

Planning and Strategic Housing

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Malcolm Rivett BA (Hons) MSc MRTPI

Your Ref:

Our Ref:

Date: 20 December 2017

Dear Mr Rivett

West Oxfordshire Local Plan 2031 – Consultation on Additional Technical Evidence

Thank you for the opportunity to respond to this consultation and to confirm the Council's preferred way forward for the Local Plan in light of the technical evidence that has been produced.

In terms of the evidence itself, the Council considers that what has been produced is robust and helpfully addresses a number of issues that were raised through the examination hearing sessions earlier in the year.

With regard to the additional landscape and heritage advice, the approach taken by the appointed consultants Chris Blandford Associates (CBA) is both comprehensive and robust, following established guidance and best practice and considering a range of relevant landscape and heritage considerations including cumulative impact.

Importantly, their findings support the Council's original decision to allocate the seven sites within the Cotswolds AONB and at Woodstock albeit subject to appropriate mitigation and a recommended reduction in the number of homes on some sites. Partly in light of the CBA report but primarily to take account of current material considerations, the Council is however of the view that consideration should be given to the potential deletion of one of the allocations – land east of Burford. Further explanation is provided below.

The Sustainability Appraisal (SA) further addendum report has been prepared by independent consultants Enfusion who have led on SA work for the Council since 2015. Notably, following the stage one examination hearing sessions in November 2015, the Inspector concluded that the original SA report (CD2) was adequate in its general scope and approach and had adequately addressed reasonable alternatives for a plan seeking only to address the needs of West Oxfordshire. The SA addendum report published in 2016 (CD10) adopted the same overall approach but considered a number of reasonable alternatives to take account of the incorporation of an element of unmet housing need from Oxford.

In response to concerns raised by some parties through the examination process in 2016, the most recent further SA addendum considers a number of further reasonable alternatives that have subsequently been identified, including in relation to the proposed Oxfordshire Cotswolds Garden Village and the western extension of Eynsham.

Importantly, the Council does not consider that the findings of the SA further addendum report provide any strong justification to significantly alter the approach set out in the proposed main modifications published in 2016.

The final evidence document relating to housing and demography in the Burford – Charlbury sub-area has been produced by Peter Brett Associates (PBA) with input from leading demographer John Hollis.

Whilst demographic projections have some inevitable limitations and are only one element of considering the need for additional housing, the report nonetheless provides a helpful analysis of what could potentially happen in the Burford – Charlbury sub-area if an insufficient number of new homes are provided – including most specifically a reduction in the size of the resident labour force.

In light of the technical evidence outlined above, the Council is able to confirm its preferred way forward for the Local Plan as follows.

Proposed Development at Woodstock

The Council remains of the view that Woodstock, as one of the District's main rural service centres and located on a key transport corridor, represents a sustainable location at which to accommodate future planned housing growth.

The sub-area is economically strong benefitting from its proximity to Oxford and the Oxfordshire knowledge spine. House prices in the area are above average which is a situation that has been compounded by a lack of delivery in recent years including provision of new affordable homes.

It is fully acknowledged however that new housing development at Woodstock of the scale proposed needs careful consideration and that the three site allocations have a number of sensitivities which need to be fully taken into account.

Land North of Hill Rise, Woodstock (Policy EW1d)

The Council considers that the allocation should be retained for 120 homes as originally proposed. Whilst the landscape and heritage evidence identifies a number of landscape and heritage sensitivities for this site both individually and in combination with the two other Woodstock allocations, the Council considers that these issues are capable of being addressed through a number of further modifications to Policy EW1d and the relevant supporting text.

Some suggested further modifications to the policy and supporting text are attached for your consideration as **Appendix I** of this letter.

Land North of Banbury Road, Woodstock (Policy EW1e)

The Council considers that in light of the landscape and heritage sensitivities identified within the CBA report that it would be appropriate to reduce the scale of proposed development from the originally proposed 250 homes to around 180 homes.

Whilst this is less than the CBA recommendation of around 220 homes, the Council considers that this would allow for development to be focused primarily on the less sensitive, eastern part of the site, coupled with a suitably low density of development and a significant landscape buffer to protect the setting of listed buildings along Banbury Road. This in turn would help to further reduce the potential for cumulative impact on the Blenheim World Heritage Site (WHS) as well as reducing the level of traffic impact associated with this site.

Suggested further modifications to the policy and supporting text are set out at **Appendix I**.

Land East of Woodstock (Policy EW1c)

As you are aware, unlike the other two proposed site allocations at Woodstock, this site has a resolution to grant outline planning permission for up to a maximum of 300 new homes (6 February 2017). Partly in response to the findings of the CBA report, the Uplands Area Planning Sub-Committee considered an update report dealing with the land east of Woodstock at a meeting held on 6 December 2017.

The update report, which is attached as **Appendix 2** of this letter, provides a detailed consideration of the CBA report and how each of the report recommendations has been addressed through the outline application.

It concludes that whilst the proposed number of dwellings being sought through the application at up to 300 units exceeds the 270 units recommended by CBA, this can still be achieved in broad accordance with their suggested approach and mitigation measures. In light of the update report, the Uplands Area Planning Committee at its meeting of 6 December 2017 resolved to grant outline planning permission for up to 300 units subject to a legal agreement.

The Council therefore considers that it is appropriate to retain the allocation at around 300 units but to make a number of minor amendments to the supporting text and policy as set out in **Appendix I** to help mitigate the impact of development.

Proposed Development within the Cotswolds AONB

The Council fully acknowledges the great weight that must be afforded to the conservation of landscape and scenic beauty within the Cotswolds Area of Outstanding Natural Beauty (AONB). The proposed modifications published in November 2016 allocated only four sites with a cumulative total of 219 new homes – a very small proportion of the overall housing requirement and a much lower level of housing provision than has been planned elsewhere in the District.

The decision to allocate new homes within the AONB is supported by the demographic analysis of housing need which has been undertaken by Peter Brett Associates on behalf of the Council. Failure to deliver a sufficient number of new homes within the AONB is likely to lead to a decline in the resident labour force of the area – thus having potentially negative effects for the local economy.

However, it is evident from the examination process that even this relatively modest planned level of development is of significant concern to some parties and therefore requires careful consideration and robust justification in line with national policy.

The Council's proposed way forward in relation to each of the four proposed AONB allocations is summarised below.

Land North of Woodstock Road, Stonesfield (Policy BC1a)

Whilst the landscape and heritage evidence identifies a number of sensitivities, these are not significant and are capable of effective mitigation. Subject to a number of minor changes, the Council therefore considers it appropriate to retain the allocation within the Local Plan for the provision of around 50 homes.

Some suggested wording in relation to the supporting text and policy is set out at **Appendix I**.

Land East of Burford (Policy BC1b)

This letter is accompanied by a separate statement which sets out the Council's position in relation to this draft allocation.

In summary the Council's current position is that it is no longer possible to demonstrate that exceptional circumstances exist to justify the proposed allocation in accordance with paragraph 116 of the NPPF.

In light of this, the Council now requests that consideration is given to whether it is necessary to remove the site from the Local Plan as a main modification in order to make it sound.

Land North of Jeffersons Piece, Charlbury (Policy BC1c)

Whilst the landscape and heritage evidence identifies a number of sensitivities, these are not significant and subject to a number of minor changes, the Council considers it appropriate to retain the allocation within the Local Plan for the provision of around 40 homes.

Some suggested wording in relation to the supporting text and policy is set out at **Appendix I**.

Land South of Milton Road, Shipton under Wychwood (Policy BC1d)

As you are aware, unlike the other proposed site allocations within the AONB, this site has a resolution to grant outline planning permission for 44 new homes (6 February 2017). Partly in response to the CBA report, the Uplands Area Planning Sub-Committee considered an update report at a meeting held on 6 December 2017.

The report, which is attached at **Appendix 3** of this letter, provides a detailed consideration of the CBA report and how each of their main recommendations has been addressed through the outline application.

It concludes that in light of the CBA report findings, the proposed number of dwellings at 44 units remains appropriate. Having regard to the update report, the Uplands Area Planning Committee at its meeting of 6 December 2017 resolved to grant outline planning permission for 44 dwellings.

In light of the above, it is considered appropriate to retain the site allocation at around 44 units but to make a number of minor amendments to the supporting text and policy as set out in **Appendix I**.

I trust the above response is of use to you in determining the most appropriate way forward for the Local Plan. The Council is committed to getting its new Local Plan in place as quickly as possible and we would welcome a response from you on the next steps at your earliest convenience.

If you require any further information or additional clarification regarding any of the points set out in this letter or the supporting appendices please let me know.

Yours sincerely



Giles Hughes
Head of Planning and Strategic Housing

Appendix 1

Schedule of Suggested Further Modifications

December 2017

West Oxfordshire Local Plan 2031

Schedule of Suggested Further Main Modifications (FMM)

December 2017

Introduction

Following the Local Plan examination hearing sessions held in May and July 2017 the Council has undertaken further work in response to a number of the issues raised. This has included additional landscape and heritage evidence, further Sustainability Appraisal (SA) and consideration of housing need within the Burford – Charlbury sub-area.

These three documents have been made available for public consultation for a period of 4 weeks in November/December 2017 with any responses received being taken into account by the Inspector in determining the most appropriate way forward for the Local Plan. To assist the Inspector with his consideration of these matters, the Council has identified some further suggested modifications to the Local Plan. These are set out in the schedule below and build on the further suggested modifications already tabled by the Council in September 2017. Like those suggested modifications, this schedule has no status as such and simply identifies one potential way in which the issues raised through the additional evidence could be taken into account.

Ultimately it will be for the Local Plan Inspector to determine what is and isn't appropriate and capable of making the Local Plan 'sound' and to recommend any main modifications in due course. Any such main modifications identified by the Inspector would themselves need to be the subject of formal public consultation in due course.

This schedule of suggested further modifications is colour-coded to differentiate between the suggested changes put forward by the Council in September 2017 and those which are now being put forward. Any previous September changes are shown as **red text** and any further suggested changes are shown in **blue text**. In both cases, new text is shown underlined and deleted text has been ~~struck through~~.

It should be noted that in relation to the land east of Burford (Policy BC1b) the Council is now suggesting to the Inspector that consideration is given to the potential deletion of this allocation - hence no suggested further changes are identified in relation to this site. It should also be noted that the suggested further changes set out in this schedule, including the proposed deletion of the land east of Burford allocation, if accepted, would have a number of minor consequential knock-on effects on other parts of the Local Plan including the housing chapter, the delivery and monitoring framework and housing trajectory. These further changes are not set out in this schedule.

Finally, it should be noted that the previous main modifications put forward by the Council in November 2016 are not shown in this schedule as tracked changes and have instead been incorporated as 'clean' text. This is for ease of reference only to avoid confusion between the two sets of proposed modifications. It does not mean that the earlier modifications have been accepted by the Inspector as he is yet to formally determine which modifications to the plan are necessary and appropriate.

Reference Number	Additional Further Main Modification	Reason
FMM228	<p style="text-align: center;">Land East of Woodstock (300 homes)</p> <p>9.5.41g This is a greenfield site of around 16 ha on the south eastern edge of Woodstock currently in agricultural (arable) use. The site immediately adjoins existing residential development to the west, is bordered to the north by sports pitches associated with the Marlborough School, to the east by open countryside and to the south by the A44 and beyond that the grounds of Blenheim Palace which is a designated World Heritage Site (WHS). The eastern boundary of the site forms the administrative boundary between West Oxfordshire and neighbouring Cherwell District.</p> <p>9.5.41h The site is in a single ownership (the Blenheim Estate) and has previously been promoted through the Council's housing land availability assessment which has concluded that it is suitable in principle for residential development. The District Council previously allocated the site for mixed-use development during the preparation of the 2011 Local Plan but the site was removed at the request of the Inspector who felt at that time that the scale of the proposed development was excessive. The site is the subject of a current hybrid planning application submitted by the Vanbrugh Unit Trust and Pye Homes on behalf of the estate.</p> <p>9.5.41i Whilst it is clearly a sensitive site given the importance of the approach to Woodstock and the proximity of the Blenheim Palace WHS, it is reasonable to conclude that residential development in this location represents a sustainable development opportunity which if designed, managed and implemented properly, presents an excellent opportunity to deliver a high quality housing scheme in close proximity to the central core of Woodstock which ranks as one of the District's most sustainable settlements in terms of the availability of shops, services and facilities. The proposed site allocation is shown in Figure 9.15c below.</p> <p>9.5.41j The site has no major physical constraints as it is relatively flat and access can be</p>	To take account of the Council's additional evidence including the need to ensure that the proposed development reduces any potentially harmful impact on the wider rural setting of the Blenheim WHS.

	<p>achieved directly from the A44. It is not within the Green Belt, is not within an area of flood risk and is not within the Cotswolds AONB. <u>In landscape terms, the Council's evidence identifies that the site is of medium landscape sensitivity and medium visual sensitivity.</u> A key consideration for the site is <u>potential heritage impact, both in relation to the site itself and also having regard to the cumulative impact of this site in conjunction with the two other proposed allocations at Woodstock.</u> The Council's evidence identifies that <u>development of the site could affect the setting of the nearby Cowyard listed buildings and the Blenheim Villa Scheduled Monument the latter impact being limited and the former capable of mitigation.</u> The most significant issue for the site is the potential impact of development on the <u>wider rural setting of the WHS and the approach along the A44.</u> but that <u>This</u> is not <u>however</u> considered to be an absolute constraint to development provided it is addressed sensitively <u>through appropriate layout, density, scale and external appearance.</u></p> <p>9.5.41k For the reasons outlined above, the land east of Woodstock is allocated for the provision of around 300 new homes. Policy EW1c below applies.</p>	
FMM229	<p><u>Policy EW1c – Land East of Woodstock (300 homes)</u></p> <p>Land to the east of Woodstock, north of the A44 Oxford Road to accommodate around 300 dwellings as a well-integrated and logical extension of the existing built form of the town.</p> <p>Proposals for development should be consistent with the following:</p> <p>a) provision of a mix of house types and tenures including affordable housing in accordance with Policy H3 – Affordable Housing.</p> <p>b) ensuring that development <u>is consistent with Policy EW1 in respect of the protection, promotion and conservation of</u> does not have a <u>substantial</u> harmful impact on <u>the significance of designated heritage assets and the setting of</u> the Blenheim Palace World Heritage Site (WHS) <u>and its setting.</u></p>	To take account of the Council's additional evidence, in particular the need to ensure that the proposed development reduces any potentially harmful impact on the wider rural setting of the Blenheim WHS.

c) landscape dominated design with the provision of appropriate measures to mitigate the potential landscape, visual and heritage impact of the development including the retention and strengthening of existing hedgerows, use of appropriate building heights and materials and the provision of structural planting and semi-natural green space to protect the rural setting of the WHS and to achieve a positive enhancement of the approach to Woodstock from the south east.

d) provision of satisfactory vehicular access ~~onto the A44 Woodstock Road and appropriate pedestrian and cycle connections,~~ and supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists, with good connectivity provided to key destinations including integrating with Woodstock, Hanborough Station and Oxford Parkway Station.

e) appropriate provision of and contributions towards supporting infrastructure;

ei) the developer will be required to provide an assessment of any impacts on Blenheim Park SSSI, particularly in terms of air quality or hydrological impacts, in relation to this specific site and the cumulative impact of the three allocated sites in Woodstock.

f) biodiversity enhancements including arrangements for future maintenance.

g) appropriate measures to mitigate flood risk including the use of sustainable drainage methods to ensure that post-development surface water run-off rates are attenuated to achieve a reduction in greenfield run-off rates. The sustainable drainage systems should be designed to provide a biodiversity enhancement and not cause harm to the Blenheim Park SSSI.

h) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.

i) demonstrate the use of renewable energy, sustainable design and construction methods,

	<p>with a high level of energy efficiency in new buildings.</p> <p>j) the developer will be required to set aside 5% of the developable plots for those wishing to undertake custom/self-build.</p>	
FMM230	<p style="text-align: center;">Land north of Hill Rise, Woodstock (120 homes)</p> <p>9.5.41l This is a greenfield site located on the northern approach into Woodstock along the A44 Manor Road. It adjoins existing residential development at Hill Rise and Vanbrugh Close to the west and south which acts as a buffer to the Blenheim Palace WHS to the west. To the north and east of the site is open countryside which slopes gently down towards a valley associated with the River Glyme.</p> <p>9.5.41m The site is primarily within agricultural use with the exception of a small parcel of land in the southern part of the site which is in use as a children’s play area. Notably, relocation of this play area would provide the opportunity to create a vehicular access into the site from Vermont Drive/Vanbrugh Close as well as improving a more modern play facility for local children. Depending on the scale of development there may also be scope to provide a vehicular access directly onto the A44 to the north of the existing houses at Hill Rise.</p> <p>9.5.41n The site is in a single ownership (the Blenheim Estate) and has been promoted for development through the Council’s Strategic Housing and Economic Land Availability Assessment (SHELAA). Through the site assessment process the Council has concluded that the site is suitable for development. As the site is in the same ownership as land at east Woodstock (Policy EW1c) which is the subject of a current planning application, this site may come forward later in the plan period.</p> <p>9.5.41o The site has no major physical or policy constraints to development. Vehicular access can be achieved via several potential points and the site is within comfortable walking and cycling distance of the centre of Woodstock providing the opportunity for effective pedestrian and cycle links. The site is not within the</p>	To take account of the Council’s additional evidence, in particular the need to ensure that the proposed development reduces any potentially harmful impact on the wider rural character and nature of the setting of the Blenheim WHS.

	<p>Cotswolds AONB or Oxford Green Belt and is not within a defined area of flood risk.</p> <p>9.5.41p <u>In terms of the historic environment, the Council’s evidence confirms that development of the site would not have a significant impact on any listed buildings or scheduled monuments. A key consideration for the site however is its potential impact on the rural character and nature of the setting of the Blenheim WHS as despite the site being screened from the WHS by existing housing, new development could still have an impact. Appropriate mitigation will therefore be sought as set out in Policy EW1d. Whilst relatively proximate to the Blenheim Palace WHS, any potential impact on its setting would be mitigated by the existing development adjoining the western and southern edges of the site.</u> Whilst a public right of way crosses the site from north to south, this could be effectively incorporated into the design and layout of any development as appropriate.</p> <p>9.5.41q A key consideration for the site is landscape impact given that this is a relatively large greenfield site on the edge of Woodstock. However, compared to other site options the landscape sensitivity of this site is considered to be relatively modest with the site very much reading as part of the existing settlement thereby providing the ability to integrate effectively with the existing built form in this location. <u>The Council’s evidence identifies that the site is of medium landscape sensitivity and medium-high visual sensitivity and that subject to appropriate mitigation is capable of accommodating around 120 dwellings without undue harm.</u> The design and layout of any scheme and any landscape impact mitigation would need to be considered and agreed on the basis of a full landscape and visual impact assessment. The proposed site allocation is shown in Figure 9.15d below.</p> <p>9.5.41r In light of the lack of physical and policy constraints to development the site is allocated for the provision of around 120 homes.</p>	
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<p>FMM231</p>	<p>Policy EW1d – Land north of Hill Rise, Woodstock (120 homes)</p> <p>Land to the north of Hill Rise, Woodstock to accommodate around 120 dwellings as a well-integrated and logical extension of the existing built form of the town.</p> <p>Proposals for development should be consistent with the following:</p> <p>a) provision of a mix of house types and tenures including affordable housing in accordance with Policy H3 – Affordable Housing.</p> <p>b) ensuring that development <u>is consistent with Policy EW1 in respect of the protection, promotion and conservation of</u> does not have a substantial harmful impact on the setting of the Blenheim Palace World Heritage Site (WHS) and its setting.</p> <p><u>c) landscape dominated design with the provision of appropriate measures to mitigate the potential landscape, visual and heritage impact of the development including the retention and strengthening of existing hedgerows, use of appropriate building heights and materials, retention of key views and the provision of structural planting and extensive areas semi-natural green space, with built development kept away from the eastern and northern parts of the site including where it adjoins the A44.</u></p> <p><u>d) provision of satisfactory vehicular accesses and appropriate pedestrian and cycle connections including appropriate accommodation of the existing public right of way through the site and provision of a safe and efficient means for bus services to terminate and turn at the site in forward gear.</u></p> <p><u>e) the provision of supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas and other key destinations.</u></p> <p><u>f) appropriate provision of and contributions towards supporting infrastructure;</u></p>	<p>To take account of the Council’s additional evidence, in particular the need to ensure that the proposed development reduces any potentially harmful impact on the wider rural character and nature of the setting of the Blenheim WHS.</p>
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	<p>gfe) replacement/enhancement of the existing children’s play area and public open space adjacent to Rosamund Drive.</p> <p>hf(i) <u>The developer will be required to provide an assessment of any impacts on Blenheim Park SSSI, particularly in terms of air quality or hydrological impacts, in relation to this specific site and the cumulative impact of the three allocated sites in Woodstock.</u></p> <p>igf) biodiversity enhancements including arrangements for future maintenance.</p> <p>jhg) appropriate measures to mitigate flood risk including the use of sustainable drainage methods to ensure that post-development surface water run-off rates are attenuated to achieve a reduction in greenfield run-off rates. The sustainable drainage systems should be designed to provide a biodiversity enhancement.</p> <p>kih) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.</p> <p>li) demonstrate the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.</p> <p>mj) the developer will be required to set aside 5% of the developable plots for those wishing to undertake custom/self-build.</p>	
FMM232	<p style="text-align: center;">Land North of Banbury Road, Woodstock (250 180 homes)</p> <p>9.5.41s This is a greenfield site located on the northern edge of Woodstock between Green Lane and Banbury Road. <u>It falls into three main land ‘parcels’, a western parcel, a central parcel and an eastern parcel.</u> The site is in agricultural use and has been put forward for potential development by the landowner, the Blenheim Estate. To the west of the site is an employment site occupied by Owen Mumford an important local employer. To the south of the site is the existing, primarily residential edge of Woodstock which runs in an irregular form along Green Lane and Banbury Road which subsequently forms the eastern edge</p>	To take account of the Council’s additional evidence, in particular the need to ensure that the proposed development reduces any potentially harmful impact on the Woodstock Conservation Area, the Blenheim WHS and the listed buildings on Banbury Road.

	<p>of the site with open countryside beyond. To the north of the site is open countryside.</p> <p>9.5.41t The site is in a single ownership (the Blenheim Estate) and has been promoted for development through the Council’s Strategic Housing and Economic Land Availability Assessment (SHELAA). Through the site assessment process the Council has concluded that the site is suitable for development. As the site is in the same ownership as land at east Woodstock (Policy EW1c) which is the subject of a current planning application, this site may come forward later in the plan period. The site has no major physical or policy constraints to development. Vehicular access can be achieved via Banbury Road and the site is within comfortable walking and cycling distance of the centre of Woodstock providing the opportunity for effective pedestrian and cycle links. The site is not within the Cotswolds AONB or Oxford Green Belt and is not within a defined area of flood risk.</p> <p>9.5.41u Whilst a public right of way crosses part of the site, this could be effectively incorporated into the design and layout of any development as appropriate. A key consideration for the site is landscape impact given that this is a relatively large greenfield site on the edge of Woodstock. <u>The Council’s evidence identifies that the site is of medium landscape sensitivity, except in the south west corner where it is medium-high. Visual sensitivity is high overall. Subject to appropriate mitigation the evidence suggests that the site is capable of accommodating around 220 dwellings with development focused primarily on the eastern part of the site and to a lesser extent the central part of the site. However, compared to other site options the landscape sensitivity of this site is considered to be relatively modest with the site being relatively self-contained and well-screened from wider views.</u> The design and layout of any scheme and any landscape impact mitigation would need to be considered and agreed on the basis of a full landscape and visual impact assessment.</p> <p>9.5.41ui <u>In heritage terms the Council’s evidence identifies that the development of the site has the potential to affect the Woodstock Conservation Area, the</u></p>	
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	<p><u>Blenheim WHS and a number of listed buildings along Banbury Road. To address these potential issues it is recommended that the western part of the site is kept free from built development with any new housing to be focused primarily on the eastern part of the site and to a lesser extent the central part of the site (allowing for the provision of a suitable buffer to the listed buildings on Banbury Road). Having regard to this advice the number of homes proposed for the site has been reduced from 250 to around 180 dwellings. This is lower than the 220 homes identified in the Council’s landscape and heritage evidence but will allow for a greater degree of ‘set back’ from the listed buildings along the Banbury Road and will reduce the level of traffic impact associated with the site. It will also help to address any potential for cumulative impact having regard to the two other proposed site allocations at Woodstock.</u> The proposed site allocation is shown in Figure 9.15e below.</p> <p>9.5.41v The site adjoins the Glyme and Dorn Conservation Target Area (CTA) and is close to the Woodstock Water Meadows for which there is a Management Plan and Action Plan. As such the site offers excellent potential for biodiversity enhancement and informal recreation. Importantly a residential scheme in this location would also provide the opportunity to deliver improved vehicular access to the Owen Mumford employment site allowing for a more direct connection between Green Lane and Banbury Road than currently exists.</p> <p>9.5.41w In light of the lack of physical and policy constraints to development the site is allocated for the provision of around 250 <u>180</u> homes.</p>	
FMM233	<p><u>Policy EW1e – Land north Banbury Road, Woodstock (250 <u>180</u> homes)</u></p> <p>Land to the north of Banbury Road, Woodstock to accommodate around 250 <u>180</u> dwellings as a well-integrated and logical extension of the existing built form of the town.</p> <p>Proposals for development should be consistent with the following:</p> <p>a) provision of a mix of house types and tenures including affordable housing in accordance</p>	To take account of the Council’s additional evidence, in particular the need to ensure that the proposed development reduces any potentially harmful impact on the Woodstock Conservation Area, the Blenheim WHS and the listed buildings on Banbury Road.

with Policy H3 – Affordable Housing.

b) provision of satisfactory vehicular access from Banbury Road ~~and Green Lane~~ and appropriate pedestrian and cycle connections including incorporation of the existing public right of way across the site.

c) the provision of supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas and other key destinations.

de) appropriate provision of and contributions towards supporting infrastructure;

ed) ensuring that development is consistent with Policy EW1 in respect of the protection, promotion and conservation of ~~does not have a~~ **substantial** harmful impact on the setting of the Blenheim Palace World Heritage Site (WHS) and its setting, including key views.

f) landscape dominated design with the provision of appropriate measures to mitigate the potential landscape, visual and heritage impact of the development including the retention and strengthening of existing hedgerows, use of appropriate building heights and materials, retention of key views and the provision of structural planting and extensive areas semi-natural green space, with built development kept away from the western parts of the site. Particular regard must be had to the setting of the listed buildings on Banbury Road including the provision of a substantial landscape buffer.

gfe) biodiversity enhancements including arrangements for future maintenance. Development will be required to make a positive contribution towards the adjoining Conservation Target Area (CTA).

hegi) The developer will be required to provide an assessment of any impacts on Blenheim Park SSSI, particularly in terms of air quality or hydrological impacts, in relation to this specific site and the cumulative impact of the three allocated sites in Woodstock.

	<p>ihf) appropriate measures to mitigate flood risk including the use of sustainable drainage methods to ensure that post-development surface water run-off rates are attenuated to achieve a reduction in greenfield run-off rates. The sustainable drainage systems should be designed to provide a biodiversity enhancement.</p> <p>ig) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.</p> <p>jh) demonstrate the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.</p> <p>ki) the developer will be required to set aside 5% of the developable plots for those wishing to undertake custom/self-build.</p>	
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Burford – Charlbury Sub-Area

<p>FMM234</p>	<p style="text-align: center;">Land north of Woodstock Road, Stonesfield (50 homes)</p> <p>9.6.34b This is a greenfield site on the eastern edge of Stonesfield immediately to the north of the Woodstock Road. It abuts existing residential development to the west, sports pitches, tennis courts and a detached property/farm buildings to the north with open countryside to the east. To the south is a linear strip of development with a residential scheme currently under construction to the south (Charity Farm). The site is currently in agricultural (arable) use but has been put forward for residential development through the Council’s Strategic Housing and Employment Land Availability Assessment (SHELAA).</p> <p>9.6.34c The site is relatively flat although slopes gently upwards to the north. Vehicular access can be achieved directly from the Woodstock Road. Pedestrian and cycle connections could be provided at numerous points including to provide access to the sports pitches to the north. <u>Appropriate landscape mitigation measures, including a landscape buffer (incorporating semi-natural greenspace and woodland planting), will be required on the eastern edge of the site.</u></p> <p>9.6.34d Whilst a development of the scale proposed (50 homes) on an edge of settlement site such as this would clearly have a degree of impact, the site is not affected by any major physical or policy constraints other than the fact that it lies within the Cotswolds Area of Outstanding Natural Beauty (AONB). In this respect, national policy (the NPPF) states that ‘great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty’. It goes on to state that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.</p> <p>9.6.34e Consideration of such applications should include an assessment of:</p>	<p>To take account of the Council’s additional evidence, in particular the need to ensure the provision of an appropriate landscape buffer in the eastern part of the site incorporating semi-natural greenspace and woodland planting.</p>
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	<ul style="list-style-type: none"> • the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; • the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and • any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. <p>9.6.34f In terms of the need for the development, the provision of 50 new homes on this site would make a significant contribution towards meeting identified housing needs in West Oxfordshire. There would also be some benefit to the local economy during the construction phase.</p> <p>9.6.34g In terms of the scope for developing elsewhere, the Burford – Charlbury sub-area is washed over by a significant proportion of AONB designation. This in itself means that to meet future housing requirements, some development within the AONB will be necessary. Stonesfield falls entirely within the AONB and as such any development within or on the edge of the village will need to be judged against the national policy considerations outlined above.</p> <p>9.6.34h In terms of any detrimental effect, it is considered that the site is suitable for development and can be brought forward without undue harm subject to proper consideration of any sensitivities including in particular landscape impact. <u>The Council’s evidence suggests that in landscape terms the site is of medium landscape sensitivity and medium-high visual sensitivity and that subject to appropriate mitigation is capable of accommodating around 50 dwellings without undue harm.</u> The site is not prone to flooding, lies outside the Conservation Area and is not subject to any specific environmental constraints. <u>The Council’s evidence suggests that whilst development of the site would slightly alter the current rural setting of the Conservation Area and alter approaches to the Conservation Area from the east, these would not represent significant changes.</u> In terms of recreational opportunities the development also</p>	
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	<p>provides an opportunity to increase the extent of the open space that currently exist to the north of the site, thereby providing a significant benefit to new and existing residents. <u>Appropriate landscape mitigation measures, including a large area of semi-natural greenspace (with woodland planting) landscape buffer, will be required on between the eastern edge boundary of the site and any development in order to provide a more defined, well screened boundary edge for the settlement.</u> The proposed site allocation is shown in Figure 9.17a below.</p> <p>9.6.34i In light of the lack of physical and policy constraints to development the site is allocated for the provision of around 50 homes together with an expansion of the existing open space to the north of the site.</p>	
FMM235	<p><u>Policy BC1a – Land north of Woodstock Road, Stonesfield (50 homes)</u></p> <p>Land to the north of Woodstock Road, Stonesfield to accommodate around 50 dwellings as a well-integrated and logical extension of the existing built form of the town.</p> <p>Proposals for development should be consistent with the following:</p> <p>a) provision of a mix of house types and tenures including affordable housing in accordance with Policy H3 – Affordable Housing</p> <p>b) provision of satisfactory vehicular access and appropriate pedestrian and cycle connections; the provision of supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas and other key destinations.</p> <p>c) <u>landscape dominated design with a</u> density, layout and form of development that integrates effectively with the adjoining residential area to the west and achieves a positive improvement to the main eastern approach into Stonesfield.</p>	To take account of the Council’s additional evidence, in particular the need to ensure the provision of an appropriate landscape buffer in the eastern part of the site incorporating semi-natural greenspace and woodland planting.

	<p>d) appropriate provision of and contributions towards supporting infrastructure;</p> <p>e) expansion and incorporation of the existing public open space to the north of the site.</p> <p>f) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.</p> <p>g) the use of sustainable drainage methods to ensure that post-development surface water run-off rates are attenuated to achieve a reduction in greenfield run-off rates. The sustainable drainage systems should be designed to provide a biodiversity enhancement.</p> <p>h) demonstrate the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.</p> <p><u>i) the provision of appropriate landscaping measures to mitigate the potential landscape and visual impact of development, including appropriate building heights and materials, the retention and strengthening of existing hedgerows and an extensive landscape buffer (incorporating semi-natural greenspace and woodland planting) on the eastern edge of the site.</u></p>	
FMM236	<p>Policy BC1b - Land East of Burford (85 homes)</p> <p><i>No revised text suggested on the basis that the Council is of the view that consideration should be given to the potential removal of this site from the Local Plan.</i></p>	<p>To take account of the fact that since the draft allocation was first proposed in November 2016, outline planning permission has been granted on appeal for 169 units plus a 90 bed care home on land west of Shilton Road, Burford (15/00166/OUT) outside of the Cotswolds AONB. On this basis and having regard to the potential residual harm in landscape and heritage terms that would arise from development of the site, the</p>

		Council no longer considers that exceptional circumstances can be demonstrated to justify further major development at Burford within the AONB.
FMM237	<p style="text-align: center;">Land north of Jeffersons Piece, Charlbury (40 homes)</p> <p>9.6.34r This is a greenfield site of around 1.7 ha on the northern edge of Charlbury. It sits on relatively high ground (135m AOD) sloping down to the north towards a small valley. It abuts an area of existing residential development at Jeffersons Piece with open countryside to the north and two detached properties to the north east. To the east of the site are several large residential curtilages. The site is currently in use as a paddock with access achievable via a private road (Hundley Way) although this may not be suitable for a significant increase in vehicle movements. There is however the potential to achieve vehicular access into Jeffersons Piece subject to the redevelopment/relocation of an existing set of single storey garages.</p> <p>9.6.34s Whilst access is an important consideration the site is not considered to have any significant physical constraints. It is not within an area of designated flood risk, is not affected by any public rights of way and is well-screened from wider views despite the relatively elevated location. The Council's evidence suggests that the site is of medium-high landscape sensitivity and visual sensitivity and that subject to appropriate mitigation, is capable of accommodating 35-40 dwellings without undue harm. Furthermore, the site has been promoted for development and of the various options considered at Charlbury this site is considered to be the most suitable.</p> <p>9.6.34t In terms of policy constraints, the site is within the Cotswold AONB and is also within the Charlbury Conservation Area. These are important considerations but not preclude the possibility of development. In terms of the AONB, as major</p>	To take account of the Council's additional evidence, in particular the need to minimise landscape and visual impact and take account of the unlisted historic buildings to the north of the site.

	<p>development a scheme of 40 new homes in this location would need to satisfy the tests set out in national policy. In this regard the development would make a useful contribution towards meeting identified housing needs in a sustainable location with access by rail. There would also be some modest economic benefits as a result of the construction of the new housing.</p> <p>9.6.34u As is the case with Burford and Stonesfield, Charlbury is washed over by the AONB so there is no scope to provide alternative sites within or on the edge of the village outside the AONB. This site has been deemed to be the most suitable of the various options considered at Charlbury through the Council’s housing land availability assessment. The development of this site will have no detrimental impact on the environment, landscape or recreational opportunities. The site has no significant environmental constraints and is well-screened from wider views. The most discernible impact would be from those walking along the adjacent public right of way but beyond that any development would read as part of the existing settlement.</p> <p>9.6.34v With regard to the Conservation Area, a careful design-led approach will be required to ensure that any development of this site preserves or enhances the character of the area. Given the presence of the existing relatively modern development to the south this should be entirely achievable indeed the potential redevelopment/removal of the existing single-storey garages is likely to have a positive impact. <u>The Council’s evidence identifies that despite being within the Conservation Area, the site is not associated with the important historic core of Charlbury and makes no contribution to its significance and as such, development of the site would have a minimal impact on the significance, character or appearance of the conservation area. There are however two unlisted historic buildings just north of the site, the setting of which would need to be taken into account in any development.</u> The proposed site allocation is shown in Figure 9.17c below.</p> <p>9.6.34w For the reasons outlined above, the site is considered to represent a sustainable development opportunity for Charlbury and is therefore allocated for the</p>	
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	provision of around 40 new homes.	
FMM238	<p><u>Policy BC1c – Land north of Jeffersons Piece, Charlbury (40 homes)</u></p> <p>Land north of Jeffersons Piece, Charlbury to accommodate around 40 dwellings as a well-integrated and logical extension of the existing built form of the village.</p> <p>Proposals for development should be consistent with the following:</p> <p>a) provision of a mix of house types and tenures including affordable housing in accordance with Policy H3 – Affordable Housing.</p> <p>b) provision of satisfactory vehicular access and appropriate pedestrian and cycle connections. <u>the provision of supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas and other key destinations.</u></p> <p>c) <u>landscape dominated design with a</u> density, layout and form of development that integrates effectively with the adjoining residential area to the south of the site <u>including consideration of appropriate building heights and materials.</u></p> <p>d) design-led approach to ensure that any development of this site preserves conserves and or enhances the <u>special interest</u>, character <u>and appearance</u> of the Conservation Area <u>and has appropriate regard to the setting of the two non-designated historic buildings to the north of the site.</u></p> <p>e) retention of existing mature <u>hedgerows and</u> vegetation along site boundaries <u>together with the provision of appropriate landscape buffers along the northern edges of the site in order</u> to ensure effective screening from the adjoining public right of way and in longer-distance views.</p> <p>f) appropriate provision of and contributions towards supporting infrastructure;</p>	To take account of the Council’s additional evidence, in particular the need to minimise landscape and visual impact and take account of the unlisted historic buildings to the north of the site.

	<p>g) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.</p> <p>h) the use of sustainable drainage methods to ensure that post-development surface water run-off rates are attenuated to achieve a reduction in greenfield run-off rates. The sustainable drainage systems should be designed to provide a biodiversity enhancement.</p> <p>i) demonstrate the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.</p>	
FMM239	<p style="text-align: center;">Land south of Milton Road, Shipton under Wychwood (44 homes)</p> <p>9.6.34x This is a greenfield site of around 3.3 ha on the western edge of Shipton under Wychwood. It is a characteristic L-shape and comprises pasture. The site is generally level although slopes down to the west in the central portion. Notably the site wraps around Wychwood Primary School which adjoins the site to the north. To the east of the site is a small but well-occupied business centre including light industrial uses, a nursery school and offices. To the south and west is open countryside.</p> <p>9.6.34y The site has no significant physical constraints to development. It is not within an area of designated flood risk, vehicular access can be achieved direct from the Milton Road and the site is suitable for development in terms of topography. As a Greenfield site in an edge of settlement location development of this site will inevitably have a degree of landscape and visual impact but the site is relatively low-lying with few views from public vantage points and only glimpsed views from the Milton Road through existing vegetation. The Council's evidence identifies that the site is of medium landscape sensitivity and low-medium visual sensitivity and that subject to appropriate mitigation, is capable of accommodating 40 - 45 dwellings without undue harm.</p> <p>9.6.34z In terms of policy constraints the site is located within the Conservation Area and also within the Cotswolds AONB. The development of the site would make a</p>	To take account of the Council's additional evidence, in particular the need to minimise landscape and visual impact and take account of the unlisted historic buildings to the north of the site.

	<p>useful contribution towards meeting identified housing needs and also provides the opportunity to create additional car parking for the adjacent school thereby creating a public benefit as well as some economic gains during the construction phase.</p> <p>9.6.35a As is the case with Burford, Stonesfield and Charlbury, Shipton under Wychwood is washed over by the AONB so there is no scope to provide alternative sites within or on the edge of the village outside the AONB. This site has been deemed to be suitable in principle for residential development through the Council's housing land availability assessment and is also the subject of a current planning application.</p> <p>9.6.35b The development of this site will have no detrimental impact on the environment, landscape or recreational opportunities. The site has no significant environmental constraints and is well-screened from wider views. Where views are achievable, the development would read as part of the existing settlement in the context of surrounding modern buildings. <u>Appropriate landscape mitigation measures, including a landscape buffer, will be required on the western and southern edge of the site.</u></p> <p>9.6.35c With regard to the Conservation Area, a careful design-led approach will be required to ensure that any development of this site preserves or enhances the character of the area although it is notable that parts of Milton Road are characterised by some modern elements. <u>The Council's evidence identifies that whilst development of the site would not affect the character or appearance of the historic built core of Shipton under Wychwood, it would affect the rural character and appearance of the conservation area particularly to the west and also has the potential to affect the setting of the Shipton Court Registered Historic Park and Garden (Grade II Listed) to the south. Appropriate mitigation will therefore be required as set out in Policy BC1d.</u> The proposed site allocation is shown in Figure 9.17d below.</p> <p>9.6.35d For the reasons outlined above, the site is considered to represent a sustainable</p>	
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	<p>development opportunity for Shipton under Wychwood and is therefore allocated for the provision of around 44 new homes.</p>	
<p>FMM240</p>	<p><u>Policy BC1d – Land south of Milton Road, Shipton under Wychwood (44 homes)</u></p> <p>Land south of Milton Road, Shipton under Wychwood to accommodate around 44 dwellings as a well-integrated and logical extension of the existing built form of the village.</p> <p>Proposals for development should be consistent with the following:</p> <p>a) provision of a mix of house types and tenures including affordable housing in accordance with Policy H3 – Affordable Housing.</p> <p>b) provision of satisfactory vehicular access and appropriate pedestrian and cycle connections. the provision of supporting transport infrastructure, including mitigating the impact of traffic associated with the development; the provision of appropriate financial contributions towards LTP4 transport schemes; provision of appropriate public transport (services and infrastructure) serving the site; and provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas and other key destinations.</p> <p>c) appropriate provision of and contributions towards supporting infrastructure including consideration of the potential scope to provide additional parking for the adjoining primary school.</p> <p>d) regard to be had to the compatibility of the adjoining employment use.</p> <p>e) <u>landscape dominated design with a</u> density, layout and form of development that optimises the use of the irregular site boundary <u>whilst taking account of landscape and heritage considerations.</u></p> <p>f) design-led approach to ensure that any development of this site preserves-conserves and or enhances the <u>special interest, character and appearance</u> of the Conservation Area <u>and conserves the setting of the Shipton Court Registered Historic Park and Garden to the south.</u></p>	<p>To take account of the Council’s additional evidence, in particular the need to minimise any harm to the Conservation Area and setting of the Shipton Court Registered Historic Park and Garden.</p>

g) retention of existing mature vegetation along site boundaries to ensure effective screening from longer-distance views and the provision of a landscape buffer on the western and southern edge of the site.

h) connection to the mains sewerage network which includes infrastructure upgrades where required including any necessary phasing arrangements.

i) the use of sustainable drainage methods to ensure that post-development surface water run-off rates are attenuated to achieve a reduction in greenfield run-off rates. The sustainable drainage systems should be designed to provide a biodiversity enhancement.

j) demonstrate the use of renewable energy, sustainable design and construction methods, with a high level of energy efficiency in new buildings.

k) the provision of appropriate measures to mitigate the potential landscape and visual impact of development, including appropriate building heights and materials, use of appropriate landscape buffers along the western and southern parts of the site, the provision of semi-natural green space and the retention and management of existing hedgerows.

Appendix 2

**Land East of Woodstock
Report to Uplands Planning Committee
6 December 2017**

WEST OXFORDSHIRE DISTRICT COUNCIL
UPLANDS AREA PLANNING SUB-COMMITTEE
6 DECEMBER 2017

LAND EAST OF WOODSTOCK

OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS IN RESPECT OF NEW JUNCTION ARRANGEMENTS) COMPRISING UP TO A MAXIMUM OF 300 RESIDENTIAL DWELLINGS, UP TO 1100SQM OF A1/A2/B1/D1 FLOORSPACE; ASSOCIATED INFRASTRUCTURE, ENGINEERING AND ANCILLARY WORKS; PROVISION OF PUBLIC OPEN SPACE; FORMATION OF VEHICULAR ACCESSES; AND FULL PLANNING APPLICATION FOR THE DEVELOPMENT OF PHASE I COMPRISING 46 RESIDENTIAL DWELLINGS (46 OF THE 300 DESCRIBED ABOVE) WITH ASSOCIATED INFRASTRUCTURE AND ENGINEERING WORKS.

REF: 16/01364/OUT

REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING

(Contact: Catherine Tetlow, Tel: (01993) 861655)

(The decision on this matter will be a resolution.)

I. PURPOSE

To consider the implications of material considerations that have arisen since the Uplands Area Planning Sub-Committee meeting resolved to approve the above application (subject to legal agreement) on 6th February 2017.

The Chris Blandford Associates report October 2017 (CBA Report) commissioned by the Council assesses the proposed emerging Local Plan housing allocations within the AONB and Woodstock in terms of landscape and heritage considerations. The report forms part of the evidence base for the emerging Local Plan and makes certain recommendations as to the appropriateness of the sites for residential development.

To update Members on the implications for the decision arising from a Supreme Court judgment [2017] UKSC 37 dated 10th May 2017.

To consider further correspondence from Woodstock Town Council via their solicitor.

To consider amendments to conditions and an additional condition dealing with the transfer of funds to the WHS.

To inform Members of one additional representation from a local resident, Charlotte Gibbs. This does not raise any matters not covered in the Officer report and does not require further Officer comment.

2. **RECOMMENDATION:** That, having regard to the information set out below, the Sub-Committee resolves to restate the resolution to approve the application subject to the applicants entering into a legal agreement and to the amended conditions as set out in the report.

3. **DETAILS:**

The CBA report states that:

“Its conclusions and recommendations address potential landscape and heritage matters only; other factors such as transport, access, ecology are not addressed by this report and may remain as considerations for WODC depending on site circumstances. The recommendations relating to dwelling numbers, site layout and extent of development described in the text and shown on the opportunities and constraints plans are illustrative only and represent only one potential approach to providing development on the sites in a manner that addresses the various issues identified through the landscape and heritage appraisal.”

It is necessary to consider whether the findings of the report would have a significant bearing on the Officer assessment of planning application 16/01364/OUT, and whether such an assessment would lead to a different recommendation to Committee.

The CBA recommendations for Woodstock east are as follows, and under each recommendation is the Officer advice in italics:

Landscape:

1) Strengthen all existing hedgerow boundaries with a minimum of c.15m width structure planting except for that along Oxford Road which should be at least c.30m wide allowing for woodland structure or large parkland tree planting. All to be provided as advance planting.

The north and east boundaries, as well as the hedgerow running east-west across the middle of the site, are shown on the submitted plans with 15m buffering, or more in some places. The west boundary is formed by the existing urban edge and boundary treatments vary. This is not considered to be a boundary requiring 15m buffering, however landscape enhancements are shown along the line of the public right of way.

In relation to Phase 1 (full planning permission) as proposed, which includes the landscaping to the southern boundary, the depth of the landscape buffer varies between 17m and 85m. This area includes extensive open space and large numbers of new trees. It is designed to incorporate a large drainage detention basin which accounts for very significant depth of buffer at the south east corner of the site. Although the landscaping is not uniformly 30m in depth, it is considered that the quantum of open space and its arrangement on this part of the site addresses the CBA concerns about the treatment to the southern boundary. Such landscaping would be instituted early in the development programme.

2) Ensure a highway signage design is provided as an integral part of a planning application for the access, rather than by condition, to encourage a very sensitive approach to be taken.

Officers were mindful of the potentially urbanising effect of the new access onto the A44 and this is referred to in the Committee report. The Highway Authority has control over the design and position of signage on the highway but a suitable arrangement is possible to reduce street clutter and ensure a sympathetic solution. This would be for future consideration.

3) Retain and manage existing site boundary hedgerows/hedgerow trees outside of private garden plots secured by S106 legal agreement, separated from estate access roads by broad verges 5m width verges.

The application is primarily outline, with Phase I proposed for full permission. In Phase I no garden plots lie within the proposed landscape buffers. All plots are separated from buffers by the roads/drives/footpaths provided, ensuring that there would be no encroachment from gardens adjoining open space. Subsequent phases can be similarly designed.

4) Incorporate substantial areas of semi-natural green space and well- designed SuDS.

Substantial areas of semi-natural green space are proposed and the drainage features incorporate well designed swales and detention basin as part of this.

5) Restrict residential development to mostly 2 storeys (maximum c.8m roof ridge height), or 2.5 storeys (maximum c.9m roof ridge height), taking the opportunity to include some 1.5 storey development in the southern parts of the Site and towards the eastern boundary of the Site.

The recommendation to Committee did not include a condition specifying maximum ridge heights. This is because the most sensitive southern portion of the site has been subject to the Phase I proposal and Officers have been able to reach a view about the acceptability of the scale of buildings proposed. This Phase is predominantly 2 storey with some subservient elements at 1.5 storey. The local vernacular and design approach, taking account of local building traditions and architectural conventions, results in roof pitches at 45 degrees which makes ridges higher than those that might be found on many post-war suburban developments. The maximum ridge height in this phase is 10.5m. Although this exceeds the CBA recommended 9m, the details provided have allowed a judgement to be made on the effect of the layout, density, scale and external appearance in combination. Officers are content that the heights and arrangement of development in Phase I are appropriate. Subsequent phases would be assessed on a similar basis.

6) Design of development to be generally landscape dominated in accordance with the design principles/considerations set out in the 2017 Design Guide, Section II, Development and Context; but with reference to the New Rural Form illustrated in West Oxfordshire Design Guide (2006) in the eastern parts of the site and the new Urban form of development towards the west and north of the site.

Officers have had regard to the Council's Design Guide.

7) Ensure predominantly local limestone building materials, a planting palette appropriate to local context, and that any lighting is of a cut off lantern type.

Conditions 25 and 26 as contained in the Committee report deal with the submission and agreement of materials. Condition 28 refers to the submitted Design Code for the site. Condition 30 requires external lighting to be agreed.

Heritage

1) Development of the Site would not have an impact of note on the setting of the Woodstock Conservation Area or any of the listed buildings within the conservation area. It could however affect the setting of the Blenheim Palace WHS and Registered Historic Park and Garden, the setting of the listed Cowyard buildings and the setting of the Blenheim Villa Scheduled Monument. These potential issues are discussed below.

2) In relation to the Blenheim Villa Scheduled Monument, development of the Site could significantly change the open rural character of the monument's setting, this would have only a limited impact on the significance of the asset given the limited contribution the setting of the asset makes to its significance. This is not considered to be a major issue for the allocation of the Site.

Noted – no implications

3) With the Cowyard listed buildings the issue is predominantly one of potential visibility and visual encroachment into their rural / parkland setting. The intervening vegetation between the complex and allocation site should reduce the risk of significant visual intrusion, but it is recommended that should development be promoted on the Site then significant additional planting should be included along the frontage with the A44 to minimise potential visual issues; this would also help reduce visual impacts on the setting of the Registered Historic Park and Garden / WHS.

Noted – see advice above regarding landscape buffers.

4) In terms of the potential impact on the WHS and hence Registered Historic Park and Garden the development of the Site has the potential to notably alter the wider rural setting of the WHS and to affect the approach along the A44. At 17ha the Site is a substantial allocation and development of the Site in total would represent a significant encroachment into the rural setting of the WHS / Registered Park and Garden, assuming densities in the order of 30 units/ha total development would be c. 510 units. The proposed allocation of 300 homes would still result in a significant new development in the Site. The risk to the setting of the WHS is further exacerbated by potential cumulative / combined impacts associated with the two other allocation sites around Woodstock.

Noted – see next comment

5) To address the potential risk it is recommended that the overall scale of the Site is reduced and / or a reduced capacity is allocated for the Site as this would reduce the loss of rural landscape and reduce potential impacts on the WHS and its OUV.

There is no change to the Officer advice contained in the Committee report. One of the purposes of addressing Phase I as a detailed application at the outset was to ensure that the most sensitive part of the site at the southern end had an appropriate layout, density, scale and external appearance. Reducing capacity on this site as a whole would not necessarily bring any heritage benefit as regards

the relationship with the WHS and its OUV. Members will recall the advice of Historic England and ICOMOS which was taken into account in assessing the level of harm.

The CBA report recommends that the site capacity is reduced to 270 units. Nevertheless, the application has been subject to detailed assessment and the “up to 300” units proposed is acceptable on its merits for the reasons set out in the original Officer report and as expressed in the commentary here.

6) It is recommended that the focus for any future development should be in the northern part of the allocation Site i.e. away from the A44 and WHS. This would need to be accompanied by an appropriate landscaping scheme to reduce visual intrusion. This approach would leave a rural buffer alongside this part of the WHS reducing perceptions of encroachment into its rural setting.

Noted – see advice above.

Supreme Court Judgment

This was concerned with a re-consideration of previous High Court cases and the proper interpretation of paragraph 49 of the NPPF and its interaction with paragraph 14 of the NPPF in engaging the tilted balance, i.e. if policies for the supply of housing are out of date then permission should be granted unless –

- “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”

The Court considered whether the interpretation of a policy for the supply of housing is: “narrow” and is limited only to policies dealing with the numbers and distribution of new housing; “wider” including both policies providing positively for the supply of new housing or counterpart policies whose effect is to restrain supply by restricting housing development in certain parts of the authority’s area; or “intermediate”, as under the “wider” interpretation, but excluding policies designed to protect specific areas or features.

Ultimately, the ruling found that the “narrow” interpretation is to be preferred.

With reference to the Officer report 6th February 2017, there are no references to policies, other than those narrowly for the supply of housing, which were noted to be out of date. Therefore, there is no effect on the application of paragraph 14 of the NPPF in this case, and the Officer conclusions reached.

Woodstock Town Council

Three letters have been received from Woodstock Town Council dated 18th September, 24th October and 10th November 2017. These refer to a potential legal challenge should the Council determine the application without taking account of the points they raise. These points will be summarised below and the Officer advice set out in italics.

1) A decision would be premature in the context of the Local Plan process.

Paragraph 014 Reference ID: 21b-014-20140306 of the National Planning Practice Guidance (NPPG) provides this guidance –

“Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.”

The saved policies of the Local Plan 2011 are not up to date as regards housing land supply matters and therefore paragraph 14 of the NPPF is engaged. The emerging Local Plan 2031 is a material consideration but does not yet have full weight. Additional evidence prepared to support the plan is to be subject to further consultation before the examining Inspector reports on his findings. The weight to be attached to material considerations is a matter for the decision maker but decision making must be rational and reasonable. All planning applications cannot be put on hold simply because a new plan has not been finalised. However, equally, the grant of permission in a particular application might have the potential for pre-empting or prejudicing the emerging development plan.

There are circumstances where large scale development could prejudice an emerging plan because its effect could be to pre-determine decisions about the scale, location or phasing of new developments. In this case, whilst it is acknowledged that the allocation of the site in the emerging Plan is subject to objection, the site forms part of the strategic intentions of the Council and its scale, location and likely timeframe for delivery have been considered. Should permission be forthcoming, it is envisaged that a proportion of the units proposed would contribute to 5 year housing land supply requirements. Meeting these requirements is key to sound plan making.

To grant permission in this case would be consistent with the emerging Plan, rather than in conflict with it.

Whilst it cannot yet be known what the examining Inspector's view will be on the merits of the allocation of this site, there is a live application before the Council that must be determined in a timely manner in the context of the relevant Local Plan 2011 provisions (according to degree of consistency with the NPPF) and other material considerations. Officers set out the key matters arising from the application, identified material considerations and came to a reasoned view as to the recommendation in the Committee report 6th February 2017. This current update report seeks to incorporate material considerations that have arisen in the meantime so that Members can be fully informed.

It is considered that a decision in advance of the adoption of the emerging Local Plan would not be premature in this case.

- 2) Members were not informed about Objectively Assessed Housing Need (OAN) and the new Government approach on OAN will result in a significantly lower requirement. It would be inappropriate for the resolved approval to go forward without re-assessment of a reduced OAN.

The Officer report included a section on housing land supply matters. It is acknowledged that this did not explicitly refer to OAN. At that stage there was considerable uncertainty as to whether the Council could demonstrate a 5 year supply. As things stand now, whilst the emerging Plan has progressed it is still not possible to say definitively that a 5 year supply can be demonstrated.

In the submission version of the emerging Local Plan the Council has taken forward the Oxfordshire Strategic Housing Market Assessment mid-point figure of 660 dwellings per year. This has informed housing supply requirements as set out in the Plan.

The Government has carried out consultation on further measures set out in the housing white paper to boost housing supply in England. This ended on 9th November 2017. It sets out a number of proposals to reform the planning system to increase the supply of new homes and increase local authority capacity to manage growth.

Proposals include:

- a standard method for calculating local authorities' housing need*
- how neighbourhood planning groups can have greater certainty on the level of housing need to plan for*
- a statement of common ground to improve how local authorities work together to meet housing and other needs across boundaries*
- making the use of viability assessments simpler, quicker and more transparent*
- increased planning application fees in those areas where local planning authorities are delivering the homes their communities need.*

However, there is no certainty at this stage as to what the outcome of this consultation will be and what the implications for housing delivery will be for individual local planning authorities. There are therefore no grounds to seek to delay the decision based on this matter.

Amendments to conditions.

Condition 4 is recommended to be amended to introduce flexibility with regard to phasing and allow for the possibility for the phases currently envisaged to be re-ordered, with the exception of Phase I.

The development shall be carried out in accordance with: all of the plans listed on the Drawing Register and Issue Sheet - Project Reference 5903U dated 02/09/16 and phasing plan 5903/21A received 12.01.2017 (unless an alternative phasing subsequent to Phase I is agreed in writing by the Local Planning Authority) ; 226402B/LA-P-001 REV A; 226402B/LA-P-002 REV A; 226402B/LA-P-003 REV A; 226402B/LA-P-004 REV A; 226402B/LA-P-005 REV A; 226402B/LA-P-006 REV A; 226402B/LA-P-007 REV A; 226402B/LA-P-008 REV A; 226402B/LA-P-009 REV A; 226402B/LA-P-010 REV A; 226402B/LA-P-011 REV A; 226402B/LA-P-012 REV A; and 226402B/LA-P-013 REV A.

REASON: For the avoidance of doubt as to what is permitted.

Condition 32 is recommended to be amended to allow for the possibility that a phase might not include dwellings, for example if a phase dealt only with the construction of the spine road.

The development hereby approved shall provide 50% of the dwellings as affordable housing unless a lower percentage is agreed in writing by the local planning authority following a review of development viability after the completion of Phase I and prior to the commencement of any subsequent phases delivering dwellings. The review shall include robust and detailed benchmarking data for values and construction costs on Phase I that has been verified by external independent audit. Notwithstanding the outcome of this review the affordable housing percentage shall be not less than 37%.

REASON: To ensure the delivery of a wide choice of quality homes and to create sustainable, mixed and inclusive communities in accordance with paragraph 50 of the NPPF.

A further condition is recommended to address the relationship between the development and WHS funding which was outlined in the Stewardship and Procurement document (April 2016), which formed part of the application. Further, a letter was submitted by the Blenheim Estate on 23rd January 2017 which sets out that the application site is owned by a Trust, and that the transfer of funds from the Trust to the Blenheim Heritage Foundation, whose sole purpose is to repair and maintain the WHS, will be secured through a Deed of Covenant whereby the trustees would irrevocably commit to paying the Net Relevant Proceeds to the Blenheim Heritage Foundation. Such funds would be held by the Foundation on restricted terms to be used solely for the repair and restoration of the Blenheim Palace WHS.

The proposed condition reads as follows:

Prior to the commencement of the development hereby approved, details of the legally binding mechanism to secure the contribution of relevant proceeds from the development to the conservation, maintenance and restoration of the Blenheim Palace World Heritage Site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

REASON: To ensure that the benefit attached to the transfer of these funds in the planning balance is delivered.

4. BACKGROUND

The emerging Local Plan 2031, the Officer report to Committee 6th February 2017, the Chris Blandford Associates report (together with other documents published for consultation on 22nd November 2017), and Supreme Court judgment [2017] UKSC 37.

5. FINANCIAL IMPLICATIONS

None

6. ALTERNATIVES/OPTIONS

None

7. REASONS

See section 2

The Officer advice remains:

“The consideration of material factors in this case results in a finely balanced recommendation. The delivery of 300 dwellings, including affordable housing provision, to contribute to identified housing needs, and use of proceeds from the development to fund repair and restoration of the WHS would represent significant planning benefits. On the other hand, there remains significant, although less than substantial, harm to the significance of designated heritage assets, visual and landscape impact, and the social disbenefit of the relocation of the children's nursery. Assessing the scheme in the round, the benefits would outweigh the harms and therefore with reference to paragraphs 134 and 14 of the NPPF the proposal in this case is considered on balance to represent sustainable development. The application is accordingly recommended for approval.”

Members are recommended to restate their resolution to approve the application subject to legal agreement, and amendments to conditions as set out above.

Giles Hughes - Head of Planning and Strategic Housing

(Author: Catherine Tetlow, Tel: (01993) 861655; Email: catherine.tetlow@westoxon.gov.uk

Date: 22nd November 2017.

Background Papers:

The emerging Local Plan 2031, the Officer report to Committee 6th February 2017, the Chris Blandford Associates report (together with other documents published for consultation on 22nd November 2017), and Supreme Court judgment [2017] UKSC 37.

Appendix 3

Land South of Milton Road, Shipton under Wychwood

Report to Uplands Planning Committee

6 December 2017

WEST OXFORDSHIRE DISTRICT COUNCIL
UPLANDS AREA PLANNING SUB-COMMITTEE

6 DECEMBER 2017

LAND SOUTH OF MILTON ROAD, SHIPTON UNDER WYCHWOOD

**ERECTION OF UP TO 44 DWELLINGS AND A SCHOOL CAR PARK WITH
ASSOCIATED ACCESS AND LANDSCAPING**

REF: 16/02851/OUT

REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING

(Contact: Catherine Tetlow, Tel: (01993) 861655)

(The decision on this matter will be a resolution.)

I. PURPOSE

To consider the implications of a material consideration that has arisen since the Uplands Area Planning Sub-Committee meeting resolved to approve the above application (subject to legal agreement) on 6th February 2017.

The material consideration is the Chris Blandford Associates report October 2017 (CBA Report) commissioned by the Council which assesses the proposed emerging Local Plan housing allocations within the AONB and Woodstock in terms of landscape and heritage considerations. The report forms part of the evidence base for the emerging Local Plan and makes certain recommendations as to the appropriateness of the sites for residential development.

Officers also wish to update Members on the implications for the decision arising from a Supreme Court judgment [2017] UKSC 37 dated 10th May 2017.

- 2. RECOMMENDATION:-** That, having regard to the information set out below, the Sub-Committee resolves to restate the resolution to approve the application subject to the applicants entering into a legal agreement.

3. DETAILS

The CBA report states that:

“Its conclusions and recommendations address potential landscape and heritage matters only; other factors such as transport, access, ecology are not addressed by this report and may remain as considerations for WODC depending on site circumstances. The recommendations relating to dwelling numbers, site layout and extent of development described in the text and shown on the opportunities and constraints plans are illustrative only and represent only one potential approach to providing development on the sites in a manner that addresses the various issues identified through the landscape and heritage appraisal.”

It is necessary to consider whether the findings of the report would have a significant bearing on the Officer assessment of planning application 16/02851/OUT, and whether such an assessment would lead to a different recommendation to Committee.

The CBA recommendations for Land south of Milton Road are as follows, and under each recommendation is the Officer advice in italics:

Landscape:

Overall the landscape of the south of Milton Road site is considered to be of medium landscape sensitivity and low-medium visual sensitivity. A few AONB elements/characteristics and special qualities here could be vulnerable to development but it is not considered that they would preclude it, subject to an appropriate character, form, density and design.

Taking the above into account it is concluded that in terms of landscape and visual issues a development of approximately 40 – 45 homes could be successfully accommodated on the Site, ensuring that development is generally of low density. Any greater dwelling numbers than these could make it more difficult to achieve an appropriate form/character or result in significant adverse impacts.

An illustrative master plan has been submitted and this shows that a development of 44 units can be accommodated within the site, whilst retaining existing landscape features and providing significant areas of open space. This outline application seeks permission only for the means of access and therefore detailed layout, landscaping, scale and external appearance would be for future consideration.

1) Strengthen the school hedgerow boundary with a minimum of c.10m width structure planted buffer.

Noted – the intention to provide a school car park adjacent to the school would have a bearing on the extent to which additional landscaping would be provided on the school boundary.

2) Retain and manage existing site boundary hedgerows/hedgerow trees outside of private garden plots (secured by S106 legal agreement), or otherwise demonstrate how these will be retained through developer covenants.

Noted – the layout and relationship of the development with boundaries would be considered at the reserved matters stage.

3) Incorporate a small area of semi-natural green space.

Noted - The illustrative master plan shows the western portion of the site retained as wildflower meadow, and other areas of open space can be accommodated.

4) Vehicular access from Milton Rd, ensuring replacement hedge planting behind visibility Splays.

The access to Milton Road forms part of the proposal and is acceptable. The illustrative master plan shows the ability to provide new hedgerow at the entrance.

5) Ensure residential development is restricted to two storeys (maximum c.8m roof ridge height), taking the opportunity to include some one and a half storey (maximum of c.6m ridge height) development towards the southern boundary of the site.

Noted – the scale of development in terms of building heights is for future consideration.

6) Design of development to be landscape dominated in accordance with the design principles/considerations set out in the 2017 Design Guide, Section II, Development and Context; and with reference to the *New Rural Form* illustrated in West Oxfordshire Design Guide (2006).

Officers have had regard to the Council's Design Guide and would apply this to any reserved matters submission.

7) Ensure predominantly local limestone building materials, a planting palette appropriate to local AONB context, and that any lighting is of a cut off lantern type.

Noted – External appearance is for future consideration. Proposed condition 16 deals with external lighting.

Heritage

The Site lies within the Shipton-under-Wychwood Conservation Area. Although the historic built core of the conservation area lies some distance from the Site, it is clear that when the conservation area was designated there was an intent to include areas of immediately associated historic rural landscape within the conservation area as these contribute to its special architectural or historic interest and its overall character and appearance.

Any residential development of the Site would not affect the character or appearance of the historic built core of Shipton-under Wychwood. Any development would however result in the loss of part of village's associated historic field systems. This would affect the historic interest of the conservation area and aspects of its overall character and appearance. This is a particular issue in the western part of the Site where it borders the stream. Historically, this stream valley marked the divide between Shipton-under-Wychwood and Milton-under-Wychwood and has remained largely undeveloped, bar historic mills. Although modern development e.g. the school and garage, has degraded the separation to a degree, the western part of the Site still forms an important space between the two settlements and as such contributes to the significance of the conservation area. Further development west of the School would degrade this historic separation. The area of the Site to the south and to the east of the school is slightly less sensitive in this regard and is bordered by modern commercial development and the school. It is also notable that much of the historical field and gardens along Milton Road have been subject to 20th century development and the character of this part of the conservation area is therefore more modern and developed.

Noted

Development within the Site would, as set out above, affect the rural character and appearance of the conservation area; especially to the west. This will need to be taken into account in weighing the balance for allocating the Site, particularly given the Council's statutory duty to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990).

Noted

Additionally, development of the Site has the potential to affect the setting of the Shipton Court Registered Historic Park and Garden (Grade II Listed) to the south. The gardens were designed with ornamental canals / ponds leading towards the northern extent of the gardens. From the northern edge of the gardens there would be clear views towards any development on the Site, particularly in winter. Although these views are not a fundamental aspect of the garden's significance or aesthetic value, they still make some contribution. Any future development would need to address these issues through sensitive design and setback from the southern boundary to ensure the largely rural context for the gardens is retained.

Noted

Overall, in historic environment terms, the allocation site is not without concern. There are issues with the potential loss of open rural fields which form a component of the conservation area's character and appearance, with encroachment into the streamside land that historically separated Shipton-under-Wychwood from Milton-under-Wychwood and with the setting of the Shipton Court Registered Historic Park and Garden. In this context it is recommended that while the Site may be capable of accommodating some development, there should be a reduction in the extent of built development in the western and southern parts of the site as shown in Figure 5.3. Design based mitigation is also recommended to address potential harm, key measures that could be considered include restricting building heights to 1.5 / 2 storeys to reduce visual prominence and implementing a landscape design scheme to restrict views of the Site from the south and west in particular.

Noted

In the context of the Officer advice above, detailed matters of layout, landscaping, scale and external appearance would be for future consideration.

The application master plan is similar to CBA figure 5.3 and this illustrates that a suitable scheme can be brought forward at reserved matters.

Officers would draw Members' attention to the Planning (Listed Buildings and Conservation Areas) Act 1990) section 72, the provisions of the Local Plan, and the NPPF. Having taken account of this, and the CBA report, Officers consider that the harm to the Shipton Conservation Area and setting of Shipton Court Registered Historic Park and Garden would be less than substantial. As referred to in the Officer report to Committee 6th February 2017, the provision of new housing in a suitable location is considered to outweigh this limited harm.

Supreme Court Judgment

This was concerned with a re-consideration of previous High Court cases and the proper interpretation of paragraph 49 of the NPPF and its interaction with paragraph 14 of the NPPF in engaging the tilted balance, i.e. if policies for the supply of housing are out of date then permission should be granted unless –

- “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”

The Court considered whether the interpretation of a policy for the supply of housing is: “narrow” and is limited only to policies dealing with the numbers and distribution of new housing; “wider” including both policies providing positively for the supply of new housing or counterpart policies whose effect is to restrain supply by restricting housing development in certain parts of the authority’s area; or “intermediate”, as under the “wider” interpretation, but excluding policies designed to protect specific areas or features.

Ultimately, the ruling found that the “narrow” interpretation is to be preferred.

This is relevant to the Officer report 6th February 2017, in that at paragraph 5.4.10 Members were advised that Local Plan Policy BE4 was a policy for the supply of housing and out of date. Having re-visited the application of BE4 as not being out of date, Officers advise that the proposal would not be contrary to this policy based on the illustrative layout and recommendations arising from the CBA report.

Overall the Officer recommendation remains to approve subject to legal agreement.

4. BACKGROUND

The Officer report to Committee 6th February 2017, the Chris Blandford Associates report (together with other documents published for consultation on 22nd December 2017), and Supreme Court judgment [2017] UKSC 37.

5. FINANCIAL IMPLICATIONS

None

6. ALTERNATIVES/OPTIONS

None

7. REASONS

See section 2

Members are recommended to restate their resolution to approve the application subject to legal agreement.

Giles Hughes - Head of Planning and Strategic Housing

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Date: 22nd November 2017.

Background Papers:

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