

Ward: Out of Borough

Appeal No: APP/Q3115/W/17/3185997

Planning Ref: 162174 ADJ

Site: Land off Peppard Road, Emmer Green

Proposal: Residential development of up to 245 residential dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play areas, vehicular access from Peppard Road and Kiln Road and associated ancillary works.

Decision level: Committee

Method: Public Inquiry

Decision: Appeal dismissed

Date Determined: 13th November 2018

Inspector: Nick Palmer BA (Hons) BPI MRTPI

1 BACKGROUND

- 1.1 The response to the consultation of South Oxfordshire District Council was determined by Planning Applications Committee on 11th January 2017. Committee resolved to object to the application, mainly on the grounds of transport and education.
- 1.2 The planning application (S. Oxon. Ref P16/S3630/O, dated 31 October 2016) was refused by South Oxfordshire District Council by notice dated 14 September 2017 for reasons relating to poor design and character; loss of amenity to neighbours; failing to contribute to a mixed and balanced community and failing to enter into a S106 agreement and these were identified as the main issues by the Inspector.

2 SUMMARY OF DECISION

- 2.1 The main issues identified were:
 - i) whether or not the proposal would accord with development plan policies for the location of housing development and if not, whether other material considerations indicate that permission ought to be granted; and
 - ii) the effect of the proposal on the character and appearance of the area.
- 2.2 On the first main issue the inspector concluded that the proposal would not accord with development plan policies for the location of housing development and contrary to policies which seek to resist development in areas of countryside.
- 2.3 However, the Inspector was then required to consider issues of the supply of housing in South Oxfordshire and whether, if a five year housing land supply was not demonstrated, this amounted to a reason to grant permission contrary to local plan policies. While much time was given to this matter in the inquiry, following the close of the Inquiry, on 12 September 2018, the Government issued a Written Ministerial Statement (WMS) which temporarily amends national planning policy as it applies to Oxfordshire.
- 2.4 This resulted from ministerial approval of the Oxfordshire Housing and Growth Deal (OHGD) which is intended to facilitate housing delivery in Oxfordshire of 100,000 homes between 2011 and 2031. Under the deal, the Oxfordshire authorities are required to demonstrate a supply of deliverable housing sites of only three years instead of the five

years supply that is required elsewhere.

- 2.5 The main parties provided further written submissions on this change and on changes to Planning Practice Guidance after the close of the Inquiry. The Inspector found that the Council can demonstrate a three year supply of deliverable housing sites with an appropriate buffer and that he therefore did not need to consider whether housing land supply issues might outweigh other policy considerations.
- 2.6 In giving consideration to the second main issue, the Inspector found that that the site forms part of the setting of the Chilterns Area of Outstanding Natural Beauty (AONB). The proposed development would be visible from the AONB but at some distance. The development would clearly affect views from the existing urban area towards the AONB. It would also be experienced by users of footpaths between the urban area and the AONB. The Inspector found that the landscape is of good quality and in good condition. Its features are typical of the landscape character of the area, including land within the AONB. He considered that while it was not a valued landscape, the landscape of which the site forms part has significant value.
- 2.7 Against this he found that the development would be prominent and intrusive in that landscape and that it would erode the open setting of the AONB. On this main issue the Inspector concluded that the proposal would unacceptably harm the character and appearance of the area, contrary to local plan policies.
- 2.8 The Inspector referred to the various benefits of the scheme, including its provision of affordable housing and its generally sustainable location. He found that transport impacts could be satisfactorily mitigated by appropriate works and financial contributions. However, in his overall balance of the arguments he found that benefits identified are not of sufficient weight to outweigh the policy conflict.

Head of Planning, Development & Regulatory Services Comment:

This is a very good decision for South Oxfordshire District Council and removes the threat of an immediate unplanned greenfield extension to the area adjacent to the boundary with Reading Borough Council.

However, it is clear from this application and the representations made to the Reading Borough Local Plan and to the South Oxfordshire on their local plan, that there is considerable landowner and developer interest in development adjacent to the boundary of the two authorities. The application and appeal has raised issues about transport and other infrastructure capacity in the area as well as the value and quality of the landscape. This is resulting in further discussions and co-operation with South Oxfordshire to develop a joint approach to the future planning of this area.