

WEST OXFORDSHIRE DISTRICT COUNCIL

UPLANDS AREA PLANNING SUB-COMMITTEE

Date: 14th April 2025

REPORT OF THE DEVELOPMENT MANAGER



Purpose:

To consider applications for development details of which are set out in the following pages.

Recommendations:

To determine the applications in accordance with the recommendations of the Development Manager. The recommendations contained in the following pages are all subject to amendments in the light of observations received between the preparation of the reports etc and the date of the meeting.

List of Background Papers

All documents, including forms, plans, consultations and representations on each application, but excluding any document, which in the opinion of the 'proper officer' discloses exempt information as defined in Section 1001 of the Local Government Act 1972.

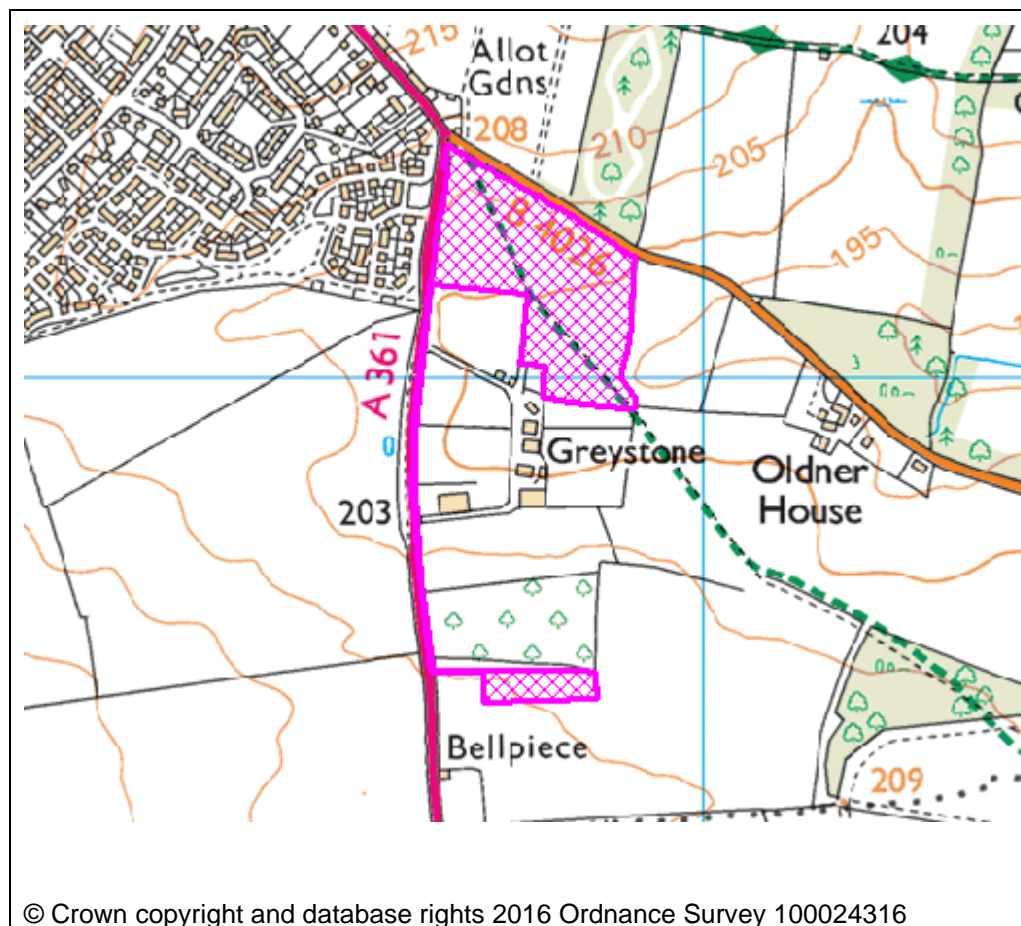
Please note that:

- I. Observations received after the reports in this schedule were prepared will be summarised in a document which will be published late on the last working day before the meeting and available at the meeting or from www.westoxon.gov.uk/meetings

Item	Application Number	Address	Officer
I5-66	24/00769/OUT	Land South Of Charlbury Road	Mike Cassidy

Application Number	24/00769/OUT
Site Address	Land South Of Charlbury Road Chipping Norton Oxfordshire
Date	2nd April 2025
Officer	Mike Cassidy
Officer Recommendations	Approve subject to Legal Agreement
Parish	Chipping Norton Parish Council
Grid Reference	431794 E 226121 N
Committee Date	14th April 2025

Location Map



Application Details:

Outline planning application, with all matters reserved other than principal means of access to the highway, for the construction of up to 104 residential dwellings, together with the provision of open space, landscaping and associated infrastructure.

Applicant Details:

Mr Robert Phillips
C/o Agent

I INTRODUCTION

1.1 The application was originally reported to the Uplands Area Planning Sub-Committee on 17th of March 2025. A copy of the original Officer report, with the changes made in the 'Additional Representations Report' incorporated, is attached as **Appendix One**.

1.2 At the meeting, the Sub-Committee resolved to:

Defer the application to request written responses from Oxford City Council (OCC) Highways (or for a representative to attend committee) to explain why a contribution towards Strategic Highways Infrastructure at Chipping Norton (referred to in the committee discussions as 'the link road') has not been sought; and from the NHS (formally the Oxford Clinical Commissioning Board and now the NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board) as to whether a contribution towards primary health care is required to be secured by s106 legal agreement in any permission granted.

1.3 Officers have now reconsulted OCC Highways and NHS Buckinghamshire, Oxfordshire, and Berkshire West Integrated Care Board on the need for contributions towards Strategic Highways Infrastructure at Chipping Norton (referred to in the committee discussions as 'the link road') and primary health care infrastructure funding as requested by Committee and their responses are summarised below.

2 CONSULTATIONS

2.1 A summary of the representations received on the application are detailed in Section 1 of the original Officer committee report. Full details of the consultation responses received can be viewed on the Council's website.

2.2 Since the Sub-Committee's deferment of the application, the following additional consultation responses have been received, which in the case of OCC, should be read in conjunction with the comments already provided as set out in the original Officer report:

OCC Highways

The alignment of the proposed north-south link road through the East of Chipping Norton Strategic Development Area has been cast into significant doubt following discoveries of Roman archaeological remains and the subsequent scheduling of the area by Historic England. Given the uncertainty now surrounding the deliverability of the link road, OCC are not currently seeking contributions towards the scheme.

Notwithstanding this, the developer has demonstrated that the traffic impact of the proposed development would not be severe; the development is therefore in accordance with paragraph 115 of the NPPF. Consequently, the Local Highway Authority (LHA) would

not be able to seek contributions towards a link road to offset the traffic impact of the proposed development as this would not pass the CIL tests set out in the NPPF (2024).

NHS Buckinghamshire,
Oxfordshire, and Berkshire
West Integrated Care
Board

No Objection to the application subject to a contribution of £89,856 towards primary health care being secured by s106 legal agreement in any permission granted.

3 REPRESENTATIONS

- 3.1 A summary of the representations received on the application are detailed in Section 2 of the original Officer committee report. Since deferment, no further representations have been received. Full details of the representations made can be viewed on the Council's website.

4 PLANNING ASSESSMENT

- 4.1 The proposal is an outline planning application, with all matters reserved apart from the principal means of access to the highway, for the construction of up to 104 residential dwellings, together with the provision of open space, landscaping, and associated infrastructure. The proposal represents development requiring an Environmental Statement (ES) and this has been provided, with supporting information and documentation.
- 4.2 The original Officer committee report provided a full assessment of the application proposal and its merits. This Addendum report does not therefore intend to repeat this and instead seeks only to cover the reason for the Sub-Committee's deferment, namely whether contributions towards Strategic Highways Infrastructure at Chipping Norton and primary health care infrastructure funding should be secured.

S106 Contributions

- 4.3 Policy OS5 of the Local Plan seeks to ensure that new development delivers or contributes towards the provision of essential supporting infrastructure.
- 4.4 The s106 contributions/matters set out in paragraphs 5.91 to 5.93 of the original Officer committee report are all still considered to be necessary. This Addendum report seeks to consider whether additional contributions towards Strategic Highways Infrastructure at Chipping Norton and primary health care infrastructure funding (referenced in the Sub-Committee's deferment) are required.

Strategic Highways Infrastructure at Chipping Norton

- 4.5 In considering development proposals, any significant impacts on the transport network or on highway safety will need to be mitigated to an acceptable degree. Direct infrastructure provision required to mitigate development will be included in a planning obligation.
- 4.6 For larger residential schemes of 10 or more homes such as this, where necessary, directly, fairly, and reasonably related in scale and kind to the development, the provision of highway and access improvements (either directly delivered or through a financial contribution) will be secured through a planning obligation such as a Section 278 and/or Section 106 legal agreement. The amount/nature of any contribution will be considered on a case-by-case basis and will be agreed with OCC as the LHA.

- 4.7 Importantly, s106 agreements are focused on site-specific mitigation and must meet three key tests as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the NPPF (2024). In particular, they must be ‘a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.’
- 4.8 Policy CN1 of the Local Plan, relating to the allocated East Chipping Norton Strategic Development Area (SDA), seeks to include the provision of an eastern link road connecting the Banbury Road to the B4026/A361 via London Road. This is intended to be provided as an integral part of the proposed SDA. The application site falls outside of the designated SDA area and, as such, there is no direct policy requirement for a contribution being sought for the link road. The recently approved Cala Homes scheme (previously known as the Rainier scheme ref: 23/00536/OUT), also outside the SDA, did not make a contribution to the link road.
- 4.9 Since the deferment of the application, OCC Highways have advised that the alignment of the proposed north-south link road through the SDA has been cast into significant doubt following discoveries of Roman archaeological remains and the subsequent scheduling of the area by Historic England. Given the uncertainty now surrounding the deliverability of the link road, OCC have confirmed that they are not therefore currently seeking contributions towards the scheme.
- 4.10 Notwithstanding this, OCC have advised that the applicant has satisfactorily demonstrated that the traffic impact of the proposed development would not be severe and considers the proposed development to be in accordance with the NPPF. Consequently, as LHA, they do not consider it appropriate or justified to seek a contribution towards a link road to offset the traffic impact of the proposed development as this would not pass the CIL tests set out in paragraph 58 of the NPPF (2024).
- 4.11 In view of the above, requiring such a contribution would not therefore be justified and would fail to meet the tests set in paragraph 58 of the NPPF.

Health and Social Care

- 4.12 A key aspect of the NPPF (Section 8 – Promoting Healthy and safe communities) is the promotion of healthy and safe communities with planning policies expected to take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.
- 4.13 Reflecting this, Policy OS5 of the Local Plan requires development to contribute to the timely provision of essential supporting infrastructure including health care provision.
- 4.14 The overall concept of ‘healthy place shaping’ was adopted as a strategic priority for Oxfordshire’s Health and Wellbeing Board in September 2018 and has since been taken forward through the Oxfordshire Strategic Vision. A key aspect of healthy place shaping is helping to develop local health and care services to deliver good local services.
- 4.15 Primary care services provide the first point of contact in the healthcare system and include general practice. Other aspects of primary care (community pharmacy, dental and optometry services) are now commissioned by the Integrated Care Board (ICB) which replaced Clinical Commissioning Groups in July 2022. Currently 10 GP practices are located in the West Oxfordshire District Council

area. In addition, there is one community hospital in Witney and one Outpatients unit in Chipping Norton.

- 4.16 The Integrated Care Board published an Integrated Care Strategy in March 2023. The aim of the Strategy is to set the strategic direction for health and care services, including how commissioners in the NHS and local authorities can deliver more joined-up, preventative, and person-centred care for their local population.
- 4.17 Because of the relatively large population increases associated with the five strategic development areas allocated in the Local Plan, an appropriate financial contribution will be sought through a Section 106 legal agreement where there is insufficient existing capacity in primary care provision to serve the development.
- 4.18 In some cases, provision may be sought by way of land and/or buildings where this is associated with one of the strategic allocations to enable the provision of accessible facilities or the upgrading/extension of existing facilities in the locality. Again, this will be secured by way of a Section 106 legal agreement.
- 4.19 It is anticipated that other smaller developments will contribute towards primary health care through the Community Infrastructure Levy (CIL) once introduced in West Oxfordshire.
- 4.20 In terms of healthcare provision, the Chipping Norton Health Centre on London Road, provides primary health care services to around 15,000 patients in Chipping Norton and the surrounding villages.
- 4.21 An important consideration for the development of Chipping Norton (and the areas immediately next to it) is the ability of the health centre to absorb additional patient numbers that will be generated by the development as people move in.
- 4.22 In their recent response to the application as set out above, the NHS Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board have highlighted that the primary care network (PCN) is already under pressure from nearby planning applications, and this application directly impacts on the ability of the Chipping Norton Health Centre surgery in particular, to provide primary care services to the increasing population. Primary Care infrastructure funding is therefore requested to support local plans to surgery alterations or capital projects to support patient services. The funding will be invested into other capital projects which directly benefit this PCN location and the practices within it if a specific project in the area is not forthcoming.
- 4.23 A contribution of £89,856 towards primary health care infrastructure funding is requested by the NHS, which the applicant has agreed to.

Conclusion and Planning Balance

- 4.24 The conclusion and planning balance set out in the original Officer committee report remains substantially unchanged.
- 4.25 The application is therefore recommended for approval, subject to the suggested conditions and the applicant entering into a legal agreement securing the s106 contributions/matters set out in paragraphs 5.91 to 5.93 of the original Officer committee report and the additional contribution to primary health care infrastructure funding as set out above.

Recommendation

- 4.26 In light of this assessment, the application is considered to accord with the policies in the WOLP 2031, Chipping Norton Neighbourhood Plan and the NPPF. The application is therefore recommended for conditional approval.

5 CONDITIONS

TIME LIMIT

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission; and

(b) The development hereby permitted shall be begun either before the expiration of four years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

RESERVED MATTERS

2. Details of the layout, appearance, landscaping, scale, and accessibility within the site (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The application is not accompanied by such details.

APPROVED PLANS

3. That the development be carried out in accordance with the approved plans listed below.

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

MEANS OF ACCESS

4. The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing prior to the first trench being dug by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

VISIBILITY SPLAYS

5. Visibility splays shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.

REASON: In the interests of road safety.

CONSTRUCTION TRAFFIC MANAGEMENT PLAN

6. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details.

REASON: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and the residential amenities of neighbouring occupiers.

OFFSITE HIGHWAY WORKS

7. No other part of the development shall be occupied until the offsite highway works have been laid out and constructed in accordance with details to be submitted to and first approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall include:
 - Proposed site access arrangements and pedestrian infrastructure as shown in principle on Drawing no. ITB19104-GA-001 Rev C
 - Improvements to the Burford Road/Charlbury Road junction and pedestrian infrastructure as shown in principle on Drawing No. ITB19104-GA-009 Rev A
 - A safe walking and cycling route on Burford Road as shown in principle on Drawing No. ITB19104-GA-012 Rev A
 - Improvements to the A361 West Street / A44 New Street junction.

REASON: To ensure a safe and adequate access to the site for all users.

SCHEME FOR PARKING, GARAGING AND MANOEUVRING

8. Prior to occupation of the development details shall be submitted for the approval of the Local Planning Authority for a scheme for parking, garaging, and manoeuvring in accordance with Oxfordshire's "Parking Standards for New Developments". The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction, and inconvenience to users of the adjoining highway.

REFUSE VEHICLES

9. No part of the development shall be occupied until an area has been laid out within the site for refuse vehicles to turn in accordance with details to be submitted and approved by the Local Planning Authority and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off and turn clear of the highway.

TRAVEL PLAN

10. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans," to include details of a Travel information Pack for residents, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

REASON: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy.

HIGHWAY WORKS

11. Prior to commencement of the development details of the route, surface material, width, gradient, road crossings, furniture etc of the public footpath crossing the application site, and associated construction safety provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

REASON: In the interests of safety and convenience of users of the public footpath.

DRAINAGE

12. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the development commencing: Reference:
FLOOD_RISK_ASSESSMENT_AND_DRAINAGE_STRATEGY HD0007-R002

REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal

SURFACE WATER DRAINAGE SCHEME

13. Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed. The scheme shall include:
 - A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";
 - Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
 - Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
 - Details of how water quality will be managed during construction and post development in perpetuity;
 - Confirmation of any outfall details.
 - Consent for any connections into third party drainage systems

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

RECORD OF INSTALLED SUDS AND SITE WIDE DRAINAGE SCHEME

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

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

CONTAMINATION

15. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

REASON: To prevent pollution of the environment in the interests of the amenity.

FOUL WATER CAPACITY

16. No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity, including at the Chipping Norton STW, exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents

WATER NETWORK UPGRADES

17. There shall be no occupation beyond the 50 dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues

ELECTRIC VEHICLE CHARGING POINTS

18. Prior to the erection of the dwellings hereby approved, written and illustrative details of the number, type and location of electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the local planning authority. The EVCP shall be installed and brought into operation in accordance with the details agreed prior to occupation of the development.

REASON: In the interests of air quality and to reduce greenhouse gases.

ENERGY AND SUSTAINABILITY

19. The proposed development shall be carried out in accordance with the key recommendations as set out in the submitted Energy and Sustainability Statement.

REASON: In the interests of climate change.

Notes to applicant

I. The CTMP will need to incorporate the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities - to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions. The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc. Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity - details of where these will be parked and occupiers
- transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot - contact 0345310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

2. Prior to the commencement of a development, a separate agreement(s) must be obtained from Oxfordshire County Council's (OCC) Road Agreements Team for the proposed highway works (vehicular access, new footway links, bus infrastructure, pedestrian refuge island, carriageway widening and new right-turn lane) under S278 of the Highways Act 1980. For guidance and information please contact the county's Road Agreements Team via <https://www.oxfordshire.gov.uk/cms/content/contact-road-agreements-team>.

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development site shall be parked on the

public highway, so as to cause an obstruction. Any such obstruction is an offence under S137 of the Highways Act 1980.

Correct route of public rights of way: Note that it is the responsibility of the developer to ensure that their application takes account of the legally recorded route and width of any public rights of way as recorded in the definitive map and statement. This may differ from the line walked on the ground and may mean there are more than one route with public access. The legal width of public rights of way may be much wider than the habitually walked or ridden width. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap

Protection from breaks in public rights of way and vehicle crossings/use of public rights of way: Many public rights of way are valuable as access corridors and as continuous wildlife and landscape corridors. As a matter of principal, PRoW should remain unbroken and continuous to maintain this amenity and natural value. Crossing PRoW with roads or sharing PRoW with traffic significantly affects wildlife movements and the function of the PRoW as a traffic free and landscape corridor. Road crossings of PRoW should be considered only as an exception and in all cases, provision must be made for wildlife access and landscape, and with safe high quality crossing facilities for walkers, cyclists, and equestrians according to the legal status of the PRoW. Vehicle access should not be taken along PRoW without appropriate assessment and speed, noise, dust, and proximity controls agreed in advance with OCC Countryside Access.

Protection, Mitigation, and Improvements of routes. Public rights of way through the site need to be integrated with the development and provided to a standard to meet the pressures caused by the development. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. The package of measures needs to be agreed in advance with OCC Countryside Access. All necessary PRoW mitigation and improvement measures onsite need to be undertaken prior to first occupation so that new residents are able to use the facilities without causing additional impacts and without affecting existing users to ensure public amenity is maintained.

Protection of public rights of way and users. Routes must remain usable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists, and horse riders as vulnerable road users' needs to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented.

Temporary obstructions and damage. No materials, plant, vehicles, temporary structures, or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place. Avoidable damage to PRoW must be prevented. Where this takes place repairs to original or better standard should be completed within 24hrs unless a longer repair period is authorised by OCC Countryside.

Route alterations. The development should be designed and implemented to fit in with the existing public rights of way network. No changes to the public right of way's legally recorded direction or width must be made without first securing appropriate temporary or permanent diversion through separate legal process. Note that there are legal mechanisms to change PRoW when it is essential to enable a development to take place. But these mechanisms have their own process and timescales and should be initiated as early as possible - usually through the local planning authority. Any proposals for temporary closure/diversion need to have an accessible, level, safe and reasonably direct diversion

route provided with necessary safety fencing and stand-off to ensure public amenity is maintained for the duration of the disturbance.

Gates / right of way: Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way.

3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you are considering working above or near our pipes or other structures.
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
5. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
6. Applicants are strongly encouraged to minimise energy and carbon emissions from buildings through:
 - Low carbon heating (fossil fuel free) and renewable energy generation, for example heat pumps and solar photovoltaic panels
 - Wall, floor and roof insulation, and ventilation
 - High performing triple glazed windows and airtight frames
 - Energy and water efficient appliances and fittings
 - Water recycling
 - Materials with low embodied carbon

For further guidance, please visit:

<https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/planning-application-supporting-information/sustainability-standards-checklist/>

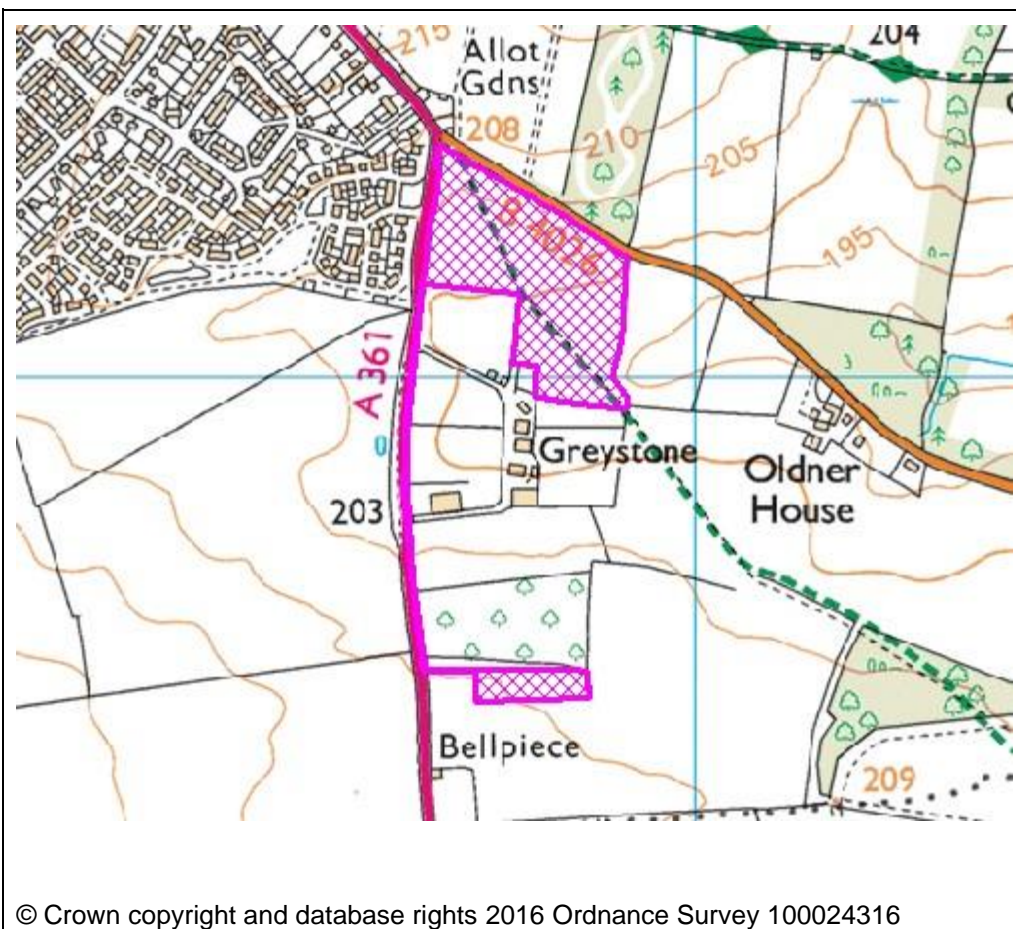
<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

Contact Officer: Mike Cassidy
Telephone Number: 01993861661
Date: 2nd April 2025

APPENDIX ONE

Application Number	24/00769/OUT
Site Address	Land South Of Charlbury Road Chipping Norton Oxfordshire
Date	5th March 2025
Officer	Mike Cassidy
Officer Recommendations	Approve subject to Legal Agreement
Parish	Chipping Norton Parish Council
Grid Reference	431794 E 226121 N
Committee Date	17th March 2025

Location Map



Application Details:

Outline planning application, with all matters reserved other than principal means of access to the highway, for the construction of up to 104 residential dwellings, together with the provision of open space, landscaping and associated infrastructure.

Applicant Details:

Mr Robert Phillips
C/o Agent

I CONSULTATIONS

Adjacent Parish Council

Enstone Parish Council objects to this development.

Highways need to look at how traffic will access the A44 from this development. The Lidstone Road was designed as a single track road to Enstone and is getting more and more traffic and more and more dangerous due to the increase in housing on the Burford road and businesses in Chadlington and Kingham area. Google and Waze direct you on the Lidstone road rather than through the Town centre.

Chipping Norton Town Council

Objection to the proposal for the following reasons:

- Policy/Principle - the application is on un-allocated land that is not within the strategic development area for Chipping Norton. Small piecemeal developments such as this are detrimental to the development of the town, and this highlights the need for a strategic plan.
- Heritage, design / layout, and landscape – Historic England and WODC's Conservation Officer highlight the significance of setting regarding the adjacent Scheduled Ancient Monument. The applicant has stated that there will be minimal harm to the visual setting and impact to the site setting but has not provided photomontage or wireline outlines to provide "more robust visualization of the proposed development in relation to the designated asset."
- Residential amenity – WODC ERS Pollution noted that the Chipping Norton Rifle and Pistol Club which is beside the site was not included in the Noise Impact Assessment. The proximity to the Club may pose a safety concern which has not been addressed. The Lmax noise levels for the site have also been calculated with closed windows contrary to the principles of good acoustic design.

- Impact on waterbody - The Environment Agency raised concerns that Chipping Norton Sewage Treatment Works "is discharging very close to its permitted dry weather flow and does not have the required capacity to accommodate additional flows from this development. We believe that allowing this development before any increases to treatment capacity may result in Thames water exceeding its permitted limit, resulting in deterioration of receiving waterbody."
- Archaeology - OCC Archaeology has raised an objection due to the external contractor's report not being agreed with Oxfordshire County Archaeological Service contrary to their report. The report raises a number of points that need to be addressed.
- Highways – OCC Transport Schedule has raised an objection due to the failure of adequate provision for non-car modes of travel, inadequate proposed means of access to the site, inadequate proposed alterations to the A361 Burford Road/B4026 Charlbury Road junction, and insufficient information to calculate transportation and traffic implications for the site. The proposal will lead to increased traffic on Lidstone Track, a single-track road less than 4m wide (Lidstone Road between the B4026 and Neat Enstone).

Historic England

Historic England does not object to the application on heritage grounds. Conditions securing a scheme for heritage interpretation and education (to be developed in consultation with Historic England and other interested parties) for residents of the development and the surrounding neighbourhood and a scheme for the treatment housing in the areas of development which lie closest to the buffer zone, particularly those areas facing the southwestern edge of the Scheduled Monument (to be developed in consultation with Historic England and other interested parties) should be attached to any permission granted.

To conclude, the development will lead to some harm to the significance of the scheduled monument, but this is likely to be at the very lower end of less than substantial. It will therefore be a matter for your authority to consider the harm against public benefit as required by the NPPF.

OCC Major
Applications Team

Planning Transport: No objection subject to conditions relating to means of access, visibility splays, Construction Traffic Management Plan, offsite highway works, parking, refuse vehicles turning, Travel Plan, Travel Information Pack and public footpath crossing works and associated construction safety provision as suggested being attached to any permission granted and a s106 legal agreement being entered into securing a Public Transport Service Contribution (£137,904), Public Rights of Way Contribution (£40,000) and Travel Plan Monitoring Fee (£1,985).

Lead Local Flood Authority: No objection subject to conditions relating to flooding and drainage as suggested being attached to any permission granted.

Education: No objection subject to a s106 legal agreement being entered into securing a Special Education Contribution (£53,845).

Archaeology: No objection. An archaeological evaluation has been carried out on the site during the pre-determination stage, and the approved report has now been submitted. No significant archaeological remains were recorded, and so, there are no further archaeological constraints to this scheme.

Waste Management: No objection subject to a s106 legal agreement being entered into securing a Household Waste Recycling Centre Contribution (£10,596).

Oxfordshire Fire and Rescue
Service

No objection to the proposal. From reviewing the proposal details it is advised where required, works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of The Building Regulations.

Env Health Contamination

No objection subject to condition relating to contamination as suggested being attached to any permission granted.

District Ecologist

Biodiversity Officer - No objection subject to conditions and informatives relating to biodiversity net gain, ecology, external lighting, Construction Environmental Management Plan – Biodiversity, landscaping and habitat management and monitoring as suggested being attached to any permission granted.

Newt Officer - I am satisfied that if this development were to go ahead it would be unlikely to have an impact on great crested newts or their habitats. Despite its size, there is a lack of ponds within 500m (other than the dry one identified) and of suitable habitat so it is very unlikely that newts will be present.

Env Health Noise And Amenity After considering the updated information provided by the applicant, and also the information obtained on the suggested frequency of use, significant concern remains regarding the potential inability to control the use going forward and the anticipated noise levels across the site currently being over the CIEH Shooting Guidance level of 65dB where annoyance is highly likely to occur.

Given the suggested frequency of use by members of the Chipping Norton Rifle and Pistol Clubs (CNRPC) there is a significant enough concern that the noise levels represented in the applicant's Noise reports suggest that future residents could suffer a significant loss of amenity and given the suggested frequency of the shooting events a strong likelihood of a statutory nuisance.

Overall, with the Rifle Range operating as suggested there are significant concerns in terms of the frequency of the noise impacts and further information and assessment may be needed to clarify and satisfy us that the criteria can be met.

WODC - Arts

Request a contribution (£13,104) to be secured by s106 legal agreement to develop temporary public art activity on and off site to foster connectivity for and with residents post occupation.

WODC - Sports

The Council would seek to secure, by way of planning obligations off site contributions for:

- Outdoor pitch provision (£205,734.98) towards improvements and maintenance of pitches in the catchment area.
- Artificial pitch provision (£7,406) towards the cost of a replacement or improvement to artificial pitches in the catchment area.
- Sport Hall provision (£53,624) toward the cost of a replacement or improvement to Sports Halls in the catchment area.
- Swimming pool provision (£59,260) towards the cost of a replacement or improvement to pools in the catchment area.

Environment Agency

The Environment Agency recommend a pre-commencement condition to ensure that all necessary improvements to Chipping Norton STW are made to protect the receiving environment.

Thames Water

No objection to foul water drainage subject to a condition to ensure that any foul water network upgrades required to accommodate the additional flows from the development have been completed.

Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer.

Thames Water are currently working with the developer of application 24/00769/OUT to identify and deliver the offsite water infrastructure needs to serve the development. Thames Water have identified that some capacity exists within the water network to serve 50 dwellings but beyond that upgrades to the water network will be required. Works are ongoing to understand this in more detail and as such Thames Water feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development does not outpace the delivery of essential infrastructure.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection.

Natural England

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered, and relevant local bodies are consulted.

WODC Conservation And
Design Officer

Chipping Norton is a Conservation Area, although this site falls outside. The application site was likely part of the rural setting for the market town, and therefore, I do consider it within the setting. However, although I consider the loss of rural land within the setting of the conservation area would have less than substantial harm; in my opinion it is on the lower level of the scale.

Also, there will be harm to the rural setting of Oldner House (List entry: 1182728), I consider this to be on the lower / moderate level of less than substantial harm. An on-going landscape buffer between the development and Oldner House should mitigate some of this harm if the development is granted permission.

From looking at the illustrative masterplan the massing and density seems excessive, and the housing design disordered and very plain; the usual box-like accommodation we see across the country. I would like to see some better designed and interesting accommodation. It would be great to see design that displays some nod to the SM- Romano-British settlement opposite.

More of a buffer should be provided between the SM and the new development so that the setting is preserved as much as possible.

WODC Tree Officer

No Comment Received.

Wildlife Trust

No Comment Received.

Cotswolds Conservation Board

Having reviewed the application, the Board does not object to the application. The Board considers that the proposed development would not adversely impact the landscape and scenic beauty of the National Landscape, subject to the proposed landscape mitigation and biodiversity enhancements being secured and delivered and would comply with West Oxfordshire Local Plan policies EH1 and EH2 (in respect of the National Landscape and its setting) as well as the requirement at paragraph 182 of the National Planning Policy Framework that development within the setting of AONBs "should be sensitively located and designed to avoid and minimise adverse impacts".

WODC Housing Enabler

The site is within the medium value zone meaning a requirement under Local Plan Policy H3 - Affordable Housing to provide 40% of the completed dwellings as affordable housing. The Planning Statement proposes providing 40% of the dwellings as affordable Housing and the Design/Access Statement shows a policy compliant indicative mix.

WODC Planning Policy Manager In conclusion, as the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, the 'tilted balance' is engaged, and any adverse impacts of the scheme should significantly and demonstrably outweigh the benefits. However, the Council's five-year housing land supply position statement is in the process of being updated and therefore further clarity will be provided on this situation in the near future.

In terms of the adverse impacts of the scheme, the key impacts appear to be on the landscape, the potential implications of increased traffic levels in the centre of Chipping Norton and the accessibility of the site from key services and facilities within the town. In addition, if this site were to be developed, it would introduce development within this triangular section of land to the south of Charlbury Road and further development would then become very difficult to resist as there are no natural boundaries which would limit the future spread.

The District Council is in the process of reviewing the Local Plan and it would be more appropriate to consider potential development in this location in a more holistic manner, taking account of updated housing need evidence and adjoining land uses. This would allow development to be considered more comprehensively with any linkages between the broader area and local facilities able to be properly assessed and planned. This would also allow the cumulative impacts of development on traffic movements travelling through Chipping Norton to be properly assessed so that the necessary infrastructure can be provided to support growth of the town.

Designing Out Crime Officer No objection to this application at the outline stage with some informative comments on documents provided for the applicants' consideration when preparing future planning applications.

Oxford Clinical Commissioning Group NHS No Comment Received.

Climate No Comment Received.

Southern Gas Networks PLC No Comment Received.

Env Health Air Quality No objection subject to \$106 contribution (£22,520) towards air quality mitigation measures.

OCC Archaeological Services The site lies in an area of archaeological interest and potential, south of the newly Scheduled Roman settlement remains east of Chipping Norton. An archaeological evaluation has been carried out on the site during the pre-determination stage, and the approved report has now been submitted. No significant archaeological remains were recorded, and so, there are no further archaeological constraints to this scheme.

2 REPRESENTATIONS

2.1 A summary of the representations received are detailed below. Full details can be viewed on the Council's website.

2.2 124 letters have been received objecting to the application on the following grounds:

- Existing infrastructure inadequate to cope with new development
- Flood risk
- Harmful impact on wildlife
- Possible impact on scheduled monument
- Traffic
- Highway/pedestrian safety concerns
- Air/Water pollution
- Urban sprawl on green space
- Unallocated site
- Loss of amenity – noise, visual eyesore and light pollution
- Loss of agricultural land
- WODC has adequate provision for housing on other designated areas
- Misleading information relating to sustainability and accessibility. The proposed development is not properly accessible and sustainable
- Limited employment options for increased population.
- Impact on ancient footpath that runs diagonally through the site.
- Lack of social housing provision.
- Increased problems of drainage and sewage in the area.
- Will exacerbate parking problems in the town
- Harm to local character
- Creeping degradation of the character of the Cotswolds AONB
- Wrong location for new homes
- Likely increase in crime and anti-social behaviour
- Harmful impact on SSSI
- Lack of sustainable public transport connections/safe cycling and pedestrian routes
- Loss of countryside amenity which would have a detrimental impact on the mental health of local residents

2.3 Letter of support:

- New homes needed

2.4 Transition Chipping Norton:

Objection to the proposal for the following reasons:

- The loss of countryside amenity which would have a detrimental impact on the mental health of local residents. The development would also have an impact on visitors to the Scheduled Monument site and SSSI sites directly up the hill.
- The impact of pollution; in particular, surface run-off to the River Glyme at its source.
- The lack of suitable public transport connections: The site is not well-connected to public transport services, and Chipping Norton does not have its own railway station. Siting more housing here would cause more private car journeys along nearby roads creating an increase in traffic.
- The lack of safe cycling and pedestrian routes from the site to the town centre and beyond resulting in further traffic and parking difficulties in the town centre increasing levels of pollution.
- There are no services being proposed within the site, and no jobs created, leading to all future residents having to travel to access all services and places of work and education.
- Lack of adequate sewerage infrastructure with existing concerns regarding the current rates of discharge into local water courses made worse.
- Loss of a greenfield site, in particular food producing land, which will permanently increase the level of food insecurity for future generations.

If the development were to go ahead, conditions relating to play areas; SUDS; pedestrian and cycle way infrastructure improvements; rainwater capture; and zero carbon to maximise sustainability should be attached to any permission granted.

2.5 Evenlode Catchment Partnership

Objection to the proposal until such time as necessary upgrades to the Chipping Norton Sewage Treatment Work (STW), owned by Thames Water Utilities Limited (TWUL), are undertaken to deal legally with the increased sewage and extra foul water which will be generated by the proposed development.

3 APPLICANT'S CASE

3.1 The submitted Planning Statement concludes as follows:

The Site is clearly an edge of settlement location, being immediately adjacent to the built-up area of Chipping Norton. Furthermore, the Local Plan Review confirms that Policy CN1 in relation to the delivery of the Strategic Development Area at East Chipping Norton remains up to date. The implication of this is that there is Council acceptance of the need to provide a significant level of housing in Chipping Norton, even if the delivery of the SDA has stalled. The need for housing in Chipping Norton has also been demonstrated by the Local Housing needs Assessment which

accompanies this planning application. As such, and in the absence of the SDA coming forward, it is essential that alternative sites, such as Land East of Burford Road, which are in accordance with the Development Plan, are delivered in order to meet the housing needs of Chipping Norton. The principle of development at this Site should therefore be considered acceptable.

Furthermore, as a result of the Local Plan Review, the Council has subsequently reviewed its local housing need to be based on the Government's standard method and, crucially, also removing the housing provision made to address Oxford's City's unmet housing needs. The Housing Land Supply Position Statement 2023 for the period 2023 to 2028 states that the Council considers it now has a housing land supply of 5.4 years, where previously, based on the Local Plan Policy H1, supply was less than 3 years. However, our own assessment of housing land supply using the standard method to calculate local housing need and based on the housing supply stated in the Council's Position Statement 2023, suggests that the Council's supply still remains below 5 years at 4.29 years.

In addition to the general provision of housing, the Proposed Development would provide a significant affordable housing contribution, the need for which is acute in Chipping Norton, particularly so in the absence of anticipated affordable housing delivery from the Easy Chipping Norton SDA. The illustrative masterplan for the Proposed Development demonstrates that a mix of size and type of properties, including custom and self-build housing, to meet a range of needs, can be acceptably provided within a high-quality scheme that complements the existing character of Chipping Norton and provides an appropriate design response to its edge-of-settlement location.

The Applicant is committed to delivering and bettering sustainability and carbon reduction measures set in Local Plan policy, including highly energy efficient dwellings, adopting a fabric first approach with specifications above current Building Regulations for insulation detailing, and employing a combination of highly efficient fixtures, fittings and rainwater harvesting to reduce domestic water use to well below Building Regulation standards. Furthermore, the Proposed Development is compliant with the relevant ecological policies and will provide a biodiversity net gain of 20%, a significant betterment on policy and statutory requirements.

In addition to the above, it has been demonstrated that the proposals are acceptable with respect to transport, access and parking, landscape and visual impact, flood risk and drainage (including the Sequential Test), and the natural and historic environments.

In view of the above compliance with the Development Plan as a whole has been established and it should therefore be concluded that the Proposed Development should be allowed.

4 PLANNING POLICIES

OS1NEW Presumption in favour of sustainable development
OS2NEW Locating development in the right places
OS3NEW Prudent use of natural resources
OS4NEW High quality design
OS5NEW Supporting infrastructure
H1NEW Amount and distribution of housing
H2NEW Delivery of new homes
H3NEW Affordable Housing
H4NEW Type and mix of new homes

H5NEW Custom and self-build housing
 T1NEW Sustainable transport
 T2NEW Highway improvement schemes
 T3NEW Public transport, walking and cycling
 EH1 Cotswolds AONB
 EH3 Biodiversity and Geodiversity
 EH4 Public realm and green infrastructure
 EH5 Sport, recreation and childrens play
 EH7 Flood risk
 EH8 Environmental protection
 EH9 Historic environment
 EH11 Listed Buildings
 EH13 Historic landscape character
 CN2 Chipping Norton sub-area Strategy
 CHIPNP Chipping Norton Neighbourhood Plan
 NPPF 2024
 NATDES National Design Guide
 DESGUI West Oxfordshire Design Guide
 The National Planning Policy framework (NPPF) is also a material planning consideration.

5 PLANNING ASSESSMENT

Background Information

- 5.1 The proposal is an outline planning application, with all matters reserved apart from the principal means of access to the highway, for the construction of up to 104 residential dwellings, together with the provision of open space, landscaping, and associated infrastructure. The proposal represents development requiring an Environmental Statement (ES) and this has been provided, with supporting information and documentation.
- 5.2 The site comprises undeveloped agricultural land located to the southeast of Chipping Norton, east of Burford Road and south of the B4026. In addition to a small number of residential properties along Burford Road and Over Norton Road, the site is bordered by sporting clubs to the south, farmland to the east, an allotment site to the north, and the recently completed Cotswold Gate development to the west. Trees, hedgerows, and scrub vegetation demarcate the site's boundaries. The site measures 6 hectares in area. The land falls gently from the north-western corner to the southeastern corner.
- 5.3 The site does not fall within the Cotswold Area of Outstanding Natural Beauty (AONB), but it does lie immediately to the west of the site. A Public right of way (166/2/10) runs diagonally across the site from Charlbury Road to the southeastern corner. The site is in proximity to a number of Sites of Special Scientific Interest (SSSIs), with the closest being Glyme Valley SSSI located approximately 0.6km to the east and consequently falls within an Impact Risk Zone (IRZ) with regards to this designation. The Site is also adjacent to a Conservation Target Area (CTA), as identified within the Local Plan.

Relevant Planning History

- 5.4 Pre-application advice (23/02136/PREAPP) was provided in October 2023 for a similar form of development for up to 104 dwellings.
- 5.5 A Screening opinion (23/02606/SCREEN) was issued in November 2023 advising that the development was EIA development, and a screening direction issued by the Secretary of State in January 2024 confirmed that the proposed development was EIA development. A Scoping opinion (24/00217/SCOPE) was provided in February 2024.

Amendments during the course of the application

- 5.6 During the course of the application, the following additional information and amendments have been received:
- Revised Archaeological Evaluation Assessment to address request for further information from OCC Archaeological Services.
 - Updated Geo Environmental Report providing the results of gas monitoring undertaken as requested by WODC Environmental Health Contamination.
 - Addendum Air Quality submission addressing the request for further detail from WODC Environmental Health Air Quality.
 - Additional Heritage Setting Assessment (including photomontages) addressing the heritage and landscape setting concerns originally raised by Historic England and WODC Conservation and Design in relation to the nearby Scheduled Monument.
 - Additional Ecology Submission and revised BNG Metric addressing points raised by WODC Biodiversity.
 - Updated Landscape and Visual Impact Assessment (including revised illustrative Landscape Strategy) addressing the heritage and landscape setting concerns originally raised by Historic England and WODC Conservation and Design.
 - Revised Parameter Plan (Drawing Ref. 1339.03A) incorporating an external noise barrier mitigation measures to address concerns raised by WODC Environmental Health Noise.
 - Revised Illustrative Masterplan (Drawing Ref. 1339.02B) incorporating an external noise mitigation barrier and allotment space (approximately 630sqm) within the site to address concerns raised by WODC Environmental Health Noise and The Town Council.
 - Additional Flood Risk and Drainage Note confirming that the proposed noise barrier would not result in any flood risk/drainage impacts.
 - Additional Arboricultural Note confirming that the proposed noise barrier would not result in any landscape or arboricultural impacts.
 - Supplemental Transport Note addressing issues raised by OCC Highways, including a revised Site Access Plan (Drawing ITB19104-GA-001 Rev F) which incorporates the extension of the 20mph speed limit along both Charlbury Road and Burford Road, and proposals for enhanced walking and cycling connectivity.
 - Additional Rifle Club Noise Impact Assessment and Noise Response Summary Note in response to concerns raised by WODC Environmental Health Noise providing an assessment of the potential noise impact from the Club; proposing internal and external noise reduction measures to help mitigate any undue impact; and setting out all practicable measures that have

been taken to reduce shooting noise levels within gardens to a minimum, in line with relevant planning guidance.

5.7 Taking into account planning policy, other material considerations and the representations of interested parties, officers are of the opinion that the key considerations of the application are:

- Principle of Development
- Affordable Housing/Housing Mix
- Layout, Design and Scale
- Impact on Landscape/Setting of Cotswolds National Landscape (AONB)
- Impact on Heritage Assets
- Highway Impact and Pedestrian Accessibility
- Residential Amenity/Noise/Air Quality
- Flood Risk/Drainage/Water Supply
- Trees/Biodiversity
- Sustainability/Climate Change
- SI06 Contributions

5.8 Each of the above considerations are fully considered in the following sections of this report.

Principle of development

Development Plan

5.9 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, as far as material to the application, and to any other material considerations. In the case of West Oxfordshire, the Development Plan is the Local Plan 2031 adopted in September 2018.

5.10 Policy OS2 of the Local Plan sets out the overall strategy on the location of development for the District. It adopts a 'hierarchical' approach, with the majority of future homes and job opportunities to be focused on the main service centres of Witney, Carterton and Chipping Norton, followed by the rural service centres of Bampton, Burford, Charlbury, Eynsham, Long Hanborough, Woodstock and the new Oxfordshire Cotswolds Garden Village (now referred to as Salt Cross) and then the villages as set out Policy OS2.

5.11 The Chipping Norton sub-area is based on an indicative distribution of 2,047 homes. The plan envisages that these will be delivered through a combination of homes already completed, existing commitments, windfall development and a single strategic mixed-use allocation - the East Chipping Norton Strategic Development Area (SDA) which is allocated for 1,200 homes and 5 hectares of business land.

5.12 In this respect it is relevant to note that although two parts of the SDA have already come forward and been completed (173 units in total), delivery of the remaining 1,027 homes has been delayed for a number of reasons including the discovery of significant archaeological remains in the

southeast corner of the site. As such, at the present time, a large proportion of the 2,047 dwelling indicative requirement for the sub-area is yet to be delivered. This is a material consideration in terms of the application of Policy H2 of the Local Plan in particular.

5.13 Policy H2 sets out that new dwellings will be permitted at the main service centres, rural service centres and villages in the following circumstances:

- On sites that have been allocated for housing development within a Local Plan or relevant neighbourhood plan;
- On previously developed land within or adjoining the built-up area provided the loss of any existing use would not conflict with other plan policies and the proposal complies with the general principles set out in Policy OS2 and any other relevant policies in this plan;
- On undeveloped land within the built-up area provided that the proposal is in accordance with the other policies in the plan and in particular the general principles in Policy OS2;
- On undeveloped land adjoining the built-up area where convincing evidence is presented to demonstrate that it is necessary to meet identified housing needs, it is in accordance with the distribution of housing set out in Policy H1 and is in accordance with other policies in the plan in particular the general principles in Policy OS2.

5.14 The application site comprises undeveloped land which adjoins the built-up area where Policy H2, as detailed above, requires that convincing evidence is needed to demonstrate that the development is necessary to meet identified housing needs, it is in accordance with the distribution of housing set out in Policy H1 and accords with other policies of the Local Plan, in particular the general principles in Policy OS2. The issue of housing need is dealt with in detail below. In terms of the second point regarding the distribution of housing, as outlined above, the Chipping Norton sub-area is based on an indicative distribution of 2,047 dwellings. However, 1,200 of those are anticipated from a single site - the East Chipping Norton SDA - which although completed in part, has been delayed for a number of reasons.

5.15 As such, it is reasonable to assert that the provision of up to 104 dwellings on the edge of Chipping Norton would be in accordance with the distribution of housing set out in Policy H1, particularly as the indicative 2,047 figure is not a 'ceiling' to development in any case.

5.16 Policy OS2 also sets out general principles for all development. Of particular relevance to this proposal is that it should:

- a) Be of a proportionate and appropriate scale to its context having regard to the potential cumulative impact of development in the locality;
- b) Form a logical complement to the existing scale and pattern of development and/or the character of the area;
- c) As far as reasonably possible protect or enhance the local landscape and its setting of the settlement;
- d) Not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
- e) Conserve and enhance the natural, historic, and built environment; and
- f) Be supported by all the necessary infrastructure.

5.17 The Chipping Norton Neighbourhood Plan (NP) supports the reuse of brownfield land.

National Policy/Guidance

5.18 The National Planning Policy Framework (NPPF) (2024) sets out the Government's planning policies and how these are expected to be applied. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development and sets out that there are three dimensions to sustainable development: economic, social, and environmental. In essence, the economic role should contribute to building a strong, responsive, and competitive economy; the social role should support strong, vibrant, and healthy communities; and the environmental role should contribute to protecting and enhancing the natural, built, and historic environment. These roles should not be undertaken in isolation, because they are mutually dependant.

5.19 At the heart of the NPPF is a presumption in favour of sustainable development and paragraph 11 advises that for decision-making this means approving development proposals that accord with an up-to-date development plan without delay, or where policies that are most important for determining the application are out-of-date, permission should be granted unless:

1. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
2. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5.20 The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites. Where local authorities cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11 of the NPPF, as set out above, is engaged (as identified in footnote 8).

5.21 The Council is currently unable to demonstrate a deliverable five-year housing land supply (HLS) and officers expect the LPA's HLS position to worsen from the 4.3 years it has most recently been able to demonstrate at various appeals that were determined following public inquiries. As such, officers anticipate that the LPA's HLS shortfall is likely to rise when its next HLS position statement is published; and for the purposes of this application, officers accept that the LPA cannot currently demonstrate a full 5-year deliverable HLS and accordingly under the operation of footnote 8, paragraph 11(d) is engaged.

5.22 As such, it is clear that the decision-making process for the determination of this application is therefore to assess whether the adverse impacts of granting planning permission for the proposed development would significantly and demonstrably outweigh the benefits or whether there are specific policies in the framework that protect areas or assets of particular importance which provide a strong reason for refusing the development proposed. These issues are considered in more detail below.

- 5.23 In addition, the applicant is also arguing in a submitted Local Housing Needs document that, notwithstanding the identified lack of a five-year housing land supply, there is clear and cogent evidence of local housing need within both the Chipping Norton Cub-area and the Chipping Norton Parish/neighbourhood area. The response provided by the Council's Housing Officer (HEO) confirms that this is indeed the case.

Affordable Housing/Housing Mix

- 5.24 Policy H3 of the Local Plan requires sites within the identified 'Medium Zone' to provide 40% affordable housing on sites of 11 or more dwellings. The application proposes 40% affordable housing. HEO has advised that the Design and Access Statement (DAS) shows a policy compliant indicative mix.
- 5.25 For affordability reasons the affordable homes for rental should be provided as Social Rent tenure. The HEO has also identified that there is a high need for 1 bedroom affordable homes for rental and as such 1 bedrooms developed should therefore not be absorbed into First Homes provision. The need for ground floor or lift accessible accommodation should also be taken into consideration. The application would be required to meet Policy H4 requirements for M4(2) and M4(3) accessible homes. The HEO requests that the affordable housing M4(3) accommodation is provided as single storey dwellings, and that the overall M4(2) and M4(3) provision is scheduled out. As the development has potential to be 100 dwellings or more, the requirements of Policy H5 Custom and Self Build Housing (Policy BD6 of the NP) would apply. The HEO requests that the plots identified for this purpose are scheduled and proposals for delivery are set out.
- 5.26 The Council would request agreement to promote any self-build opportunities to people on its Self / Custom build register at the earliest stage. The Council is also seeking to assist community led development groups to identify opportunities in the self-build and affordable housing sectors and would welcome engagement to explore opportunities on this scheme. Groups of this type are known to be active in Chipping Norton area. These recommendations could be secured via a S106 agreement/reserved matters stage were outline planning permission granted.

Layout, design, and scale

- 5.27 Paragraph 135 of the NPPF is clear that development proposals should function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history and create places that are safe, inclusive and accessible and have a high standard of amenity for existing and future users. Policies OS2 and OS4 of the Local Plan reflect this advice and encourages development of a high quality design that responds positively to and respects the character of the site and its surroundings. The importance of achieving high quality design is reinforced in the National Design Guide.
- 5.28 A revised Parameter Plan (Drawing 1339.03A) has been submitted which defines the key elements of the proposal and shows the proposed land uses and access for the site. The submitted DAS advises that the site layout plan shows the following elements:
- A residential development area of circa 3.4 hectares / 8.4 acres. A mix of residential accommodation comprising 1,2,3 and 4 bedroom dwellings including a percentage of affordable housing with a focus towards provision of smaller units to respond to local housing needs.

- Circa 1.7 hectares / 4.2 acres of landscape planting and public open space (approximately 33% of the total site area) including areas of informal amenity space, a community growing space of approximately 630sqm (now included within the revised Parameter Plan), new planting and areas of natural greenspace incorporating Sustainable Urban Drainage features and ecological enhancement.
- A new vehicular access provided from a new priority junction with Burford Road.
- Pedestrian and links from within the site to Burford Road.
- The retention of the existing Public Right of Way within the site and its setting with the provision of a new section of footway on Charlbury Road to improve the connection to the northern side of Burford Road.
- New planting within the development area and on the boundaries of the site to visually contain the development, enhance its landscape character, improve biodiversity, and safeguard the amenity of existing properties.
- Development of predominantly 2 storey buildings with a limited number of number of 2.5 storey (up to 11.5 metres) in key locations across the site to assist in the legibility of the scheme and provide variety in the townscape.

- 5.29 The parameter plan and layout show a net residential area of 3.4 ha / 8.4 acres with 104 new homes at a medium to low density (20dph gross density / 31dph net density). The arrangement of buildings is based on simple perimeter blocks to ensure that open spaces and streets are overlooked. This also provides distinction between public and private realm. Whilst layout is not for consideration as part of the outline application, an illustrative layout, as shown in the Revised Illustrative Masterplan (Drawing Ref. 1339.02B), has been prepared seeking to demonstrate that the site has capacity to accommodate the proposed quantum of development and the associated detailed design requirements.
- 5.30 Policy EH4 of the Local Plan and TM6 of the NP seek to protect and enhance green infrastructure including existing public rights of way. The DAS specifies the retention of the existing Public Right of Way within the site and its setting. The Parameter Plan has also now been amended to include a community growing space of approximately 630sqm within the south eastern part of the site in line with the Council's adopted SPD on 'Developer Contributions' which requires the provision of on-site allotments and other community growing space and as requested by the Town Council. Overall, the public open space provision proposed on the site (approximately 33% of the total site area) is welcomed.
- 5.31 The Thames Valley Police - Designing Out Crime Officer does not object to the application at this outline stage and provides some informative comments on documents provided for the applicants' consideration when preparing future planning applications relating to reserved matters.
- 5.32 Policy OS2 of the Local Plan seeks to respect the intrinsic character of the area and ensure that development forms a logical complement to the existing scale and pattern of development and/or character of the area. The NP recognises that the town has a highly attractive landscape setting and Policy MP7 seeks to protect and where possible enhance the high quality landscape setting of the town. The proposal would extend development into the open countryside and would spread development across onto the other side of the A361 (Burford Road) which presently acts as a defined boundary to the town's development with open countryside beyond. As such, the

proposal would not form a logical complement to the existing pattern of development and/or the character of the area and would not enhance the local landscape and setting of the town, in conflict with

Development Plan policies and advice in the NPPF. This is a matter that must be put into the planning balance to weigh against the proposal.

Impact on Landscape/Setting of Cotswolds National Landscape

- 5.33 Policies OS4 and EH2 of the Local Plan each require the character of the area to be respected and enhanced. Policy EH2 seeks to protect landscape character and ensure that new development conserves and, where possible, enhances the intrinsic character, quality, and distinctive natural and man-made features of the local landscape.
- 5.34 Policies in the NP also seek to protect and enhance the landscape setting of the town and local environment. Policy MPI I refers to urban fringe development and the need to respect the character of adjacent rural areas, green spaces, or countryside by providing landscaping and/or open areas where appropriate, to act as a bridge or buffer with the adjacent more open or rural area. Chipping Norton is unusually elevated and although the site does not fall within a specifically designated area of landscape sensitivity, it is adjacent to the Cotswolds National Landscape (AONB) and is therefore visually sensitive.
- 5.35 The site is located within the Enstone Uplands Landscape Character Area (EULCA) and the Open Limestone Wolds Landscape Type (OLWLT). The EULCA is described as occupying a high limestone plateau dissected by the River Glyme, though mostly characterised by a rolling landform and with a distinctive elevated and open character, dominated by the limestone geology. The key characteristics of the OLWLT are provided below:
- large-scale, smoothly rolling farmland occupying the limestone plateau and dip slope;
 - typically, large, or very large fields, with rectilinear pattern of dry-stone walls (typical of later enclosures and often in poor condition) and weak hedgerows, with frequent gaps and very few trees;
 - productive farmland predominantly under intensive arable cultivation;
 - thin, well-drained calcareous soils and sparse natural vegetation cover and a somewhat impoverished 'upland' character;
 - very open and exposed character;
 - distinctive elevated and expansive character in higher areas, with dominant sky and sweeping views across surrounding areas; and
 - high intervisibility.
- 5.36 Within the Chipping Norton Landscape Assessment (June 2009), the site is identified as being located within 'Area F - South of Chipping Norton: Undulating Plateau'. Area F is described as an undulating plateau and mostly agricultural landscape on the southern edge of the ridge on which Chipping Norton lies, enclosing the town to the south. It is stated that the area is open and exposed, with high intervisibility in all directions, including with parts of the town itself, which has a hard southern settlement edge. A portion of Area F falls within the Cotswolds National Landscape designation, while the remaining areas adjoin it, as is the case with the application site itself. Overall, the site is considered to have high landscape and visual importance and sensitivity.

- 5.37 A more localised landscape character assessment undertaken on behalf of the applicant, finds that 'Overall, the Site itself is considered to be well contained by the topography and surrounding vegetation structure and is more closely associated with the southeastern settlement edge of Chipping Norton than the surrounding countryside as a result. The Site therefore displays a settlement edge character and forms part of the south-eastern gateway into the town. The surrounding area comprises a mostly rural landscape that has been influenced by human activity and despite the proximity of the Cotswolds National Landscape to the immediate west, the Site itself is not considered to relate closely to the National Landscape countryside, mainly as a result of the development to the south and west and the intervening vegetation structure.'
- 5.38 The revised Landscape and Visual Impact Assessment (LVIA) submitted concludes that the proposals would not give rise to any significant adverse effects in terms of landscape character of the site itself, and would result in a highly localised long-term Moderate / Minor Adverse effect at most on the adjacent areas of Cotswolds AONB and its setting, with the wider landscape experiencing a Negligible Neutral / None effect and the natural beauty and special qualities of this AONB landscape mostly conserved and enhanced where possible. In terms of the visual environment, the LVIA considers the site to be highly visually contained however the visual environment of the immediate context of the site would undergo some unavoidable significant adverse change in the short-term as a result of the proposed development. In the long term, the proposed development would be highly integrated and contained within the immediate setting as a result of the composition of the receiving landscape.
- 5.39 Overall, it is therefore concluded that the proposed development would not give rise to any long term significant harm on the receiving landscape character of the site, and it is therefore compliant with the relevant landscape policies.
- 5.40 The proposed development would protrude into open countryside beyond the existing limit of development and would fundamentally alter the land character from rural to urban in this location and it would open up this wider area to future development on land between Burford and Charlbury/ Over Norton Road making it more difficult to resist the spread of further development which would further erode the rural character of this entrance to the town. Although additional planting is proposed along the boundaries, it is anticipated that the development would be visible from some distance.
- 5.41 The Cotswolds Conservation Board (now known as the Cotswolds National Landscape Board) has raised no objection to the proposed development and considers that the proposed development would not adversely impact the landscape and scenic beauty of the National Landscape, subject to the proposed landscape mitigation and biodiversity enhancements being secured and delivered.
- 5.42 In conclusion, the proposed development would encroach into the rural landscape and would result in the loss of what is currently an open undeveloped area. Its replacement with housing, streets, potential lights and associated human activity would clearly have an adverse effect on the rural appearance and character of the landscape, although, it is recognised that in the longer term, its impact could be mitigated through appropriate landscaping to reduce its visual impact. Nevertheless, the proposal would result in landscape harm, and this is a matter that must be put into the planning balance to weigh against the proposal.

Impact on Heritage Assets

- 5.43 There are no nationally designated heritage assets located within the site. However, the site lies within the setting of a designated archaeological site (Scheduled Monument) of considerable significance: Romano-British rural settlement and Iron Age remains, on the eastern edge of Chipping Norton (List no. 1486619) that covers land to the immediate north-east of the application site, east of Millenium Wood, and extending to the north of this woodland and the adjacent allotments. There is also a Grade II listed building (Oldner House) located approximately 240 metres to the east at its nearest point. Chipping Norton Conservation Area covers the historic town core approximately 550 metres to the north-west at its nearest point, along with a significant area of green space to the south-west of the built form.
- 5.44 Section 16 of the NPPF sets out guidance on conserving and enhancing the historic environment. Paragraph 212 of the NPPF advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraphs 213 and 215).
- 5.45 The submitted Built Heritage Statement concludes that the visual impact of the proposed development on the significance of the listed building would be very low, and any potential glimpsed views of the new development would be experienced in the context of the existing residential development to the west of Burford Road and Chipping Norton Rugby Club and associated buildings. These potential limited views of the proposed development would not diminish the way that Oldner House 's significance can be appreciated and would therefore conserve its special architectural and historic interest. It would also respect its historic landscape context by entirely preserving its immediate and intermediate setting, according to local Policy EH11.
- 5.46 The Council's Conservation and Design Officer has commented as follows:

Chipping Norton is a Conservation Area, although this site falls outside. The application site was likely part of the rural setting for the market town, and therefore, I do consider it within the setting. However, although I consider the loss of rural land within the setting of the conservation area would have less than substantial harm; in my opinion it is on the lower level of the scale.

Also, there will be harm to the rural setting of Oldner House (List entry: 1182728), I consider this to be on the lower / moderate level of less than substantial harm. An on-going landscape buffer between the development and Oldner House should mitigate some of this harm if the development is granted permission.

From looking at the illustrative masterplan the massing and density seems excessive, and the housing design disordered and very plain; the usual box-like accommodation we see across the country. I would like to see some better designed and interesting accommodation. It would be great to see design that displays some nod to the SM- Romano-British settlement opposite.

More of a buffer should be provided between the SM and the new development so that the setting is preserved as much as possible.

- 5.47 The submitted Archaeological Evaluation Assessment advises that the results of the evaluation demonstrate that activity associated with the Romano British settlement identified during recent archaeological investigations to the north of the application site does not extend into the site. The results of the evaluation also confirmed the results of the previously undertaken geophysical survey, which indicated a low potential for the site, with targeted anomalies proving to be almost wholly relating to variations in the natural geology or to modern services such as field drains. The evaluation results also corroborated the findings of the previously undertaken archaeologically monitored geotechnical soil survey, where no archaeological features or deposits were encountered during the excavation of 16 x 2 metre by 1 metre test pits.
- 5.48 The County Archaeological Officer notes that no significant archaeological remains were recorded in the evaluation assessment undertaken and so considers that there are no further archaeological constraints to this scheme.
- 5.49 In respect of the recently designated Scheduled Monument, Historic England (HE) commented that while the archaeological remains within the Scheduled Monument will not be impacted by the proposed development, there are concerns relating to the potential impact that the development may have on the setting of the monument. A robust assessment of the impact on the setting of the designated heritage asset was therefore requested including measures secured to mitigate harm, including the provision of a substantial buffer area, particularly around the north-eastern and eastern boundary of the development site. HE also advised that heritage benefits should also be secured to balance the identified level of harm.
- 5.50 A Setting Assessment has been submitted which concludes that the proposed development would have no adverse effect on the significance of the Scheduled Monument i.e. its evidential value. Nor would it affect how the monument is currently appreciated i.e. there is no intervisibility from the publicly accessible areas of the Scheduled Monument and in addition enhanced planting and a landscape buffer along the eastern and north-eastern boundary of the Site will (along with the existing planting along Charlbury Road, outside the site's eastern boundary and Millenium Wood) ensure no intervisibility with the site from the south-west of the Scheduled Monument. The proposed development will change an area of arable land into residential development however the specific contribution of this land to the significance of the Scheduled Monument or how it is appreciated is negligible. Consequently, as no adverse effects are anticipated further enhancement or mitigation measures are not considered necessary in this instance.
- 5.51 Further information has been submitted in response to both the comments of the Conservation Officer and HE including predicted photomontages to evidence the view that the effect of the proposed development on the Monument's significance is negligible; that it is the rural landscape to the east and south of the Monument that provide a more valuable perceived agrarian setting and that the landscape and planting buffer already proposed will serve to satisfactorily enclose the

development. The applicant remains of the opinion that the site, due to the distance and changes seen through the 20th century, does not form any part of the setting of the conservation area and as such there will be no impacts to the significance of the conservation area arising from the development. It is agreed that there will be "less than substantial harm" to the significance of Oldner House, but this is assessed to be at the lower end of the scale, and it will be possible to mitigate this harm through the reserved matters submissions.

- 5.52 HE have raised no objection to the application on heritage grounds and conclude the significance of the monument in terms of its evidential value (that is, the potential of a place to contain evidence relating to past human activity) will not be impacted by the development. However, the development sits within an area of open ground which separates the Scheduled Monument from the urban, south eastern fringe of Chipping Norton. As such, it makes a small contribution to the significance of the monument (through its setting) as a remnant of the farmed, open countryside in which the Roman rural settlement was originally built and inhabited. There would be some erosion of this separation, should the development proceed, and this will cause some harm to the significance of the monument, although this harm will certainly be less than substantial.
- 5.53 Having taken into account the topography of the site, when viewed from higher ground, along with the screening provided by Millennium Wood and the 'buffer zone' proposed as mitigation, HE advise that in this case the level of harm will be very much at the lower end of less than substantial. However, whilst views of the site from the southern edge of the monument would be screened by planting within the 'buffer zone,' which would reduce the visual impact of the new housing, the open ground would still be eroded, so the harm is not removed entirely. The proposed hedge and tree screening also has the potential to visually and physically 'cut off' the monument from the new development.
- 5.54 To deliver good place making, HE have recommended that the applicant consider an approach where views are filtered slightly, or there are sight gaps, so that there are places where the edge of the monument is visible to the new occupants of the development, and they can therefore understand and appreciate it. Combined with appropriate information using artwork, interpretation panels and/or QR codes, there is an opportunity here for residents to understand the Scheduled Monument, and to value their proximity to it. This has clear educational advantages and provides valuable place-making opportunities. Information about the history of the area, including the monument, could also be included in the information packs provided to new residents. This approach has been agreed in principle with the applicant and would provide a clear heritage benefit in NPPF terms (paragraph 215).
- 5.55 Conditions have been recommended by HE were outline permission granted requiring a scheme for heritage interpretation and education for residents of the development and the surrounding neighbourhood and a scheme for the treatment of housing in the areas of development which lie closest to the buffer zone, particularly those areas facing the south western edge of the Scheduled Monument (to be developed in consultation with HE and other interested parties) to be submitted and agreed. Opportunities to maximise the benefits derived from the buffer zone should be explored, including the design of a footpath through the buffer zone, with seating points and accompanying interpretation which informs and celebrates the historic, as well as the natural local environments.

- 5.56 In conclusion, it is agreed that the proposed development will not cause harm to the Scheduled Monument's evidential significance and that in terms of its setting, evidence has been submitted to justify the view that the effect of the proposed development on the Monument's significance is negligible. Whilst there is some disagreement about the impact on the setting of the conservation area, the Council's Design and Conservation Officer considers that this would be at the lower end of the scale of less than substantial and that similarly the impact on the rural setting of the Grade II listed Oldner House would be on the lower / moderate level of less than substantial harm but it is acknowledged that an on-going landscape buffer between the development and Oldner House should mitigate some of this harm if the development is granted permission.
- 5.57 Paragraph 215 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this respect it is considered that the economic and social benefits arising from the scheme which will deliver market and affordable housing units with associated benefits would outweigh the less than substantial harms arising in this case.

Highway Impact and Pedestrian Accessibility

- 5.58 Policy T1 of the Local Plan states that priority will be given to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by private car can be minimised, due to opportunities for walking, cycling and the use of public transport. And that, all new development will be designed to maximise opportunities for walking, cycling and the use of public transport. Similarly, Policy T3 states that all new development will be located and designed to maximise opportunities for walking, cycling and the use of public transport and that where opportunities for walking, cycling, and using public transport are more limited, other measures will be sought to help reduce car use as appropriate. The NP also reflects these objectives.
- 5.59 The planning application is supported by a Transport Assessment (TA) and Framework Travel Plan (FTP) which assessed the potential transport impacts of the proposed development on the local highway network. The TA concludes that the scheme is acceptable in transport terms in the context of national policy while the FTP supports the sustainable transport strategy for the site to encourage residents to travel sustainably. With respect to access, vehicular access is proposed via a new junction from Burford Road while there are two further accesses for pedestrians connecting to Charlbury Road to the north and to Burford Road to south connecting to the existing bus stops adjacent to the football club.
- 5.60 One of the principal objectives of the Chipping Norton Neighbourhood Plan is to ensure that new development is well connected to the rest of the town and surrounding area, especially by public transport, walking and cycling. This is reflected in Policy TM7 which states that 'Development should be well connected to other parts of the town. Attractive and safe walking and cycling routes towards the town centre and other community facilities should be provided to serve new development.' Policy TM8 also states that 'Developments should take account of the movement needs of people of all abilities on pavements, pathways, and road crossing points. Access to new developments should flow seamlessly from the existing pedestrian network and prove easy for all to navigate.' The provision of public transport, therefore, becomes even more significant, not least because of the town centre being designated an Air Quality Management Area.

- 5.61 In terms of sustainable transport connectivity, the submitted TA considers access to services and facilities and concludes that there are a range of services and facilities, including education, retail, employment opportunities and leisure destinations within an acceptable walking and cycling distance from the site. The TA also indicates that there are existing bus services on Burford Road which connect to Witney, Charlbury, Burford and the centre of Chipping Norton with further connections available from bus stops on Walterbush Road to Banbury, Woodstock, and Oxford. This demonstrates that a broad range of local services and facilities within Chipping Norton can be accessed on foot or by bike (given that Chipping Norton is identified as a main service centre in the District) with additional connections to regional destinations including Oxford available via existing bus services.
- 5.62 A Supplementary Transport Note has also been submitted in response to concerns raised by County Highways in relation to accessibility to the site by non-car modes of travel; inadequate access arrangements and insufficient information to enable the highways, traffic, and transportation implications of the proposed development to be fully assessed. In respect of accessibility, the note advises that opportunities to improve walking and cycling connectivity on A361 Burford Road have been reviewed to encourage walking and cycling trips to the schools (St Marys C of E Primary School and Chipping Norton Secondary School), Chipping Norton Leisure Centre, Glyme Hall and towards the town centre. Access arrangements have also been discussed and agreed with OCC Transport and the FTP updated.
- 5.63 OCC Transport have welcomed the improvements to walking and cycling along Burford Road between the site and Chipping Norton School proposed that the proposed development. A Stage I Road Safety Audit (RSA) was requested, along with some alterations to the scheme to address comments made by other internal teams and the aspirations of the emerging LCWIP for Chipping Norton. The amendments requested to the scheme included:
- Relocation of the proposed build-out on Burford Road to outside the allotments to minimise amenity impact on residential properties;
 - Cessation of the advisory cycle lanes at the signalised crossing point outside the schools;
 - Provision of a short section of 3m wide shared footway/cycleway on the south-west side of Burford Road between the zig-zag markings and the crossing point. It was acknowledged that this would require a slight realignment of the carriageway; and
 - Upgrade of the existing pedestrian signalised crossing to a toucan crossing to include cyclists.
- 5.64 The applicant has subsequently undertaken a Stage I RSA and updated the proposed scheme to reflect the items raised in the RSA and to show the above proposed improvements to walking and cycling along Burford Road. OCC Transport have reviewed the revisions submitted and are now satisfied that the proposed scheme is acceptable and would encourage residents of the site to make a modal shift from driving to either walking or cycling to key destinations along Burford Road.

Residential Amenity/Noise/Air Quality

- 5.65 As this is an outline application, the size, position, orientation of dwellings are not being assessed. Impacts on residential amenity including suitable interface distances and relationships as regards adequate light would be fully assessed and taken account of at reserved matters stage. However, issues such as noise, air quality and contamination can be considered.

- 5.66 In terms of noise, the application is accompanied by a revised Noise Impact Assessment and further information and plans have been submitted following various queries raised by the Council's Environmental Health Noise Officer to clarify and satisfy them that the required criteria can be met. This included, inter alia, an additional noise survey undertaken in August 2024 in liaison with the Rifle Club to ensure that a 'worst case' noise scenario could be captured.
- 5.67 A revised Illustrative Masterplan has been submitted within which Plots 91 to 104 (the plots nearest to the southern boundary of the application site) have been re-orientated in order that the dwellings themselves would act as a barrier to reduce potential noise levels in external garden areas from the use of the Chipping Norton Rifle and Pistol Club ("the Rifle Club") located approximately 80 metres at its closest point to the south of the application site. A 3 metre high acoustic living green barrier is also proposed at the southern boundary of the application site, integrated into the landscaping, to provide acoustic screening to reduce potential noise levels across the entire development.
- 5.68 For internal noise levels, the Assessment confirms that standard acoustically upgraded glazing (to achieve a minimum 32 dB Rw+Ctr) and mechanical ventilation for the worst-case development facades can be implemented. The Assessment concludes that subject to these measures, appropriate noise levels can be achieved within habitable rooms within the application site, and that all practicable measures have been taken to reduce shooting noise within gardens to a minimum, in line with the relevant noise guidance (BS8233).
- 5.69 The Environmental Health Noise Officer is still of the position that noise levels should be achieved with windows open, and residents should not have to close windows to meet an acceptable noise level and therefore the principals of good acoustic design should be utilised to ensure that the levels can be achieved without the need for residents to close windows. The mitigation measures proposed by the applicant would allow the potentially most affected residents of the new housing (those located closest to the southern boundary) to be within their properties with the windows closed and using mechanical ventilation in order to ensure that the noise levels they are exposed to comply with the requirements of BS8233.
- 5.70 Whilst the indoor levels comply, the Noise Officer asserts the practicality of some residents possibly having to go inside and keep windows closed to escape the potential annoyance of shooting noise is difficult to concede as a viable alternative to reducing the shooting noise at source or limiting the times and durations of shooting events. They remain concerned over the lack of information available on the frequency of the Rifle Club's use (both the Noise Officer and applicant have approached the Rifle Club post the survey work undertaken in August 2024 to try and ascertain this information without success), the inability to control this use going forward (the Rifle Club appears to have been operating consistently for over 40 years since 1983 with no formal planning permission having been granted) and noise levels across the site being over the recommended Chartered Institute of Environmental Health (CIEH) Shooting Guidance level of 55-65dB.
- 5.71 With the proposed noise barrier and the topography of the site itself, the line of sight would not appear to be an issue from the proposed housing, however, the Noise Officer's concern is that the housing would be situated at its closest point approximately 80 to 85 metres to the north of the range, with the range pointing from West to East. Given the relatively low background levels in the

area of 39 to 46dB and the close proximity of some of the proposed housing to the Rifle Club, the LAFmax levels of shot noise were measured between approximately 70dB to over 90dB in the survey work undertaken in August 2024 raising potential concerns of a 'startle effect' which is a factor in making complaints of nuisance more likely.

- 5.72 At this stage it is unclear how the Rifle Club could be regulated in the future given the issue of the Club being un-authorised and unregulated and the question of whether any noise reduction or mitigation measure can be reasonably imposed on the Rifle Club given the length of time they have occupied the site. Evidence from the Noise Impact Assessment provided confirms that there could potentially be a risk of future residents within the proposed development suffering a loss of amenity and/or a Statutory Nuisance, with levels identified across parts of the site potentially exceeding the recommended 65dB in some external amenity areas of the proposed dwellings.
- 5.73 It is noted, however, that planning permissions have been granted in recent years by the Council for residential development within a similar proximity to the Rifle Club, such as for 228 dwellings on Land West of Burford Road (also known as Land South and East of Walter Bush Road) in August 2015 (ref. 14/01884/FUL) and May 2018 (ref. 18/01234/NMA allowing a non-material amendment for additional windows to the lounge and conservatory on Plot numbers 73 and 180) directly to the west on the opposite of Burford Road (this development has now been completed and occupied) and for a replacement dwelling at Ash Tree Cottage (ref. 23/02435/OUT) to the east of the application site in January 2024. In both cases, no concerns were raised by the Council in relation to noise impact from the Rifle Club.
- 5.74 No complaints have been received to date from local residents in relation to the Rifle Club which suggests that the frequency of shooting events is low and infrequent. Notwithstanding this, without knowing the frequency and bringing a larger number of houses into close proximity of the Rifle Club, the Noise Officer considers the proposal could increase the chances of complaints significantly.
- 5.75 Accordingly, the residual minor adverse impact of the potential shooting noise within gardens is a matter that must be put into the planning balance to weigh against the proposal.
- 5.76 The Council's Environmental Health Contamination has commented that the updated site investigation report is now acceptable, and the results of the additional ground gas monitoring have been added. A condition to prevent pollution of the environment is recommended.
- 5.77 In accordance with Policy EH8 of the Local Plan, the potential for additional movements and the resulting impacts on the AQMA need to be assessed. Following the submission of an Air Quality Assessment and requested addendum, which concludes that existing sensitive receptors in the vicinity of the site are expected to experience a negligible air quality impact as a result of the development, the Council's Environmental Health Air Quality Officer has raised no objection to the application, subject to S106 contributions towards mitigating its impact by supporting projects such as community transport or green infrastructure.
- 5.78 The application is also supported by a Health Impact Assessment which concludes that it has not identified any adverse health impacts which cannot be effectively minimised through the implementation of mitigation measures and identifies a range of positive impacts the proposed development is likely to have on the health of local residents. If enhancement measures are made, the proposed development can further maximise these opportunities presented.

Flood Risk/Drainage/Water Supply

- 5.79 The site is located within Flood Zone I (low risk) for tidal and fluvial flooding. The submitted Flood Risk and Drainage Strategy concludes that the proposed development complies with national and local planning policy with respect to flood risk and drainage and that the risk of flooding is adequately managed, and the offsite flood risk is not increased.
- 5.80 The Lead Local Flood Authority has raised no objection to the application subject to surface water drainage conditions. The Environment Agency (EA) also raise no objection to the application subject to conditions.
- 5.81 In respect of foul water drainage, a pumping station is proposed for the proposed development. The pumping station would pump all the effluent of the proposed development, via a rising main to the nearest Thames Water public sewer, which is located to the north of the proposed development on Burford Road.
- 5.82 Thames Water (TW) has raised no objection in relation to foul water drainage subject to a condition to ensure that any foul water network upgrades required to accommodate the additional flows from the development have been completed. In this respect they have commented that Chipping Norton STW is currently being upgraded to accommodate this and other development in the catchment. The upgrade works are due to be completed by April 2025. The EA also recommend a pre- commencement condition to ensure that all necessary improvements to Chipping Norton STW are made to protect the receiving environment.
- 5.83 In terms of water supply, TW are currently working with the applicants to identify and deliver the offsite water infrastructure needs to serve the development. TW have identified that some capacity exists within the water network to serve 50 dwellings but beyond that upgrades to the water network will be required. Works are ongoing to understand this in more detail and as such TW feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development does not outpace the delivery of essential infrastructure.

Trees/Biodiversity

- 5.84 The application is accompanied by an Arboricultural Implications Assessment which advises that the direct arboricultural effect of introducing the proposed development to the site is negligible and will not require the removal of any trees.
- 5.85 Policy EH3 states that development should protect and enhance biodiversity to achieve an overall net gain in biodiversity. A revised Biodiversity Net Gain (BNG) Assessment, including a BNG Enhancement Area to the south of the main development site now comprising traditional orchard priority habitat, and accompanying metric demonstrates that a 17.99% biodiversity net gain can be achieved under the proposed development.
- 5.86 The Council's Biodiversity Officer has raised no objection to the proposed development subject to subject to conditions and informatives relating to biodiversity net gain, ecology, external lighting, Construction Environmental Management Plan - Biodiversity, landscaping and habitat management and monitoring as suggested being attached to any permission granted.

- 5.87 Natural England has raised no objection to the application and in respect of the Glyme Valley Site of Special Scientific Interest has commented that the proposed development will not damage or destroy the interest features for which the site has been designated and has no objection.

Sustainability/Climate Change

- 5.88 In accordance with Local Plan Policy OS3, the development is required to demonstrate consideration of the efficient and prudent use and management of natural resources including minimising the use of non-renewable resources and energy demands / loss through design, layout, orientation, landscaping, materials, and the use of technology.
- 5.89 The submitted Energy and Sustainability Statement sets out the following:
- The dwellings will adopt a fabric first approach with specifications above current Building Regulations for insulation detailing. They will be orientated to maximise solar gain where possible;
 - There will be no burning of fossil fuels for heating on site, with no natural gas supplied;
 - Heating and hot water will instead be supplied using low carbon air source heat pump complemented with PV panels;
 - Buildings will be designed and specified to adapt to a changed climate: overheating will be managed through good design;
 - The development will employ a combination of highly efficient fixtures, fittings and rainwater harvesting to reduce domestic water use to well below Building Regulation standards;
 - Embodied carbon will be considered and addressed through sustainable material selection, flexible and durable design, and efficient construction site practices;
 - Construction and operational waste will be managed according to the principles of the Waste Hierarchy with a focus on waste prevention, re-use, and recycling; and
 - Electric vehicle charging points will be provided to every dwelling with associated parking in line with policy requirements.

S106 Contributions

- 5.90 Policy OS5 of the Local Plan seeks to ensure that new development delivers or contributes towards the provision of essential supporting infrastructure.
- 5.91 The applicant has referred to the provision of 40% affordable housing which is a policy compliant contribution. This will be comprised of affordable housing with the exact mix to be the subject of a legal agreement. Policy H5 also requires the provision of 5% of the residential plots to be serviced and made available for custom and self-build housing.
- 5.92 Matters relating to the provision of Green Infrastructure, play areas, open space, public art, and air quality mitigation measures will also be secured via the s106 legal agreement together with required monitoring costs. The following financial contributions towards sports and recreational facilities, public art and air quality requested by WODC are:

- Outdoor pitch provision contribution of £205,734.98 towards the cost of improvements and maintenance of pitches in the catchment area;
- Artificial pitch provision contribution of £7,406 towards the cost of a replacement or improvement to artificial pitches in the catchment area;
- Sport Hall provision contribution of £53,624 toward the cost of a replacement or improvement to Sports Halls in the catchment area;
- Swimming pool provision contribution of £59,260 towards the cost of a replacement or improvement to pools in the catchment area;
- Public Art contribution of £13,104 to develop temporary public art activity on and off site to foster connectivity for and with residents' post occupation; and
- Air quality mitigation contribution of £22,520 towards air quality mitigation measures (community transport or green infrastructure).

5.93 The following on and off site contributions have also been sought by OCC, as set out in their consultation response:

- Public transport contribution of £137,904 towards public transport services, namely the continued/ improved operation of bus services S3 and X9;
- Travel Plan contribution of £1,985 towards Travel Plan Monitoring;
- Public rights of way contribution of £40,000 towards improvements to the public rights of way in the vicinity of the development site (within 2km of the site) including new short links between the existing rights of way. The key works anticipated are:
- Improvement to Footpath 166/2 outside of the site heading southeast;
 - **Continuation of the above Footpath as 154/18 and 358/28;**
- Improvement to Footpath 154/1 south of the site;
- Potential link between Footpath 166/2, Footpath 154/1, and Restricted Byway 154/13 at the Old London Road;
- Special school education contribution of £53,845 towards special school education capacity serving the development; and
- Waste contribution of £10,596 towards household waste recycling centres within the vicinity of the site.

Conclusion and Planning Balance

5.94 In this case, there are material considerations which indicate that the application should be decided otherwise in respect of the development plan. As the Council cannot demonstrate evidence of a five year supply of deliverable housing sites the relevant development plan policies for the supply of housing are out-of-date and that is a material consideration that can justify a departure from the plan and the grant of planning permission.

5.95 Where policies for the supply of housing are out of date, paragraph 11 of the NPPF requires a presumption in favour of sustainable development and that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In order to judge whether a development is sustainable it must be assessed against the three

dimensions of sustainable development set out in the NPPF: the economic, social, and environmental planning roles.

- 5.96 With regards to the economic dimension of sustainability, the Government has made clear its views that house building plays an important role in promoting economic growth. In economic terms, the proposal would provide construction jobs and local investment during construction, as well as longer term expenditure in the local economy. It is considered that moderate weight should be afforded to these benefits.
- 5.97 The proposal would positively support the delivery of housing, including affordable housing. There is a need for market and affordable homes within our District and the proposal would contribute towards this at a time of housing need. Significant weight is attached to this social benefit. There would also be social and health benefits arising from the inclusion of publicly accessible open space and green infrastructure which would provide amenity benefits to both existing and future residents although this would be expected to be delivered in any case and as such is given limited weight.
- 5.98 In terms of the environmental dimension, this proposal would extend development into the open countryside and would spread development across onto the other side of the A361 (Burford Road) which presently acts as a defined boundary to the town's development with open countryside beyond. As such the proposal would fail to form a logical complement to the existing pattern of development and/or the character of the area and would fail to protect or enhance the local landscape and setting of the town. Nevertheless, it is recognised that in the longer term, its impact could be mitigated through appropriate landscaping to reduce its visual impact. The proposed development is somewhat remote from the town centre with a low frequency of bus services, but improvements are proposed for improvements to walking and cycling connectivity to the nearby schools, Leisure Centre and towards the town centre. In addition, on-site allotments/community growing space are provided.
- 5.99 The proposed development would cause 'less than substantial'/negligible harm to heritage assets and an appropriate landscape strategy could mitigate some of this harm. HE have raised no objection to the application on heritage grounds and conclude the impact identified can be appropriately mitigated. Conditions have been recommended by HE requiring a scheme for heritage interpretation and education for residents of the development and the surrounding neighbourhood and a scheme for the treatment of housing in the areas of development as set out above that will provide a clear heritage benefit in NPPF terms. Moderate weight is attached to this social benefit.
- 5.100 The proposal now provides drainage details to demonstrate adequate water management and would not damage or destroy the interest features for which the Glyme Valley SSSI has been notified. No objection has been raised by either Natural England or the Council's Biodiversity Officer to the proposed development which is expected to achieve an overall 17.99% biodiversity net gain.
- 5.101 A reduced timeframe for the reserved matters to be submitted and for development to begin ensures the development makes a meaningful contribution to the housing shortfall in the District.

- 5.102 Turning to the planning balance as directed by paragraph 11 of the NPPF and taking all of the above into consideration, it is officer opinion that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits and as such, planning permission should be granted.
- 5.103 The application is therefore recommended for approval, subject to the suggested conditions and the applicant entering into a legal agreement.

Recommendation

- 5.104 In light of this assessment, the application is considered to accord with the policies in the WOLP 2031, Chipping Norton Neighbourhood Plan and the NPPF. The application is therefore recommended for conditional approval.

6 CONDITIONS

TIME LIMIT

1. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission; and
- (b) The development hereby permitted shall be begun either before the expiration of four years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.

RESERVED MATTERS

2. Details of the layout, appearance, landscaping, scale and accessibility within the site (herein called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

REASON: The application is not accompanied by such details.

APPROVED PLANS

3. That the development be carried out in accordance with the approved plans listed below.

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

MEANS OF ACCESS

4. The means of access between the land and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing prior to the first trench being dug by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of the dwellings hereby approved.

REASON: To ensure a safe and adequate access.

VISIBILITY SPLAYS

5. Visibility splays shall be provided as an integral part of the construction of the accesses and shall not be obstructed at any time by any object, material or structure with a height exceeding 0.6 metres above the level of the access they are provided for.

REASON: In the interests of road safety.

CONSTRUCTION TRAFFIC MANAGEMENT PLAN

6. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details.

REASON: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and the residential amenities of neighbouring occupiers.

OFFSITE HIGHWAY WORKS

7. No other part of the development shall be occupied until the offsite highway works have been laid out and constructed in accordance with details to be submitted to and first approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall include:

- Proposed site access arrangements and pedestrian infrastructure as shown in principle on Drawing no. ITB19104-GA-001 Rev C
- Improvements to the Burford Road/Charlbury Road junction and pedestrian infrastructure as shown in principle on Drawing No. ITB19104-GA-009 Rev A
- A safe walking and cycling route on Burford Road as shown in principle on Drawing No. ITB19104-GA-012 Rev A
- Improvements to the A361 West Street / A44 New Street junction.

REASON: To ensure a safe and adequate access to the site for all users.

SCHEME FOR PARKING, GARAGING AND MANOEUVRING

8. Prior to occupation of the development details shall be submitted for the approval of the Local Planning Authority for a scheme for parking, garaging and manoeuvring in accordance with Oxfordshire's "Parking Standards for New Developments". The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

REFUSE VEHICLES

9. No part of the development shall be occupied until an area has been laid out within the site for refuse vehicles to turn in accordance with details to be submitted and approved by the Local Planning Authority and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off and turn clear of the highway.

TRAVEL PLAN

10. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", to include details of a Travel information Pack for residents, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

REASON: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy.

HIGHWAY WORKS

11. Prior to commencement of the development details of the route, surface material, width, gradient, road crossings, furniture etc of the public footpath crossing the application site, and associated construction safety provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

REASON: In the interests of safety and convenience of users of the public footpath.

DRAINAGE

12. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the development commencing: Reference:
FLOOD_RISK_ASSESSMENT_AND_DRAINAGE_STRATEGY HD0007-R002

REASON: To ensure that the principles of sustainable drainage are incorporated into this proposal

SURFACE WATER DRAINAGE SCHEME

13. Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire";
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

RECORD OF INSTALLED SUDS AND SITE WIDE DRAINAGE SCHEME

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

REASON: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality.

CONTAMINATION

15. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11, and where remediation is necessary a remediation scheme must be prepared, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and which is subject to the approval in writing of the Local Planning Authority.

REASON: To prevent pollution of the environment in the interests of the amenity.

FOUL WATER CAPACITY

16. No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity, including at the Chipping Norton STW, exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents

WATER NETWORK UPGRADES

17. There shall be no occupation beyond the 50 dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to

accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues

ELECTRIC VEHICLE CHARGING POINTS

18. Prior to the erection of the dwellings hereby approved, written and illustrative details of the number, type and location of electric vehicle charging points (EVCP) shall be submitted to and approved in writing by the local planning authority. The EVCP shall be installed and brought into operation in accordance with the details agreed prior to occupation of the development.

REASON: In the interests of air quality and to reduce greenhouse gases.

ENERGY AND SUSTAINABILITY

19. The proposed development shall be carried out in accordance with the key recommendations as set out in the submitted Energy and Sustainability Statement.

REASON: In the interests of climate change.

Notes to applicant

- I. The CTMP will need to incorporate the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities - to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions. The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc. Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity - details of where these will be parked and occupiers
- transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot - contact 0345310 1111. Final correspondence is required to be submitted.

- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
 - Any temporary access arrangements to be agreed with and approved by Highways Depot.
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.
2. Prior to the commencement of a development, a separate agreement(s) must be obtained from Oxfordshire County Council's (OCC) Road Agreements Team for the proposed highway works (vehicular access, new footway links, bus infrastructure, pedestrian refuge island, carriageway widening and new right-turn lane) under S278 of the Highways Act 1980. For guidance and information please contact the county's Road Agreements Team via <https://www.oxfordshire.gov.uk/cms/content/contacthttps://www.oxfordshire.gov.uk/cms/content/contact-road-agreements-teamroad-agreements-team>.

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development site shall be parked on the public highway, so as to cause an obstruction. Any such obstruction is an offence under S137 of the Highways Act 1980.

Correct route of public rights of way: Note that it is the responsibility of the developer to ensure that their application takes account of the legally recorded route and width of any public rights of way as recorded in the definitive map and statement. This may differ from the line walked on the ground and may mean there are more than one route with public access. The legal width of public rights of way may be much wider than the habitually walked or ridden width. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap

Protection from breaks in public rights of way and vehicle crossings/use of public rights of way: Many public rights of way are valuable as access corridors and as continuous wildlife and landscape corridors. As a matter of principal, PRoW should remain unbroken and continuous to maintain this amenity and natural value. Crossing PRoW with roads or sharing PRoW with traffic significantly affects wildlife movements and the function of the PRoW as a traffic free and landscape corridor. Road crossings of PRoW should be considered only as an exception and in all cases, provision must be made for wildlife access and landscape, and with safe high quality crossing facilities for walkers, cyclists and equestrians according to the legal status of the PRoW. Vehicle access should not be taken along PRoW without appropriate assessment and speed, noise, dust and proximity controls agreed in advance with OCC Countryside Access.

Protection, Mitigation and Improvements of routes. Public rights of way through the site need to be integrated with the development and provided to a standard to meet the pressures caused by the development. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. The package of measures needs to be agreed in advance with OCC Countryside Access. All necessary PRoW mitigation and improvement measures onsite need to be undertaken prior to first occupation so that new residents are able to use the facilities without causing additional impacts and without affecting existing users to ensure public amenity is maintained.

Protection of public rights of way and users. Routes must remain usable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists and horse riders as vulnerable road users' needs to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented.

Temporary obstructions and damage. No materials, plant, vehicles, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place. Avoidable damage to PRoW must be prevented. Where this takes place repairs to original or better standard should be completed withing 24hrs unless a longer repair period is authorised by OCC Countryside.

Route alterations. The development should be designed and implemented to fit in with the existing public rights of way network. No changes to the public right of way's legally recorded direction or width must be made without first securing appropriate temporary or permanent diversion through separate legal process. Note that there are legal mechanisms to change PRoW when it is essential to enable a development to take place. But these mechanisms have their own process and timescales and should be initiated as early as possible - usually through the local planning authority. Any proposals for temporary closure/diversion need to have an accessible, level, safe and reasonably direct diversion route provided with necessary safety fencing and stand-off to ensure public amenity is maintained for the duration of the disturbance.

Gates / right of way: Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way.

3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.
<https://www.thameswater.co.uk/developers/larger-scale-developments/planningyourdevelopment/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
5. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

6. Applicants are strongly encouraged to minimise energy and carbon emissions from buildings through:

- Low carbon heating (fossil fuel free) and renewable energy generation, for example heat pumps and solar photovoltaic panels
- Wall, floor and roof insulation, and ventilation
- High performing triple glazed windows and airtight frames
- Energy and water efficient appliances and fittings
- Water recycling
- Materials with low embodied carbon

For further guidance, please visit:

[https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-](https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planningapplication/planning-application-supporting-information/sustainability-standards-checklist/)

[planningapplication/planning-application-supporting-information/sustainability-standards-checklist/](https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planningapplication/planning-application-supporting-information/sustainability-standards-checklist/)

<https://www.westoxon.gov.uk/environment/climate-action/how-to-achieve-net-zero-carbon-homes/>

Contact Officer: Mike Cassidy

Date: 5th March 2025