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# Land at New Road, Didcot

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**Planning application P15/S3228/O**

Appeal against refusal by South Oxfordshire District Council

Statement of Case on behalf of Grainger PLC

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## 1. Introduction

- 1.1. This Statement of Case has been prepared on behalf of Grainger PLC ('The appellant'), in support of a planning appeal pursuant to section 78 of the Town and Country Planning Act (as amended). It relates to the refusal of planning permission by South Oxfordshire District Council ('SODC') of the following development on land east of New Road, Didcot:

*'Outline application for the construction of circa 170 (one hundred and seventy) residential dwellings with associated vehicular access from New Road, internal access roads, public open space, landscaping and parking (detailed access with all other matters reserved).'*

- 1.2. The Application was registered on 30 September 2015. Further to successive stages of consultation, submission of additional plans, and an agreed extension of time, it was reported to Committee in May 2016 with a recommendation<sup>1</sup> to grant subject to a S.106 agreement. The consultation process gave rise to no technical objections from statutory consultees and technical consultees within SODC and OCC, other than a late response from the AONB Board (sent 5 May 2016).
- 1.3. The recommendation was overturned and the application refused, with the Decision Notice<sup>2</sup> citing three reasons. The first ('RfR1') centred on alleged harm in respect of landscape, the North Wessex Downs AONB, and setting of Didcot and East Hagbourne; whilst the second and third concerned provision of infrastructure and affordable housing contributions in the absence of a completed S.106 agreement.
- 1.4. This Statement focuses on RfR1, the only RfR that invokes substantive planning policy and environmental issues. In response, Sections 2-6 consider landscape and visual issues, along with an assessment of planning policy, housing supply, relevant appeals, 3<sup>rd</sup> party comments and other relevant factors. These factors consistently indicate that the Appeal Scheme comprises sustainable development that should be approved. In particular, it is shown that the development would not give rise to harm that would significantly outweigh the benefits, and that in the absence of a five-year supply of housing, permission must be granted in accordance with the 'presumption in favour of sustainable development' under paragraphs 14 and 49 of the National Planning Policy Framework (NPPF).
- 1.5. SODC's second and third reasons will be overcome through the submission of a Legal Agreement pursuant to the Section 106 requirements, which were agreed at the time of the decision being made.

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<sup>1</sup> For officer's Committee Report see Appendix 1

<sup>2</sup> For the Decision Notice see Appendix 2

## 2. Overview of Appeal Site and Scheme

- 2.1. The site comprises 7.05 ha of agricultural land on the east side of New Road, in East Hagbourne Parish, adjacent to Didcot Town's southern boundary. The site falls gently from south-west to north-east, and is bordered by a mature tree belt along the northern boundary. There are further trees on the western boundary fronting New Road and the southern and eastern boundaries are currently open to the adjacent agricultural land, with the exception of the boundary with the adjacent residential property to the south. There are no environmental designations on the land, and it lies within Flood Zone 1.
- 2.2. To the north is a public footpath, allotments and residential development. The area along New Road to the west and south-west is characterised by continuous linear residential development, and land south and east is agricultural. The footpath along the northern boundary continues east and then runs to south across agricultural land towards East Hagbourne.
- 2.3. In the Appeal Scheme, permission is sought for circa 170 dwellings with associated access and public open space. The application is outline, but supported by an illustrative masterplan, a landscape strategy plan and parameter plans to demonstrate design principles. Vehicular access would be from New Road via a single point of access, with the layout allowing pedestrian links to the north, to the adjacent public footpath and residential development.
- 2.4. The parameter plans and illustrative masterplan set out key principles including extent of built form, public open space, and accessibility, amended in consultation with SODC. The proposal is to focus built development in central and southern areas, away from the western and northern boundaries by areas of public open space and landscaping, incorporating SUDs. The development would comprise a mix of house types, up to 2.5 storeys, at a density of around 34 dph.
- 2.5. On the western boundary, it is proposed to retain existing trees other than those to facilitate access<sup>3</sup>. The western boundary will be supplemented by new planting and an area of open space to maintain an open, green frontage. The open space will extend in a linear form along the northern boundary, and ensure retention of the existing belt of mature trees to the north. This will also accommodate drainage features. In total, the scheme would include c. 1.5ha of open space.
- 2.6. The scheme includes a range of market and affordable housing, comprising 102 units of market tenure and 68 affordable units, with the precise mix of the latter agreed with the District Council.

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<sup>3</sup> GTDIDCOT.1/13 Rev D

### 3. Planning policy context

#### National Planning Policy Framework (NPPF, 2012)

- 3.1. The NPPF is material to decision-making in all planning applications. At its heart is a requirement for every authority to pro-actively drive and support sustainable economic development to deliver the homes that the country needs. It makes clear that LPAs should have an up-to-date plan and maintain a 5 year land supply. Where this is not the case and the Development Plan is *'absent, silent or relevant policies are out of date'*, Paragraph 14 of the NPPF directs LPAs to grant permission unless:
- *"Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or;*
  - *Specific policies in the framework indicate development should be restricted."*
- 3.2. As set out in the officer's Report to Committee and the working draft of the Statement of Common Ground, SODC cannot demonstrate a 5 year land supply. Therefore, the decision should hinge on whether adverse impacts 'significantly and demonstrably outweigh' the benefits. This test has underlain a number of other recent appeals in South Oxfordshire. The Committee Report acknowledges this and it is a key factor leading to the recommendation for approval. The site lies adjacent to Didcot, South Oxfordshire's primary growth point, and would contribute towards the town's housing requirement.
- 3.3. RfR1 invokes several paragraphs of the NPPF:
- **paragraph 7**, which outlines 3 'dimensions' to sustainable development (economic, social and environmental). SODC's concern primarily relates to the environmental domain of the NPPF, however the Appellant does not consider that claimed environmental harm would significantly and demonstrably outweigh the benefits of the appeal proposal across all three domains.
  - **paragraph 14**, which indicates the need to approve unless adverse impacts would 'significantly and demonstrably' outweigh benefits, where policies are out of date. For SODC to credibly invoke this paragraph it needs to identify such adverse effects; however this is not the case.
  - **paragraph 109**, which requires the planning system to 'contribute to and enhance the natural and local environment', with reference to several separate elements. It is apparent SODC's refusal hinges on the first (specifically 'valued landscapes') as other matters are not cited in RfR1.
  - **paragraph 115**. This states: *'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty'* and implicitly this is the concern of RfR1. We note that unlike NPPF paragraph 116, this is not prescriptive for decision-makers.

### South Oxfordshire Core Strategy (SOCS)

- 3.4. The only SOCS policy invoked under RfR1 is *Policy CSEN1 Landscape*, which states: *"The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced."*
- 3.5. The proposed development includes key landscape features such as the tree belt on the northern boundary and the verge/trees along the New Road frontage; a SUDs system to the north, and new *open* spaces connected by landscaped corridors and footpaths/ cycleways through the site, also resulting in new habitats and the enhancement of the biodiversity value.
- 3.6. The site lies outside the North Wessex Downs Area of Outstanding Natural Beauty (AONB), the nearest boundary of which is 400m east, although a tree belt to the east of the site provides separation. A Landscape and Visual Impact Assessment (LVIA) was submitted with the application, which concluded that long term magnitude of effect and significance of effects of the Appeal scheme on views from within the AONB would be negligible (paragraph 8.19 of the LVIA). This LVIA was reviewed in draft as part of the pre-application process and the SODC Landscape Officer agreed *"that development could potentially be accommodated on the site without significantly affecting the amenity of the surrounding landscape"*. The main points raised by SODC have been that the development should not cause the coalescence of Didcot with East Hagbourne, should sit comfortably with the remaining open countryside, not cause heavily engineered highway works and retain existing significant landscape features. Each of these points was taken into account in preparing the indicative layout, and formed part of further discussion with the Officers as part of the amendments made to the Landscape and other Parameter Plans in January 2016.
- 3.7. The Appellant therefore considers requirements under CSEN1 to be fulfilled as follows -
- The site layout and landscape strategy will ensure that development integrates into the landscape character of the area. This strategy is supported by SODC officers;
  - The proposal will have a negligible impact on views from the AONB. Any views from the eastern public footpath towards the AONB will be retained, although the tree belt to the east of the site limits views in this direction. SODC's Landscape Officer does not identify any material adverse impacts in relation to the AONB.

### South Oxfordshire Local Plan 2011 (Saved Policies)

- 3.8. **Policy G2** states *"the district's countryside, settlements and environmental resources will be protected from adverse developments."* The development is not harmful as it will be well integrated into the landscape, with strategic planting used to provide a vegetated edge to the new built up area.
- 3.9. **Policy G4** states that *"The need to protect the countryside for its own sake is an important consideration when assessing proposals for development."* It is noteworthy that a substantial part of policy G2, relating to *"new built development in the countryside, in the open gaps between settlements and on the edge of settlements where the built-up area would be extended"*, was not saved. The Appellant acknowledges that countryside is a finite resource, however releases of greenfield sites are necessary in order to fulfil FOAN and in the context of unmet housing need, it is necessary for appropriate sites to be approved urgently.

- 3.10. **Policy D1** states *“the principles of good design and the protection and reinforcement of local distinctiveness should be taken into account in all new development”*, and 9 criteria are identified. RR1 invokes two of these: criterion (ii) which refers to “respecting existing settlement patterns”; and criterion (iv) which refers to *“providing a development that users find easy to understand through the use of landmarks, vistas and focal points,”* The layout is illustrative at this stage, however, density is such that it optimises potential to accommodate development whilst providing a mix of housing and green space, meeting the NPPF design objectives (Officer's Report to Committee paragraph 6.10).
- 3.11. **Policy C4** states that: *“Development which would damage the attractive landscape setting of the settlements of the district will not be permitted. The effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered.”* The landscape setting of Didcot is not defined on the Proposals Map and therefore could include any land outside the built up area. The site is a sustainable urban edge site, and careful consideration has been given to the layout and landscape treatment of the proposed development to create strong landscape edges, thereby reducing any urbanising impacts to a minimum. A robust, well landscaped edge to the new built up area will be created and this will reduce the landscape impact on the settings of Didcot and East Hagbourne to minor adverse, a matter which is set out in the Officer's Report (paragraph 6.18).
- 3.12. In summary, although RR1 invokes 9 separate policies, it remains weak and inconsistent as a reason for refusal and does not approach the necessary test under NPPF Paragraph 14 of significant and demonstrable adverse effects.

## 4. The appellant's case

4.1. The appellant's case is essentially twofold and relates to the following:

- (i) that contrary to the Decision Notice, the proposals had been prepared in consultation with the District Council, and would not result in significant landscape harm;
- (ii) there would be significant positive social, economic and environmental benefits, and that any harm would not 'significantly and demonstrably outweigh the benefits', and thus in the absence of a sufficient 5-year supply of housing, where policies for the supply of housing are out-of date, permission should be granted in accordance with the NPPF's 'presumption in favour of sustainable development'

### (i) Alleged adverse effects of the Appeal Scheme

4.2. The wording of RrR1 culminates in the conclusion that there would be 'significant and demonstrable harm' from the Appeal Scheme, but is lengthy and encompasses several interrelated issues.

### *Separation of East Hagbourne and Didcot.*

4.3. The site frontage forms an open and tree lined 'gap' in the New Road frontage between ribbon development on New Road to the south and the allotments in Didcot. To the west of New Road there is a continuous frontage of housing, which has compromised the separation between the two settlements. There is some visual gap, but there is not a clear and 'distinct separation' between Didcot and East Hagbourne.

4.4. The proposed development would reduce the gap in the New Road frontage and the proposed access would 'urbanise' the frontage of the appeal site. However, mitigation measures include setting the proposed development back into the site, the provision of a wide green infrastructure wedge in the northern part of the site, the retention of frontage trees (which contribute to the character of the road) and new tree planting.

### *Views to, and setting of, the AONB*

4.5. Views towards the AONB from New Road are limited by trees along the site frontage and the belt of trees to the east of the site. However, the higher land within the AONB, which is different in character to the flat landscape to the south of Didcot, can be seen in the background in some views. From the public footpath to the east of the site, views towards the AONB are restricted by the tree belt to the east, although the hills within the AONB can be seen in the distance.

4.6. The late response from the AONB Board refers to "The North Wessex Downs AONB Position Statement on Setting", October 2012. This document, which does not form part of the Development Plan, does not define the extent of the setting of the AONB on a map, and explains that it is not fixed and may change over time. It does advise, however, that, '*For the purposes of spatial planning, any development or*



*change capable of affecting the significance of the AONB or people's experience of it can be considered as falling within its setting'. As set out above, there are views towards the appeal site (and the landscape to the south of Didcot) from some of the public footpaths within the AONB.*

- 4.7. The LVIA confirms that impacts on views from the AONB views will be negligible. In addition, due to the scale and distance of the proposed development from the AONB, and the limited visual envelope, the landscape characteristics that contribute to this designated area and the adjacent landscape (the AONB 'setting') would not be affected.

### *The Landscape Setting of Didcot and East Hagbourne*

- 4.8. The landscape to the south of Didcot, including the appeal site, has a weakened landscape structure through intensive arable farming. The proposed development and its mitigation measures would ensure retention of existing landscape features on and adjacent to the site and provide the opportunity to introduce diversity and a stronger pattern of field boundaries and new landscape features around the appeal site which would be appropriate in this landscape character area.
- 4.9. The appeal scheme would be integrated into the landscape on the edge of Didcot, and Officers at SODC acknowledge that it would have a minor adverse landscape impact on the setting of Didcot and East Hagbourne, although neither the landscape of the site nor the landscape between these two settlements are afforded special protection (paragraph 6.18 Officer's Report).
- 4.10. The edge of the built up area of Didcot to the north of the appeal site is currently defined by a mature tree belt. The form/structure of the proposed planting on the southern and eastern boundaries of the appeal scheme (which is designed to provide a new and attractive edge to the settlement) was discussed and agreed with SODC's Landscape Officer who advised that *'Some planting along these boundaries is welcome but I consider it should soften the visual impact of the development rather than attempt to hide it completely...'*
- 4.11. In conclusion, it has not been (and cannot be) shown by SODC that there are significant adverse effects from the Appeal Scheme that would significantly outweigh the benefits.

### (ii) Positive social, economic and environmental effects of the Appeal Scheme

#### *Economic benefits*

- 4.12. Under NPPF Paragraph 7, the economic dimension of sustainability involves *'ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure'*. In this respect, the Appeal Scheme represents an opportunity to support the objective of SODC to drive economic growth and job creation at Didcot and the wider Science Vale, while responding to the housing need that exists in the area.

#### *Social benefits*

- 4.13. Under NPPF Paragraph 7, the social dimension of sustainability involves providing accessible, high-quality housing to meet the needs of present and future generations. The Appeal Scheme would make a significant contribution towards this, including 40% affordable housing, in a manner agreed with SODC.

### *Environmental benefits*

- 4.14. There are several environmental benefits from the Appeal Scheme:
- i. The site is free from any landscape or environmental designations, archaeological, cultural heritage or ecological constraints that cannot be mitigated, and thus it is more suitable for development than sites subject to such designations.
  - ii. It introduces a significant quantum of publically accessible green space within what is currently a private field, particularly along the northern boundary, which will aid in delivering a high quality residential environment and green infrastructure to the benefit of all.
  - iii. By comparison with the existing agricultural baseline, the proposals offer opportunities for ecological enhancement through the provision of a range of new habitats as part of the landscape strategy.
  - iv. The site is located on the edge of the District 's primary growth area, promoting a sustainable a form of development which is favoured in environmental terms.

## 5. Planning conditions and legal agreement

- 5.1. The Appellant is committed to entering into an appropriate Legal Agreement to secure affordable housing and contributions towards infrastructure improvements, which are justified and directly relevant to the proposed development, in accordance with the statutory tests set out in the Community Infrastructure Levy (CIL) Regulations 2010. These require planning obligations to be:
- Necessary to make the development acceptable in planning terms;
  - Directly related to the development;
  - Fairly and reasonably related in scale and kind to the development.
- 5.2. As set out in paragraph 6.32 of the officer's Committee report, the contributions that SODC have sought through a Section 106 agreement are as follows:
- 40% of total housing to be affordable housing (75% of which to be affordable rented);
  - Transport contributions for an improved bus service and bus stop serving the site;
  - Off site highway contributions to Jubilee roundabout;
  - On site public open space and play and provisions for maintenance;
  - Contributions for on-site recycling bins and street naming.
- 5.3. The Appellant has agreed to the provision of the above. For the avoidance of doubt it is acknowledged by both SODC and the Appellant that CIL liability is not known at this Outline stage, but can be calculated once the amount of floorspace is known. Paragraph 6.30 of the officer's Committee Report, however, noted an indicative figure 'in the order of £1.53 million', based on 102 market dwellings at an average of 100m<sup>2</sup>.

## 6. Conclusion

- 6.1. Where there is no five year land supply, under the NPPF the Government directs LPAs to grant permission unless there is decisive clear-cut evidence why a housing shortage should not be addressed. This is expressed clearly in the “significant and demonstrable” test set out in NPPF Paragraph 14, and it means that decision-takers must carefully and critically explain any inference of harm or impact. In the case of the Appeal Scheme, SODC has not demonstrated this, not least, given our view that benefits outweigh any perceived harm from its delivery.
- 6.2. As referenced within the Committee Report (Para 6.18), the appeal site is not subject to any protective landscape designation and there is no policy requirement to preserve an open visual gap between Didcot and Hagbourne. The LVIA does not identify any material adverse landscape and visual impacts as a result of the appeal scheme, and as agreed with SODC’s Landscape Officer, the measures set out within the Green Infrastructure Strategy would actually result in enhancements towards biodiversity (Para 6.19 Committee Report)
- 6.3. As part of the planning judgement, Officers at SODC concluded that the proposal would have only a minor adverse landscape impact. It has already been acknowledged by SODC, that it will need to develop such sites to meet its existing housing requirement within the adopted Core Strategy, specifically at Didcot, where a significant shortfall of housing exists, and moreover, in the context of the increasing housing requirement within the most recent Oxfordshire SHMA, reflecting Didcot’s status as the primary growth point within the District.
- 6.4. The Appeal Scheme would provide significant social benefits through market and affordable housing, which will contribute positively towards SODC’s significant housing needs. It will also provide significant economic benefits with the provision of employment generation, both during the construction process, along with increased local expenditure. In addition, the development will provide new public open space for the benefit of new and existing residents. The Appeal Scheme will not harm any statutorily designated landscape or nature conservation sites.
- 6.5. The Appeal Scheme fully accords with the NPPF’s objectives of sustainable development in relation to economic, social and environmental roles, and there no adverse impacts of the development that would significantly and demonstrably outweigh the benefits. On the contrary, we contend that the benefits would significantly outweigh any harm, and thus the Appellant respectfully requests that the Appeal is allowed.

## Appendix 1 – Officer's committee Report

<b>APPLICATION NO.</b>	<a href="#">P15/S3228/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	30.9.2015
<b>PARISH</b>	EAST HAGBOURNE
<b>WARD MEMBER(S)</b>	Jane Murphy Pat Dawe
<b>APPLICANT</b>	Grainger PLC
<b>SITE</b>	Land east of New Road East Hagbourne
<b>PROPOSAL</b>	Outline application for the construction of circa 170 residential dwellings with associated vehicular access from New Road, internal access roads, public open space, landscaping and parking (detailed access with all other matters reserved). (As amended by agent letter dated 15 January 2016 and accompanying drawings and additional information, and additional highway information dated 16 March 2016)
<b>OFFICER</b>	Cathie Scotting

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## INTRODUCTION

- 1.0 A site location plan is **attached** as Appendix A. This outline application is for circa 170 dwellings on a greenfield site on land within the parish of East Hagbourne and adjoining the parish boundary of Didcot. The site is not allocated in the Development Plan and does not represent an infill site under the definitions of the Core Strategy. With regard to the National Planning Policy Framework, the council does not have a 5 year housing supply in Didcot and recent appeal decisions have determined that the Rest of the District also does not have a 5 year supply of housing. Accordingly the council should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. The council needs to consider and balance the benefits and adverse impacts of this proposal in the policy context and this is set out in sections below.
- 2.0 **PROPOSAL**
- 2.1 The site is situated on the east side of New Road which runs south from the Jubilee Way roundabout in Didcot to the village of East Hagbourne. Access is taken from New Road which forms the western boundary of the site. This frontage is tree lined with a mixture of specimens. The site is bounded by a public footpath and mature trees to the north beyond which lie allotments and the housing development of Fleet Meadow, built in the 1980's. The eastern and southern boundaries adjoin agricultural land. The south west corner of the site adjoins a single storey residential property.
- 2.2 The development proposes 170 dwellings incorporating 40% affordable housing with a policy compliant tenure mix. The site area is 7.05 ha including 4.95 ha of residential land, 1.5 ha of open space comprising 1.16ha amenity space and 0.37ha planting. Sustainable urban drainage systems (SUDs) accommodate 0.37 ha and the residual area is the access. The layout is indicative yet it is envisaged that the development

would comprise houses of up to 2.5 storeys and be built at a density of approximately 34 dph. The parameter plans shows the movement strategy and the areas of built development and open space (**attached** Appendices B and C). The illustrative layout provides an indication of how the development might be laid out (Appendix D **attached**).

- 2.3 The proposed highway works include a main access road, roughly centre point in the frontage and an emergency access south of the main access. Also included is an extended footway on the site frontage plus a zebra crossing to the north of the site access and an informal crossing point just south of the main access. New bus stops on New Road on the north and south carriageways are also proposed. These proposals can be seen on drawing 1/13 Rev D **attached** as Appendix E.

### 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

A summary of representations is provided below. All of the representations and submitted documents received by stakeholders and interested parties can be viewed on the website:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P15/S3228/O>

#### 3.1 **East Hagbourne PC – Object**

- The site is a strategic gap separating Didcot and East Hagbourne
  - The site is in East Hagbourne, not Didcot
  - The proposal would open the door for completely unplanned development
  - The proposal fundamentally contravenes the Local Plan
  - The proposal is unsustainable
  - The proposal adds nothing to the community of East Hagbourne
  - The public is overwhelmingly opposed to this development
- Other environmental concerns including traffic, loss of agricultural land, light pollution, historic village of East Hagbourne

#### 3.2 Bluestone Planning on behalf of the Parish Council have also raised the following issues:

- Housing land supply
- Previous decisions regarding allocation of this site for development
- Landscape impacts
- Coalescence and 2008 Greenspace Study
- Density
- Cumulative impacts
- Agricultural land quality
- Urban design issues
- Sewerage
- Accessibility

#### 3.3 Also on behalf of the Parish Council, Thirwell Associates have reviewed the Landscape and Visual Impact Assessment advising they have concerns over the methodology and accordingly the conclusions.

#### 3.4 **Didcot Town Council - Object**

- Conflicts with NPPF para 17 – not Plan led, and para 75 planning policies should protect and enhance public rights of way and access.
- Conflicts with SODC Core Strategy to support character and distinctiveness of

villages. Development would result in coalescence of East Hagbourne with Didcot.

- Conflict with CS1 and CSR1. Enough housing already proposed for Didcot. Not an infill site
- No contribution offered for green infrastructure contrary to CSDID4 or open space, playing fields, pitches
- Didcot's road network is at capacity at peak hours. Without major road improvements and maintenance of existing bus services the proposal is unsustainable.

### 3.5

#### **Neighbours**

Over 600 written comments objecting to the development have been received from neighbours, including 4 comments supporting more housing. These comments include all the objections that were sent in relation to the application for an EIA Screening Opinion (P15/S2541/SCR) and some are in duplicate. Below is a list of the types of objections.

- Conflict with Core Strategy and NPPF, breaches of planning policy
- 
- Transport and road infrastructure proposals
- Hazard to pedestrians
- Land and landscape
- Loss of open space
- Effect on right of way
- Settlement character - coalescence with Didcot
- Flood risk
- Loss of character
- Loss of privacy and amenity
- Design / Density
- Pressure on schools, local services, lack of infrastructure
- Unsustainable development
- Drainage
- Light pollution
- Biodiversity
- Loss of good grade agricultural land
- Provides no social, economic or environmental benefits

### 3.6

#### **Mind the Green Gap (Residents Group)**

Mind the Green Group have made over 25 representations and have also sent over 20 letters requesting information about the planning system and policy considerations in respect of this scheme. MtGG have also produced a Planning Statement and sought advice from a landscape architect. Key points in their representations are:

- The site is East Hagbourne and is not part of Didcot housing area (for the purposes of supply)
- Development should be plan led and the site is not allocated
- Will set a precedent for further development
- Cumulative effects of this and other future development should be considered
- The site is unsustainable
- Loss of green gap, previous appeal decisions have supported the retention of the open gap despite pressures for housing
- Amended scheme does not provide more green space, just reconfigured
- Green space is inadequate for play and SUDs
- Didcot Garden Town – need to think strategically regarding highway works



- Highway impacts include air quality
- Environmental impacts
- Loss of agricultural land
- Proposed density

3.7 **Ed Vaizey MP**

Object: Conflict with SODC Local Plan and Core Strategy, closing green gap between E Hagbourne and Didcot. Application site is not a strategic site within SODC Local Plan.

3.8 **Oxfordshire County Council** No objection subject to conditions

OCC Transport:

Oct 2015: No objection subject to conditions but raised issues in respect of a single vehicular access arrangements, masterplan requiring resolution, safe routes to school including traffic island and mitigation of local impact.

Feb 2016: Oxfordshire County Council are broadly in support of housing development at this location yet object on grounds of:

- Substandard vehicular access arrangements
- Lack of crossing provision on New Road
- In-sufficient details in relation to emergency access
- Stage 1 Road Safety Audit not provided

April 2016: OCC broadly in support of housing at this location and no objection following further information on road safety, highway layout emergency access, a zebra controlled crossing and swept paths. Require conditions/ S106 agreement :-

Off-site highway works (S278)

Developer contribution to Jubilee roundabout c. (£167K total)

Bus stop and services (£133k total)

OCC Archaeology

No objection subject to conditions- programme of archaeological mitigation prior to development, conditions for approval of scheme of investigation and programme to produce an archive and publishable report.

OCC Education

No objection – Support subject to s106 contributions for primary and secondary education and a condition that planning permission is dependent on a satisfactory agreement to secure resources necessary to increase education provision.

3.9 **North Wessex AONB board**

Object: Although not within the AONB the development sits within the landscape which forms part of the setting of the AONB. The fields to the East of Didcot provide an open character, one which is relatively untouched by development. The site forms a platform for long distance views into the AONB which is a positive characteristic. The creep of development to the east and south east would unbalance the relationship with smaller villages and the setting of the AONB would be compromised as the urban edge would encroach into open countryside. A settlement's character in many cases depends critically on the presence of green land within or adjoining it. The proposed scheme would add an urban expansion to this rural locality, and be of detriment to the special qualities of the AONB which fails to reflect the character of the existing settlement. These open parcels of land are important green spaces which act as important green buffers; as a result these spaces are sensitive to change.

- 3.10 **CPRE (Rights of Way)**  
Object: The sections of FP 24 to the east of the site and BR17 to the south of the site have fine open views towards Didcot, from which this development would markedly detract. Proposed planting on southern boundary inadequate, proposed improvements to FP 24 unnecessary and undesirable.
- 3.11 **Thames Water**  
Current inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water recommend a 'Grampian Style' condition preventing works until the drainage strategy is agreed.
- 3.12 **Drainage (Monson)**  
Agreements with Thames Water will be necessary in respect of foul connections. No objection subject to conditions.
- 3.13 **SODC Equality Officer**  
No objection subject to conditions on accessibility re path boundaries, seating with backs and arms, street furniture and obstructions markings, accessible play equipment.
- 3.14 **SODC Urban Design Officer**  
Original: Scheme has limited vehicular connectivity and legibility particularly in east of site. Positive edges and proposed pedestrian links welcomed. Car parking layout and amenity space needs attention at detailed stage.  
Amended: The revised scheme has addressed majority of concerns. At detailed stage improvements on the road layout (in the east and north west) should be sought.
- 3.15 **SODC Forestry Officer: No objection subject to conditions:**  
Original: Development layout needs revision due to swales impact on tree root protection areas on northern boundary. Proposals should increase tree cover in the area but need to ensure foundation depth sufficient to allow landscaping to develop as shrinkable subsoil in Didcot area could jeopardise this. Permitted development rights should be removed to avoid future risk to porches conservatories etc. Plant long lived trees, designing service runs (drainage, lighting etc.) to avoid conflict. Will need determination at reserved matters stage.  
Amended: The proposed access on to New Rd shown on the amended plans will cause the loss of 4 trees in total, 3 for the main entrance and 1 for the emergency access. Further engineering works to the access (requested by OCC) would very likely result in further tree loss opening views into the site. Matters above need to be addressed at detailed stage.
- 3.16 **SODC Countryside Officer**  
Original: The site is not covered by ecological designations and there are no records for protected species. The boundary hedgerows are the most valuable ecological species. Further detail on achieving no net loss / further gain of biodiversity required will be required at reserved matters stage. The Didcot Greenspace Network Feasibility Study identifies the lack of green infrastructure in Didcot. The submitted Green Infrastructure (GI) Strategy submitted fails to address the policy requirements and increasing level of GI on site, particularly on southern edge or seek contributions for off-site provision should be sought.  
Amended: The minor amendments to the illustrative plan and supporting documents do not alter previous comments. Either additional green infrastructure is required or contributions.
- 3.17 **SODC Landscape Architect**

Original: Largely agree with the findings of the LVIA and feel the development can be accommodated on the site. Main issues are:

- Coalescence between Didcot and East Hagbourne and need to retain a recognisable gap
- Development should sit comfortably with the surrounding countryside
- Not require heavily engineered highway works
- Existing significant landscape features should be sensitively incorporated into the development

Recommend a more meaningful and multi-functional green infrastructure link along the northern boundary so it builds on the gap already provided by the allotments and the public footpath leading out to the AONB. The space could perform a number of functions e.g. open space, amenity walking routes, wildlife corridor, protecting existing trees and new planting, SUDs features and retain some views along the walking route to the east. Seek amendments achieve above and also a softer, more perforated landscaped boundary to the south and east countryside boundaries and retain good frontage trees allowing for some removal of lesser specimens.

Amended: Through negotiation, improvements to the size, usability and variety of landscape features in the proposed linear open space along the northern side of the site, have been incorporated. The linear open space would now perform a number of green infrastructure functions (footpath links to AONB/informal play/SUDs features/habitat creation) and draw additional value from being adjacent and associated with the existing allotments and open space on the housing to the north. The highway authority has requested a right hand turn into the development. Having discussed the location for this is was clear that it would cause the majority of the front boundary trees to be removed and this would undoubtedly cause harm to the character of New Road. The short-medium term landscape impact of this loss on the character of New Road would be significant. This requirement has been dropped and the details shown on drawing Proposed Highway Layout 1/13 Rev D are acceptable.

- 3.18      **SODC Air Quality**  
No objection subject to air mitigation measures
- 3.19      **SODC Contaminated Land**  
No objection
- 3.20      **SODC Environmental Protection**  
No objection subject to conditions re operational hours and dust control conditions for construction period.
- 3.21      **SODC Housing**  
Affordable housing: Flats should have their own individual street entrances (avoid communal hallways). The majority of 2 bed units need to be houses for families. Seeks a recommended mix, tenure and unit sizes.
- 3.22      **SODC Sustainability Officer**  
Further details suggested on work on resilience and adaptation to climate change, renewable energy.
- 3.23      **SODC Corporate Strategy (waste)**  
No objection at this outline stage. Roads need to accommodate larger refuse vehicles
- 3.24      **Highways England – No objection**

4.0 **RELEVANT PLANNING HISTORY**

4.1 P15/S2541/SCR

EIA Screening Opinion – An Environmental Statement is not required

P81/W0261 - Refused (01/07/1981) - Refused on appeal (08/10/1981)  
Construction of spine road and proposed new junction at Hagbourne Road

P80/W0467/RM - Refused (22/10/1980)- Refused on appeal (08/10/1981)  
Siting of new residential spine road and proposed junction at Hagbourne Road.  
This application included the current application site and land to the north of the public footpath (now housing).

P80/W0466/RM - Refused (22/10/1980) - Refused on appeal (08/10/1981)  
Siting of new residential spine road and proposed junction at Hagbourne Road.

P76/W0049/O – Appeal part allowed (14/04/1980)  
Site for housing, amenity space and access road. The site included the current application and land to the north – the Inspector allowed development north of the public footpath and refused permission for housing south of the public footpath (the current application site).

P72/R4896 - Refused (01/11/1972)  
Residential development

P71/R4540 - Refused (02/09/1971)  
Proposed residential development of land

P65/R3286 - Refused (05/11/1965)  
Proposed residential development of land

5.0 **POLICY & GUIDANCE**

5.1 National Planning Policy Framework

Achieving sustainable development through economic, social and environmental roles.

Section 4: Sustainable transport

Section 6: Delivering high quality homes

Section 7: Design

Section 11: Conserving and Enhancing the Natural environment

5.2 National Planning Policy Framework Planning Practice Guidance

5.3 South Oxfordshire Core Strategy policies

CS1 Presumption in favour of sustainable development

CSS1 Overall strategy is to focus major new development at Didcot, provide new housing at Henley, Thame and Wallingford, support new housing allocations at the larger villages and allow limited amounts of housing at smaller and other villages, outside of towns and villages development should only serve specific needs of the agricultural industry or enhancement of the environment.

CSM1 Transport Major infrastructure at Didcot

CSM2 Transport assessments and travel plans

CSH1 Amount & distribution of housing

CSH2 Density: Minimum density of 25 dwellings/ha unless adverse impact on area  
CSH3 Affordable housing: 40% affordable sought on all sites where net gain of more than 3 dwellings, subject to viability.  
CSH4 Meeting housing needs: Dwelling mix to be sought on all developments to meet needs of current and future households.

CSR1 Housing in villages: housing will be allowed where the scale and nature of development accords with the settlement strategy. East Hagbourne is a smaller village. Where infill sites of up to 0.2 ha (4-6 houses) will be considered, protecting local character and distinctiveness.

CSB1 Biodiversity Seeks to ensure that there is no net loss of biodiversity and wherever possible a net gain can be achieved  
CSDID4 Infrastructure to serve Didcot – Gateway developments  
CSG1 Seeks a net gain in green infrastructure provision overall in the standards in the Didcot Greenspace Network Feasibility Study  
CSQ3 Design: all proposals should be accompanied by a design and access statement to show how they have responded to criteria set out in policy

CSEN1 Landscape:  
The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced.  
(i) Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area.  
(ii) High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and planning decisions will have regard to their setting. Proposals which support the economies and social wellbeing of the AONBs and their communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.

CSI1 Infrastructure

CSB1 Conservation and improvement of biodiversity: avoid net loss in biodiversity  
Infrastructure provision: development must be served by appropriate on/off site infrastructure/services, permission only granted when provision and/or mitigation of the development impact has been put in place or will be provided as agreed

CSC1 Delivery and contingency: if sites not developed in accordance with timescales contingency measures will apply

#### 5.4 South Oxfordshire Local Plan 2011- Saved Policies

G2 The district's countryside, settlements and environmental resources will be protected from adverse developments  
G4 Protecting the countryside  
C4 Landscape setting and Historic character and appearance of settlement  
CON 12,13 and 14 Archaeology  
EP1 Protection from polluting emissions  
EP2 Noise  
EP3 Lighting  
EP6 Surface water  
EP8 Contaminated Land  
D1 Good design  
D2 Vehicle and cycle parking

D7 Access  
D10 Waste  
H4 Housing  
R2 Outdoor playing space  
R3 Indoor sport  
R6 Informal open space  
R8 Public right of way

5.5 South Oxfordshire Design Guide

5.6 East Hagbourne Neighbourhood Plan

East Hagbourne is preparing a Neighbourhood Plan. The area of the plan includes the whole parish including the application site. A four week consultation on the suitability of the submitted neighbourhood plan area ran from Thursday 5 November to 3 December 2015.

5.7 EIA Regulations

As defined by the EIA regulations and guidance, the site is not within a sensitive area and nor will it have a significant urbanising effect (e.g. a new development of more than 1000 dwellings). The effects from this proposal are likely to be of local importance but not significant within the context of the EIA regulations and guidance. The LPA has determined that this proposal is not likely to give rise to significant environmental impacts and is therefore not EIA development and a full EIA statement is not required.

The EIA guidance states that local planning authorities (LPA) should always have regard to the possible cumulative effects arising from any existing or approved development. Whilst the LPA are aware that proposals are likely to come forward for further development in the vicinity they, currently, do not exist and are not approved. The LPA not able to consider tangibly the potential impacts of possible sites.

6.0 **PLANNING CONSIDERATIONS**

**Principle of development - Policy considerations**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the adopted Core Strategy 2012 and the saved policies of the South Oxfordshire Horse Local Plan 2011. The emerging Local Plan for South Oxfordshire 2032 is at an early stage and cannot be given any material weight. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). Other material planning considerations include national planning guidance within the NPPF and NPPG.
- 6.2 Paragraph 47 of the NPPF expects local planning authorities to "use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area".

Paragraph 49 of the NPPF states "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".

Paragraph 14 of the NPPF states where the development plan is absent, silent or relevant policies are out-of-date permission should be granted *unless* (my emphasis), "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; or specific policies in this Framework indicate development should be restricted".

### Housing Supply

- 6.3 In respect of housing supply, and the disaggregated approach to Didcot / Rest of District that the Council has adopted, the Council accept that since 2013 there has been a persistent under delivery of housing against the 5 year supply of housing requirements for Didcot in the Core Strategy. In 2014 the Strategic Market Housing Assessment (SHMA) identified higher figures to meet need in Oxfordshire and Oxfordshire councils have begun to apply the updated figures in the emerging Local Plans (e.g. Cherwell, Vale of White Horse). South Oxfordshire will identify more land for housing in the emerging Local Plan 2032 however recent appeal decisions<sup>1</sup> have questioned the disaggregated approach and concluded that the council should be applying a higher housing target<sup>2</sup> which means delivering more housing than is currently planned for in the Core Strategy. However, the inspectors recognised the strength of our housing distribution strategy, which focuses development to the more sustainable towns and larger villages. Whilst it is accepted that Didcot does not have a 5 year supply of housing under the disaggregated approach, the outcome of these two appeal decisions means that the Core Strategy housing supply policies across the District are given less weight in our decision making. Sustainable development should now be permitted unless there is planning harm that outweighs the benefit of providing new housing. Applications for housing should now be considered in the context of the presumption in favour of sustainable development and should be permitted unless there is planning harm that outweighs the benefit of providing new housing.
- 6.4 In respect of Didcot's housing supply the council has recognised for some time that there is a need to address the housing supply shortfall in Didcot and this is reflected in the annual monitoring statements. The Council's Core Strategy Policy CSC1 'Delivery and Contingency' also applies wherein it states the council will identify alternative deliverable site(s) through a plan or other mechanism in general accordance with the distribution strategy of the Core Strategy. Despite this only a couple of significant windfall sites have come forward since 2013 - the brownfield site known as Didcot Gateway, incorporating up to 300 homes (P15/S2159/O) and Hadden Hill for 74 homes (P15/S4066).
- 6.5 The Core Strategy distribution and settlement hierarchy (CSS1) identifies East Hagbourne as a smaller village where infill is permitted, in accordance with the relevant policy criteria (CSR1). This site, although in East Hagbourne parish, is not within the village itself as it lies on the edge of the parish adjoining the built up area of Didcot. In terms of meeting Didcot's housing needs there is no defined boundary in the Development Plan by which housing should be located and it is considered this site on the southern edge of Didcot can contribute to the housing need for Didcot. It is argued

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<sup>1</sup> 1) Winterbrook, Wallingford (P15/S0191/FUL) and 2) Chinnor (P15/S0154/O)

<sup>2</sup> The mid-range SHMA figure of 750 per annum (up from 547 per annum - split 300 (Didcot) / 247 (Rest of District)).

by Didcot Town Council, East Hagbourne parish council, MtGG and others that this site is not within Didcot as it is within the parish of East Hagbourne. However the council invariably has to consider locations beyond the settlement or parish boundaries when looking at sites for housing (e.g. both Great Western Park and Didcot North East when allocated were beyond the Didcot parish boundary). The location of this site, on the edge of Didcot, is such that it complies with the Core Strategy's distribution strategy and it can assist in meeting the shortfall in the Didcot housing supply. Given these particular circumstances policy CSR1 has limited weight as it is a housing policy that restricts supply.

- 6.6 In respect of Didcot's housing supply (and in the context of the recent appeal decisions the housing supply across the District) paragraph 49 of the NPPF applies, determining that limited weight should be given to the council's policies on the supply of housing. Paragraph 14 is also engaged wherein it states that permission should be granted unless there are any adverse impacts that significantly and demonstrably (my emphasis) outweigh the benefits or specific policies in the NPPF indicate development should be restricted. The impacts of the development and their relative significance in are discussed below and the planning balance is weighed up in the conclusion of the report.

#### **Sustainability - Location**

- 6.7 The site is situated about a kilometre from Jubilee Way roundabout where Aldi supermarket is located and about 1.2 km from Didcot Town Centre and its shops and facilities. It is within easy cycling distance and a bus service also serves New Road and East Hagbourne. The public footpath to the north permits good access for walking and also pedestrian links into Fleet Meadow development to the north.
- 6.8 In terms of facilities, there are allotments adjoining the site and the Fleet Meadow community centre north of the allotments. Other facilities e.g. schools are within 1.2km walking distance. There are also facilities within East Hagbourne village, also about 1.2km away. Facilities are therefore within walking and cycling distance, or a short bus journey or drive. The site adjoins and is opposite existing residential development with good connections to local services and facilities. The site is in a sustainable location.

#### **Layout and Design**

- 6.9 The NPPF states that good design is a key aspect of sustainable development and is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (paras 56 and 57). Developments should function well, establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; respond to local character and history, create safe and accessible environments, are visually attractive as a result of good architecture and appropriate landscaping and promote local distinctiveness.
- 6.10 The layout is illustrative at this stage. The parameter plans submitted with the application indicate that taller buildings would be within the development rather than on the edges, so as to assimilate with the surrounding countryside more easily. The green infrastructure link adjoins the public footpath and provides an amenity area that can complement the use of the public footpath including play and walking. Housing faces the external boundaries of the development which follows design principles for



surveillance and the public realm. Planting is proposed along all boundaries but only at the south west corner is a significant screen planting proposed alongside the single storey residential property. At detailed stage care would be taken to site neighbouring properties so that they relate in scale and do not give any rise to loss of privacy and also to ensure buildings do not cause problems to trees. Permitted development rights could be removed at reserved matters stage if necessary. The density of the development is such that it optimises the potential of the site to accommodate development whilst providing a mix of housing and green space, meeting the NPPF design objectives.

### **Natural Environment – Landscape and Biodiversity**

6.11 Paragraph 109 of the NPPF lists the circumstances in which the planning system should contribute to and enhance the natural and local environment and relevant to this application these matters could include potentially:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate

### **Landscape**

6.12 A core principle of the NPPF (paras 17 and 109) is that the planning system should contribute to conserving and enhancing the natural environment, and protect and enhance valued landscapes. The NPPF recognises that great weight be given to AONB considerations and recognises it as an area with the highest status of protection, where weight should be given to conserving the landscape and scenic beauty of AONB. The site is not covered by any landscape designations, however the hills of the North Wessex Downs AONB are 400 m to the east of the site and are visible from the site.

6.13 Mind the Green Gap and the Parish Council are concerned about the methodology of the Landscape and Visual Impact Assessment submitted by the applicant. The council's landscape officer has not raised any concerns with the methodology and concludes she largely agrees with the findings. The main issues raised in respect of landscape concern:

- The closure of the gap between the settlements of Didcot and East Hagbourne
- The impact on the AONB
- The impact on the public footpath
- The impact of highway works

6.14 The site frontage currently forms an open and tree lined gap in the New Road frontage between the ribbon residential development on New Road to the south and the allotments in Didcot. A public footpath runs immediately north of the site and leads east before turning south towards the village of East Hagbourne. There are views across the site from the public footpath as well as New Road itself. This gap has been recognised in council policy evidence (Didcot Core Strategy Background Paper - March 2011)

however there is no Development Plan policy requiring the preservation of the gap or prevention of coalescence. There is no requirement in the NPPF to prevent coalescence between settlements although it does seek to promote or reinforce local distinctiveness (para 60). The opposite (west) side of New Road forms a continuous frontage of housing. Arguably you could say that the separation between the two settlements has been compromised but you could also say that the retention of this gap (the site) becomes more important.

- 6.15 Undoubtedly the development will reduce this visual gap and the proposed access road and emergency access will urbanise the frontage. Previous decisions on developments in the 1980's considered by Inspectors on appeal gave significant weight to the public footpath boundary delineating the settlement of Didcot and the visual gap between the two parishes. Development north of the public footpath was allowed and exists today but housing development and a road immediately south and crossing the public footpath were refused on the grounds of visual impact and that a buffer was desirable.
- 6.16 The current scheme proposes mitigation in the form of a wide green infrastructure wedge south of and adjoining the public footpath and also space on the north west corner parallel to the allotments. An existing open play space area south of Saxon Way also adjoins the footpath, consolidating the public open space in this area. The scheme retains the frontage trees where possible and this will be enhanced by further planting. The access and main road serving the site is midway through the development and will not 'carve' the footpath as the 1980's road proposal. In summary the proposed layout and planting will mitigate the built form of the development and there will remain an open gap with some views through afforded, albeit much reduced. There will also be a tangible division of open space between the two parishes.
- 6.17 Although the site itself is not covered by any landscape designations it does provide attractive views to the AONB. The LVIA does not identify any material adverse impacts in relation to the AONB and neither does the council's landscape officer. There has been a late response from the AONB board, who are raising objection stating that 'the proposed scheme would add an urban extension to this rural locality, and be of detriment to the special qualities of the AONB which fails to reflect the character of the existing settlement'. Given the timing there is no scope to engage the AONB board as to whether any revisions may overcome their objection, however given the scale of the proposals this is unlikely. Officers accept that there will be a change to views to and from the AONB and to the landscape setting of the settlements. Policy C4 (SOLP) is relevant, advising that development which would damage the attractive landscape setting of the settlements of the district will not be permitted and that the effect of any proposal on important local landscape features which contribute to the visual and historic character and appearance of a settlement will be considered. Currently, the defined tree lined boundary of the south of Didcot is visible from New Road and the public footpaths. Views of the Didcot settlement boundary will become restricted although the mitigation proposed by the green infrastructure link will enable the retention of important landscape features, an attractive public footpath route, a distinct parish boundary, a visual gap and will allow views towards the AONB. It is accepted that the landscape setting of East Hagbourne will become more urban and closer to the AONB than exists at present. However the existing development of East Hagbourne and Didcot is already contiguous on the west side of New Road.
- 6.18 To summarise the landscape impacts, the amount of development will have a minor adverse landscape impact on the setting of Didcot and East Hagbourne and will reduce the visual gap between the parish boundaries. However neither the landscape of the site nor the open gap are afforded special protection. The landscape setting and wider views are valued by the community and there is an objection from the AONB board. In weighing the balance between the social benefits of providing housing and the impacts

upon the landscape setting of Didcot and East Hagbourne, the visual gap and the openness afforded to AONB views, I conclude that in the context of a lack of a 5 year housing supply and the requirements of the NPPF, the landscape impacts do not significantly and demonstrably outweigh the housing benefits of this scheme, which includes 40% affordable housing (discussed below) and incorporates proposed landscaping and open space.

### **Biodiversity**

- 6.19 The applicant has submitted a Green Infrastructure Strategy which outlines the approach to green infrastructure on the site. The amended scheme enhances the space and provides a multi-functional green infrastructure link which can also contribute to biodiversity. It is recognised that the amount of space is not what is envisaged in the Didcot Greenspace Network Feasibility Study. The conclusions of this study will be considered further in the Didcot Garden Town proposals, which currently do not carry any firm proposals or weight. It is not possible to seek further off site green infrastructure to the south as the land is not within the applicant's control. Contributions towards green infrastructure could be sought through CIL monies. I conclude that there is no material objection that outweighs the benefit of the proposal.

### **Agricultural Land**

- 6.20 NPPF Para 112 states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, LPA's should seek to use areas of poorer quality land in preference to that of a higher quality. The site is very good agricultural land quality Grade 2. Development of this site will reduce the availability of very good agricultural land by 7 ha and this needs to be weighed against the benefits of housing supply. This site is considered a sustainable location for housing and in the context of the need for housing, there is not an alternative area of poorer quality agricultural land that could be used.

### **Transport**

- 6.21 There has been a considerable degree of objection on traffic and highway grounds. The highway authority initially identified concerns with the access and required an emergency access and a controlled crossing. The agreed scheme will provide an emergency access to the south of the main access and new pedestrian crossing facilities on New Road on both sides of the proposed access. The highway authority also requested a right hand turn lane from New Road however the transport assessment predicts only a handful of right turns within an hour during peak times and on this basis a right turn lane is not required.
- 6.22 Objectors have also been raised in respect of the accuracy of the transport assessment. The highway authority has reviewed the TA and does not have any concerns with the accuracy. More widely the highway authority have identified that there will be direct impacts on Jubilee roundabout to the north and require contributions towards improvements. The applicant is agreeable to the level of contribution sought. Parking will be dealt with at reserved matters stage but the density of the development is such that satisfactory car parking should be easily accommodated. There is no objection on highway grounds.

### **Air Quality**

- 6.23 Traffic arising from the development will have an increased impact on air quality. The air quality officer has identified need for mitigation and monies can be sought through for CIL for off-site measures. Also OCC have requested S106 monies to fund an improved bus service serving the site. A travel plan, cycle parking and electric charging required by conditions will also encourage more sustainable forms of transport.

### **Construction**

- 6.24 During construction there are will be environmental impacts arising from traffic and construction. It is important therefore to control hours of operation, traffic movements, parking for site operatives, provide facilities for wheel washing and controls for noise and dust. Standard practice is to require a Construction Traffic and Management Plan by condition.

### **Drainage**

- 6.25 Many representations raise the issue of drainage and flooding. The development proposes a number of swales and attenuation including a pond to cater for surface water runoff and drainage. The pond will be in the north east corner, at the lowest point of the site. There is no technical objection on drainage or flooding grounds subject to detailed design. Thames Water has raised the issue of foul water capacity in the locality. This will need to be the subject of an agreement between the statutory undertaker and the developer and the council will seek that this has been resolved before development begins.

### **Lighting**

- 6.26 New development will inevitably cause increased light pollution. It is recommended that street and external lighting are controlled via condition, for the benefit of biodiversity and general amenity.

### **Housing**

- 6.27 The NPPF advises that the planning system should provide a supply of housing required to meet the needs of present and future generations (para 7) and that councils should:
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
  - plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community
  - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (para 50)
- 6.28 Policy CSH3 seeks 40% affordable housing comprising with a tenure mix of 75% affordable rented and 25% intermediate e.g. shared ownership. If the development accommodates 170 dwellings, 68 will be affordable. Policy CSH4 seeks a range in mix to meet housing needs. The SHMA gives an indicative mix for both affordable and market mix in South Oxfordshire recognising that regard should be had to the nature of the development site and character of the area, and to up to date evidence of need as well as the existing mix and turnover of properties at the local level. The proposed development mix is set out below.

### Table 1 Proposed Development Mix

Bed Totals	Affordable rented	Shared Ownership / Intermediate	Market	Overall Number/ (Percentage – rounded)
1 Bed	6 (9%)			6 (3.5%)
2 Bed	31 (45.5%)	11 (16%)	23 (22%)	65 (38 %)
3 Bed	14 (20.5%)	6 (9%)	39 (38%)	60 (35 %)
4 Bed			35 (35%)	35 (20.5 %)
5 Bed			5 (5%)	5 (3 %)
Total	51 (75% of AH)	17 (25% of AH)	102	170

- 6.29 The indicative SHMA mix is below. The market mix for smaller dwellings (1 and 2 bed) on the proposed development is slightly under the SHMA suggested mix (25% compared to SHMA 30%) although when the affordable dwellings are included the figure is closer (41.5% compared to SHMA 45%). The SHMA Housing mix figures are not prescriptive and the proposed mix is considered acceptable.

Table 2 : Suggested SHMA mix

	Affordable %	Market %	Overall Percentage %
1 bed	25-30	5	15
2 bed	30-35	25	30
3 bed	30-35	40	40
4 bed	5-10	25	15

The applicants have agreed to the amount of affordable housing and tenure composition suggested by the Council's Housing Development Officer which should be secured through a S106 agreement. The actual numbers may vary depending on how many dwellings are proposed however the proportions are agreed. The housing provision proposed for the site is acceptable and meets a key objective of the NPPF to provide a supply of housing required to meet the needs of present and future generations.

### Infrastructure

- 6.30 The Council has adopted the Community Infrastructure Levy (April 2016). In East Hagbourne parish the CIL residential rate is £150 per sq. m. Monies will be levied on gross internal floorspace (in accordance with the CIL Regulations 2010 as amended). The CIL liability will be known at a detailed stage once the amount of floorspace is known. The CIL monies will be payable upon commencement. CIL is not levied on affordable housing. Indicatively at this stage it is advised that CIL monies may be in the order of £1.53 million (based on 102 market dwellings x 100 sq. m).
- 6.31 CIL is intended to contribute towards local and strategic infrastructure as identified in the Regulation 123 list and the adopted SPD Planning Obligations (April 2016). In accordance with the SPD on-site infrastructure can still be sought for site specific infrastructure including highway works required to meet the impacts of the development, open space and play areas, recycling and street-naming as well as affordable housing. Other infrastructure e.g. air quality and off site infrastructure will need to be met from CIL and other funding. Parishes will receive either 15% or 25% (if

they have an adopted Neighbourhood Plan at the relevant stage<sup>3</sup>) of the monies for infrastructure and may choose to spend it on local projects or contribute towards strategic infrastructure.

- 6.32 The matters the council are seeking through S106 are :
- 1) 40% of total housing to be affordable housing (75% of which to be affordable rented)
  - 2) Transport contributions for an improved bus service and bus stop serving the site
  - 2) Off site highway contributions to Jubilee roundabout
  - 4) On site public open space and play and provisions for maintenance
  - 5) Contributions for on-site recycling bins and street naming
- The applicant has agreed to the provision of the above.

## 7.0 CONCLUSION

- 7.1 The development is in a sustainable location. The NPPF advises a presumption in favour of sustainable development and where there is a lack of 5 year housing supply, paragraph 49 is engaged, determining that housing policies restricting the supply of housing are out of date. Paragraph 14 requires that the council should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental planning roles.
- 7.2 The provision of housing including 40% affordable housing is a significant social benefit. The development incorporates public open space and play space which will benefit proposed and existing residents. The development will have an economic role in that it will bring construction jobs to the area for a temporary period yet there will be a minor economic dis-benefit due to the loss of the agricultural land. There will be temporary environmental impacts resulting from construction and likely negative impacts on air quality. The key environmental impact will be upon the landscape, particularly the landscape setting of Didcot and East Hagbourne, the visual gap between the two settlements and the openness afforded to AONB views and setting. However the land is not protected by either landscape designations or a policy requirement on preserving an open visual gap. When weighed in the planning balance the impacts are not considered to be significant and demonstrable. In the context of a lack of a 5 year supply of housing the proposed scheme incorporating a mix of housing, open space and landscaping, together with provision for infrastructure is considered to be outweigh the dis-benefits of the development and it is therefore recommended that planning permission is granted.

---

<sup>3</sup> The date at which the last pre commencement condition is discharged.

## 8.0 RECOMMENDATION

8.1 To delegate authority to the Head of Planning to grant outline planning permission subject to:

A. The completion of a S106 agreement securing:

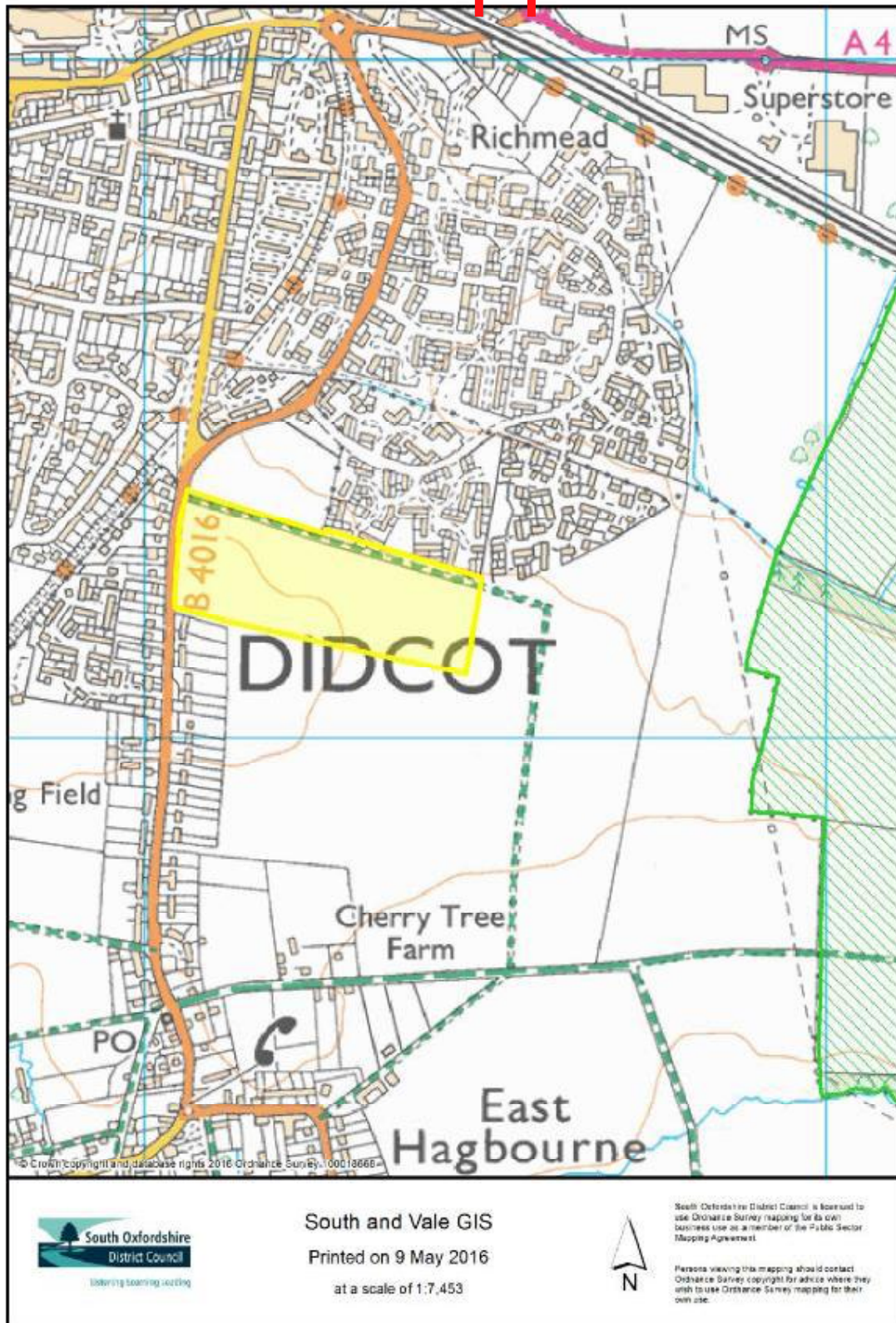
1. 40% of total housing to be affordable housing (75% of which to be affordable rented)
2. Transport contributions for an improved bus service and bus stop serving the site
3. Off site highway contributions to Jubilee Way roundabout
4. On site public open space and play and provisions for maintenance
5. Contributions for on-site recycling/waste bins and street naming

B. The following conditions:

1. Approved plans.
2. Reserved matters.
3. Tree protection.
4. Archaeology.
5. Construction traffic management plan including hours.
6. S278 works.
7. Access and vision splays.
8. Travel plan including school routes.
9. Turning area and parking.
10. Estate roads access, footpaths.
11. Foul drainage strategy and details.
12. Surface water drainage details.
13. Sustainable drainage system details.
14. EV charging on residential properties.
15. Cycle parking.
16. Landscape including street furniture, cycle parking.
17. Landscape management and maintenance.
18. Lighting.
19. Material samples.
20. Recycling and waste storage.

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**Contact No:** 01235 540546

# Appendix A





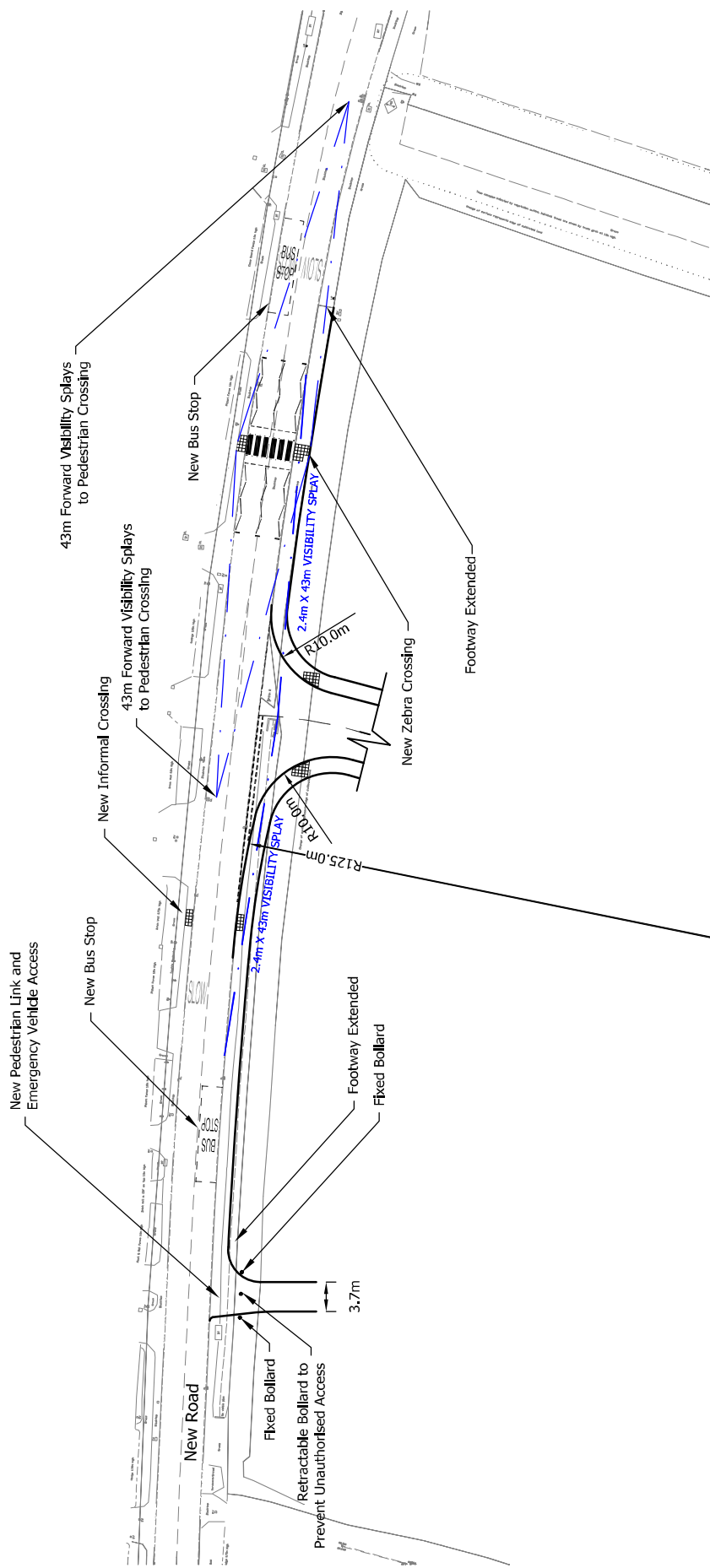








# Appendix E



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client  
**GRAINGER PLC**

project  
**LAND AT NEW ROAD, EAST HAGBOURNE**

title  
**PROPOSED HIGHWAY LAYOUT**

scale  
**1:500 @ A3**

drawn by  
**OAN**

checked by  
**VL**

date  
**MARCH 2016**

cad file  
**13D.DWG**

drawing number  
**GTDIDCOT.1/13**

rev.  
**D**

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## Appendix 2 – Decision notice

# PLANNING

ELECTRONIC  
VERSION

## Planning Decision

P15/S3228/O

Grainger PLC  
c/o Savills  
2 Charlotte Place  
Southampton  
SO14 0TB

## REFUSAL OF PLANNING PERMISSION

Application No : **P15/S3228/O**

Application proposal, including any amendments :

**Outline application for the construction of circa 170 residential dwellings with associated vehicular access from New Road, internal access roads, public open space, landscaping and parking (detailed access with all other matters reserved). (As amended by agent letter dated 15 January 2016 and accompanying drawings and additional information, and additional highway and air quality information dtd 16 March 2016)**

Site Location : **Land east of New Road East Hagbourne**

South Oxfordshire District Council hereby gives notice that **planning permission is REFUSED** for the carrying out of the development referred to above for the following reason(s) :

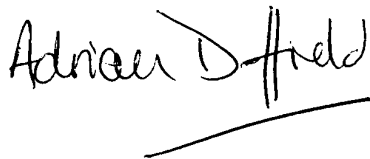
1. The proposed development would occupy farmland that helps to maintain distinct separation between the settlements of East Hagbourne and Didcot, which contributes to the character and appearance of the area and to the enjoyment of nearby public rights of way. The openness of the site affords views to the North Wessex Downs Area of Outstanding Natural Beauty (AONB) from New Road and from the public footpath immediately to the north of the site, and forms part of the setting of the AONB. Development of this site and the consequential loss of openness would result in a coalescence of settlements that would harm the role this site performs in protecting and enhancing the distinctive and valued landscape setting and identity of East Hagbourne and Didcot. Moreover, development of this site would result in the loss of the distinctive landscape boundaries of the settlements, which would harm the valued landscape setting of the AONB. As such, the development





would result in significant and demonstrable harm and is contrary to the National Planning Policy Framework, in particular but not confined to paragraphs 7,14, 109 and 115, and is contrary to policy CSEN1 of the South Oxfordshire Core Strategy and saved policies G2, G4, D1 (ii and iv) and C4 of the South Oxfordshire Local Plan 2011.

2. In the absence of a completed S106 agreement the application fails to secure infrastructure necessary to meet the needs of the development, contrary to policy CS11 of the South Oxfordshire Core Strategy and saved policy R6 of the South Oxfordshire Local Plan 2011 and the National Planning Policy Framework.
3. In the absence of a completed S106 agreement the proposal fails to secure affordable housing to meet the needs of the District contrary to policies CSH3 of the South Oxfordshire Core Strategy and the National Planning Policy Framework.

A handwritten signature in black ink, appearing to read 'Adrian D. Field', with a long horizontal line drawn underneath it.

Head of Planning  
**18th May 2016**



## STATUTORY INFORMATIVE

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under sections 78 and 79 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice, using a form which you can get from :

The Planning Inspectorate  
Customer Support Unit  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN  
Telephone : 0303 444 5000  
[www.planningportal.gov.uk](http://www.planningportal.gov.uk)  
email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk).

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

### Purchase Notice

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council

(District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act 1990.

### **OTHER INFORMATION**

The Planning Portal contains a wide range of helpful planning-related guidance and services. You may wish to view their website ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)).