towards the expansion of special schools is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school. OCC has based their contribution on pupil census data. The secondary education provision is therefore considered to meet the three tests contained in paragraph 58 of the NPPF.

- 9.174. Other developer contributions have been requested towards this development can be summaries as follows:

Expansion and efficiency improvements of household waste recycling centres a figure of £22,253 is sought.

Increase capacity and stock for the Kidlington Library Service: £23, 844

£197,353 towards the creation of additional clinical capacity at Islip Medical Practice or an identified primary care estates project in the local area to serve the development. As part of their response the ICB has provided evidence to demonstrate that the cross internal area of the practices at Bloxham and Hook Norton are below the NHS England size standards. There is therefore a need to reconfigure Bloxham and Hook Norton surgery in order to provide additional clinical space and to improve the existing GP services to accommodate the increase in population

- 9.175. The Recreation and Leisure team at Cherwell District Council has requested the following contributions towards:

- 9.176. Enhancement of Community Hall Facilities in the locality based on 2.4 person per dwelling: £165,301.20

- 9.177. Outdoor Sport provision based on £585,650. This contribution is considered to accord with policy BSC11 and the CDC Playing Pitch Strategy which identifies the need for improved pitches at Islip or Kidlington sports facilities. There is an argument that the care home may not need to provide a contribution, however this will depend on the end user for this provision, given the varying levels of care. A mechanism can be placed on any S106 to ensure the development does not over-provide, depending on the end user.

- 9.178. Indoor Sports provision contribution £219,882.00. This contribution will go towards improving indoor sport provision. There is an argument that the care home may not need to provide a contribution, however this will depend on the end user for this provision. A mechanism can be placed on any S106 to ensure the development does not over-provide, depending on the end user.

- 9.179. Community Development Worker contribution of £37,449.61. The Community Development Worker would help integrate residents into the community and wider area.

- 9.180. Community Development Fund. £12,825.00. This contribution is considered to accord with the aims of Chapter 8 of the NPPF and promoting health and safe communities, specifically the aim of promoting social interaction.

- 9.181. Public Art. A contribution of £250 per dwelling plus 5% management and 7% maintenance has been requested towards public art. Officers consider that it would meet the three tests contained within paragraph 58 of the NPPF.

9.182. Thames Valley Police has requested a contribution of £20, 571 to ensure that the development mitigates against the impact of the development on Policing. I do consider that it would meet the three tests contained within paragraph 58 of the NPPF.

9.183. OCC has requested the following financial contributions:

- £5,000 Highway works for Kidlington Road signage
- £5,933.60 towards wayfinding
- £388,740 towards public transport services
- £100,000 towards bus stop improvements
- £3,840 towards Traffic Reg Order
- £4,070 towards travel plan monitoring

9.184. OCC as provided further information in their response to back up the above contributions and demonstrate how they meet the three tests contained in paragraph 58 of the NPPF.

10. PLANNING BALANCE AND CONCLUSION

10.1. In determining this application the Council is required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Cherwell Local Plan 2011-2031 Part 1 and the saved policies of the Cherwell Local Plan 1996.

10.2. The proposed development would not accord fully with the Development Plan. The site lies beyond the built-up limits of Islip and the proposal would therefore conflict with the spatial strategy of the adopted Local Plan and with saved Policy H18 relating to residential development in the countryside. Moderate weight is attached to this conflict.

10.3. The proposal would also result in the redevelopment of a substantial site on the edge of the village and would introduce built development into an area that currently makes a contribution to the character and appearance of the rural edge of Islip. Whilst the site is previously developed land and significant landscape mitigation is proposed, there would nevertheless be some landscape and visual harm, particularly in the early years of development before proposed planting becomes fully established. Moderate adverse weight is therefore attributed to landscape and visual impacts.

10.4. Against this, very substantial weight must be given to the benefits arising from the proposal. The development would deliver up to 150 dwellings, including 50% affordable housing secured in accordance with the Green Belt Golden Rules. The delivery of market housing attracts significant positive weight and the affordable housing provision attracts very substantial positive weight given the acute need for affordable homes across the District.

10.5. Additional substantial weight is attributed to the provision of a 70-bed care home and up to 65 retirement or assisted living units. National policy and guidance recognise the pressing need to provide accommodation for older persons and specialist housing to meet changing demographics. The proposal would make an important contribution towards addressing that need.

- 10.6. The Council's latest published housing land supply position demonstrates that Cherwell District can currently demonstrate only 3.1 years of deliverable housing land supply. This represents a significant shortfall against national policy requirements and attracts substantial weight in favour of sustainable housing delivery.
- 10.7. Further significant weight is afforded to the redevelopment of a brownfield and previously developed site which has remained largely redundant for many years. The proposal would secure remediation of contaminated land, environmental improvements and the beneficial reuse of previously developed land in accordance with national and local planning objectives.
- 10.8. The site occupies a sustainable location adjacent to Islip Railway Station and within reasonable walking distance of local services and facilities within Islip. Future residents would benefit from access to public transport, active travel routes and everyday services. Moderate positive weight is therefore attributed to the sustainability credentials of the site.
- 10.9. Additional benefits would arise through biodiversity net gain, extensive green infrastructure provision, public open space, sustainable drainage measures and substantial contributions towards education, healthcare, transport, recreation and community infrastructure secured through the Section 106 Agreement. These benefits attract moderate positive weight in the planning balance.
- 10.10. A key consideration in this case is the site's status within the Oxford Green Belt. Having assessed the proposal against paragraphs 155-159 of the NPPF, officers conclude that the site constitutes Grey Belt land and that the proposal satisfies the relevant requirements relating to unmet need, sustainability and the Golden Rules. The development is therefore not inappropriate development within the Green Belt and no conflict arises with national Green Belt policy on that basis.
- 10.11. Furthermore, the proposal would not result in unacceptable impacts in respect of highway safety, heritage assets, ecology, flooding, drainage, contamination, residential amenity or infrastructure provision. These matters can be appropriately addressed through planning conditions and planning obligations.
- 10.12. The Council cannot currently demonstrate a five-year supply of deliverable housing land and therefore the most important policies for determining the application are out-of-date. The presumption in favour of sustainable development contained within Policy PSD1 and paragraph 11(d) of the NPPF is consequently engaged. The application must therefore be assessed on the basis of whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
- 10.13. Having regard to the substantial housing land supply shortfall, the delivery of up to 150 dwellings including 50% affordable housing, the provision of specialist accommodation for older people, the redevelopment of a brownfield site, the sustainability of the location and the associated economic, social and environmental benefits arising from the proposal, it is concluded that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.
- 10.14. Accordingly, and applying the presumption in favour of sustainable development, the proposal constitutes sustainable development and planning permission should be granted subject to the completion of a Section 106 Agreement and the conditions set out below.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR - PLANNING TO GRANT PERMISSION, SUBJECT TO

- i) THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- ii) 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 FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):**

- Expansion and efficiency improvements of Household Waste Recycling Centre. £22,253.
- Increase Capacity and Stock at Kidlington Library Service: £23,844
- £258,264 towards creation of additional clinical capacity at Islip Medical Practice or an identified primary care estates project in the local area to serve the development.
- The Recreation and Leisure Team at Cherwell District Council have requested the following contributions towards:
 - Enhancement of Community Hall Facilities in the locality based on 2.4 person per dwelling = £165,301.20
 - Outdoor Sport provision based on £585,650.00. This contribution is considered to accord with policy BSC11 and the CDC Playing Pitch Strategy which identifies the need for improved pitches at Islip or Kidlington sports facilities.
 - Indoor Sports provision contribution £219,882.00. This contribution will go towards improving indoor sport provision.
 - Community Development Worker contribution of £37,449.61. The Community Development Worker would help integrate residents into the community and wider area.
 - Community Development Fund. £12,825.00. This contribution is considered to accord with the aims of Chapter 8 of the NPPF and promoting health and safe communities, specifically the aim of promoting social interaction.
 - Public Art. A contribution of £250 per dwelling plus 5% management and 7% maintenance has been requested towards public art. Based on the above this would amount to £73,870.00. No details have been provided on what public art this will be used to fund so I do not consider that it would meet the three tests contained within paragraph 58 of the NPPF. The applicant has however agreed to pay this contribution, so this is a benefit in the planning balance.
- Oxfordshire County Council has requested the following financial contributions:

- £5,000 Highway works for Kidlington Road signage
 - £5,933.60 towards wayfinding
 - £388,740 towards public transport services
 - £100,000 towards bus stop improvements
 - £3,840 towards Traffic Reg Order
 - £4,070 towards travel plan monitoring
 - £1,465, 914 towards Primary education
 - £1,453,680 towards Secondary education
 - £101,556 towards costs of acquiring a new secondary school site
 - £129,842 towards special education
- TVP has requested £30,521 for a contribution towards additional staff, vehicles, premises, equipment, APNR cameras.

FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRED ON THE 12th JUNE 2026 IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR - PLANNING IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:

1. In the absence of a signed unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure provisions and contributions related to affordable housing, open space, highways, education, health and other social infrastructure, necessary to make the impacts of the development acceptable in planning terms. The proposal therefore runs contrary to Policies, BSC 3, BSC 7, BSC8, BSC 10-12, SLE4 INF1 of the Cherwell Local Plan 2011-2031 Part 1 and Policies CSD 22-23, COM 2, COM 15 -17 COM 20-21, COM 23-24 of the Cherwell Local Plan Review (2042), Cherwell District Council's Developer Contributions Supplementary Planning Document (2018) and government guidance within the National Planning Policy Framework.

CONDITIONS

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months 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).

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans:

- Site Location Plan (Titled: 4274 01 Rev D)
- Islip Access Plan (Titled: 08756-0101 Rev J)
- Bletchington Road Plan (Titled: 08756-0111 Rev P03)
- Swept Path Analysis Plan (Titled: 08756-0102 Rev P01)
- High Street Crossing Point (Titled: 08756-0112 P02)

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.

4. No development shall commence until a phasing plan covering the entire application site 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 phasing plan, and each reserved matters application shall only be submitted in accordance with the terms of the approved phasing plan and refer to the phase (or phases) it relates to as set out in the approved phasing plan.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Policies BSC8, BSC9, BSC10, BSC11, BSC12, ESD1, ESD2, ESD3, ESD5, ESD6, ESD7, ESD8, ESD10, ESD13, ESD15, ESD16, ESD17 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and Policies C28 and C30 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework

5. Prior to the submission of any reserved matters application, a Design Code to include the distribution of land uses, form of buildings, street frontage, materials, servicing, parking and sustainability features shall be submitted to and approved in writing by the local planning authority. Thereafter, each reserved matters application shall be submitted in accordance with the approved Design Code.

Reason: To ensure a high quality development and appropriate infrastructure in accordance with Policies BSC8, BSC9, BSC10, BSC11, BSC12, ESD1, ESD2, ESD3, ESD5, ESD6, ESD7, ESD8, ESD10, ESD13, ESD15, ESD17 and SLE4 of the Cherwell Local Plan 2011-2031 Part 1 and Policies C28 and C30 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

6. No development shall commence until details of the existing and proposed ground levels and finished floor levels of the development in relation to the adjacent buildings have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall be constructed in accordance with the approved levels and shall be retained as such thereafter.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy

C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

7. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

8. No development shall commence until a construction traffic management plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include:
 - a) Details of wheel cleaning/wash facilities, to prevent mud from being carried onto the adjacent highway by vehicles.
 - b) Contact details of the Project Manager and Site Supervisor responsible for on-site works.
 - c) Details of how appropriately trained banksmen will be used for guiding vehicles and unloading.
 - d) Details of where staff and visitors to the construction site will park.
 - e) Details of times for deliveries to and the removal of materials from the site.
 - f) Layout plan of the site that shows haul roads, site storage, compound and pedestrian routes.
 - g) Measures to control the emission of dust and dirt during construction

The development shall then be undertaken in accordance with the approved CTMP.

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 in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

9. Prior to the first occupation of any residential dwelling, a Residential Travel Plan meeting the requirements set out in the Oxfordshire County Council guidance document, Transport for New Developments; Transport Assessments and Travel Plans (March 2014) 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 Residential Travel Plan.

Reason: To encourage occupiers of the new dwellings to use sustainable modes of transport in accordance with the National Planning Policy Framework.

10. Prior to the first occupation of the care home, a Care Home Travel Plan meeting the requirements set out in the Oxfordshire County Council guidance document, "Transport for New Developments; Transport Assessments and Travel Plans (March 2014)" 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 care home Travel Plan.

Reason: To encourage occupiers of the new dwellings to use sustainable modes of transport in accordance with the National Planning Policy Framework.

11. Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the site shall be managed in accordance with the details of 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.

12. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of 'Biodiversity Protection Zones';
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs
- i) Badger surveys
- j) Soft felling measures for trees with bat roost potential

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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.

13. 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 or other sensitive properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with the occupiers of those properties 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 do not adversely impact the amenities of existing residents in the locality in accordance with saved Policies ENV1 and

C30 of the Cherwell Local Plan 1996 and government guidance in the National Planning Policy Framework.

14. No occupation shall take place on any phase of the development until a detailed lighting strategy for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. The details to be submitted shall include:

- a) Lighting for play
- b) Lighting for public realm and walking and cycling routes
- c) Landscape and ecological areas where lighting will be prohibited.
- d) A strategy for roads and development parcels.
- e) A strategy for mitigation to reduce light pollution during construction.

Reason: To minimise light pollution from the construction and operational phase of development and to ensure that the proposals are in accordance with Policies BSC10, BSC11, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 Part 1 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework

15. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- a) A site investigation scheme, based on the Desk Study, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with government guidance contained within the National Planning Policy Framework.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put

at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework.

17. Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall 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 the development is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework

18. 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.pdf 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: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

19. The development shall not be occupied until confirmation is provided that either:

1. All necessary upgrades to the foul water network to accommodate additional flows from the development have been completed; or
2. A phasing plan for development and infrastructure, agreed with Thames Water and the Local Planning Authority, is in place. Where such a plan exists, no occupation shall occur other than in accordance with the approved phasing schedule.

Reason: Network reinforcement is likely to be required to support the proposed development. These upgrades are essential to avoid the risk of sewer flooding and pollution incidents.

20. No development shall be occupied until confirmation has been provided that either: all water treatment 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 the Local Authority in consultation 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 water and treatment upgrade works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid no water incidents.

CASE OFFICER: Katherine Daniels