

PLANNING STATEMENT

**LAND TO THE NORTH OF HEMPTON ROAD,
DEDDINGTON (PHASE 2)**

**ON BEHALF OF
PEMBURY ESTATES LTD**

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1. INTRODUCTION

1.1 This Planning Statement has been prepared by HD Town Planning Ltd in support of an outline planning application for a residential development of up to 14 dwellings on land to the North of Hempton Road, Deddington. As such the proposal comprises a second phase to a consented application for 21 dwellings immediately to the south of this development which was granted conditional approval in April 2020. Initially there had been no plans to extend the site further north than the consented scheme as the draft Neighbourhood Plan for Deddington (in place at the time the application was submitted), limited residential schemes to no more than 20 dwellings. With the withdrawal of this Plan in autumn 2019 this numerical limitation no longer exists hence this proposed scheme which extends the site northwards up to the alignment of the development immediately to the east in that part of Deddington.

1.2 The proposed application comprises:-

- i. a red line plan outlining the site (Drawing No: A_1807EX100)
- ii. the completed application forms
- iii. an illustrative layout showing how the site could be developed
- iv. a plan showing details of the access arrangements.

1.3 It is also supported by the following documents:-

- a) a topographical survey
- b) this Planning Support Statement
- c) a Design & Access Statement
- d) a Landscape and Visual Impact Assessment
- e) a Transport Statement
- f) a Drainage Strategy

1.4 This Planning Statement sets out the policy background to the application in the context of the Cherwell Local Plan 2031 (CLP2031) and the now withdrawn (Draft) Deddington Neighbourhood Plan (DDNP), together with the latest version of the NPPF, the National Planning Policy Guidance, and other material deemed relevant to consideration of the application; this includes data from evidence produced by the Council on 5 Year land supply and appeal decisions that have relevance to the area generally.

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- 1.5 The Statement is subdivided into the following sections:-
- Section 2 provides a brief description of the site and surroundings.
 - Section 3 sets out a summary of the development proposals.
 - Section 4 provides a brief description of the public consultation undertaken by the applicants.
 - Section 5 sets out the planning policy background and other relevant material.
 - Section 6 sets out the affordable housing proposals and the dwelling mix.
 - Section 7 describes the draft S106 unilateral obligation
 - Section 8 undertakes a Planning Balance including overall Conclusions on the planning merits.

2. SECTION 2 : OVERALL SITE DESCRIPTION

- 2.1 The application site comprises a trapezoidal shaped parcel of land lying on the North side of Hempton Road (close to the junction with Wimborne Close) on the western edge of Deddington. It has an area of about 0.50 hectares and currently comprises a parcel of agricultural land: the southern half the site comprises a small arable field fronting the Hempton Road and also contains a small barn structure which is used for storage. The northern half of the site comprises part of a larger arable field which extends further northwards. Both extend as far west as an existing hedgerow which forms the boundary to the site. There is a narrow track on the eastern margin giving access to the agricultural fields to the rear.
- 2.2 The southern part of the site, comprising just under a hectare already has outline planning permission for 21 dwellings which was conditionally approved in early April 2020 (Reference No: 18/02147/OUT). The current proposal involves the northern part of this parcel of land which will be accessed and serviced through the consented land. This can be seen on Drawing No. P20-0384_01-2 Rev C.
- 2.3 To the immediate east of the site is a narrow tree belt and hedgerow which forms the western boundary to a residential area served by Wimborne Close. The southern boundary to the site is formed by Hempton Road a B-class road which extends in an East-West direction giving access to Hempton (about 1500m to the West) and the centre of Deddington (about 600m to the east). To the south of the site beyond Hempton Road is an extensive area of Community facilities comprising the Windmill Community Centre and a number of pitches and areas of open space. To the west and north lies open countryside.
- 2.4 As can be seen from the topographical survey/plan the site is generally level but slopes slightly downwards in a southerly direction so that the lowest point lies in the south east corner adjacent to the Hempton Road.

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2.5 Hempton Road is a 5.5m carriageway which has a 30mph speed limit which commences adjacent to the site. To the east there is a footpath on the northern side of the road giving pedestrian access to the village centre and other facilities including shops, a doctors surgery and a primary school. The table below sets out the distance to these basic facilities.

Facility	Walking Distance
Primary School	720m
Doctors Surgery	830m
Shops	750m
Community Centre	175m
Pub (nearest)	700m
Bus Stop	650m
Recreation/Pitches	250m
Church	860m
Post Office	800m
Library	620m

2.6 Deddington is categorized as a Large Village in the CLP2031 and has a population of about 2,150 at the 2011 Census date. The population has remained steady for a number of decades. As noted above it has a good range of facilities including a number of retail outlets in the village centre which lies just to the east of the main Banbury to Oxford Road (A4260) as well as a church, primary school, 4 pubs and various small employment establishments. It is reasonably well served by public transport with hourly services south to Kidlington and Oxford and twice hourly services north to Adderbury and Banbury.

2.7 The wider site is not subject to any public rights of way. Nor is it affected by any statutory landscape, ecological or heritage designations. The Deddington Conservation Area covers a large area of the settlement but is primarily restricted to the older part of the village east of the A4260. Any development on the site will not impact at all on the Conservation Area.

3. SECTION 3 : PLANNING APPLICATION

3.1 The application is in outline form with all matters reserved save for access. The number of dwellings proposed is up to 14 with access northwards from a proposed cul-de-sac off the Hempton Road recently consented (see above). An illustrative layout accompanies the application showing how the site could be laid out to provide a mix of dwellings whilst at the same time creating a new landscaped entrance to the village from the western approaches. The illustrative plan includes provision for an expanded surface water balancing basin together with a small play area (adjacent to the existing play facilities in Wimborne Close) and

additional landscaping on the western and northern boundaries. Further details of the scheme are set out in the Design & Access Statement.

4. SECTION 4: PRE APPLICATION CONSULTATION

4.1 The applicant's first met with the Parish Council's Neighbourhood Plan Working Group earlier in the year. The proposal was discussed in the context of the emerging DDNP policies at that time which included part of the site within the defined settlement boundary.

4.2 Further public consultation took place at the Windmill Community Centre in September 2018 but because of the limitation on numbers in the emerging Local Plan did not include this part of the site. Further consultation in the form of a leaflet drop for those residents directly affected is described in the Statement of Community Involvement.

5. SECTION 5: DEVELOPMENT PLAN BACKGROUND AND NATIONAL POLICY CONSIDERATIONS

5.1 The revised National Planning Policy Framework was published in March 2019 and came into immediate effect. Whilst much of its content remains similar to the previous version insofar as it focusses on ensuring that development occurs in sustainable locations and that primacy is given to Development Plan policies, there are some important changes it emphasis not only to housing objectives generally but also to the supporting Planning Policy Guidance.

5.2 Paragraph 7 states:-

"The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs".

5.3 Paragraph 8 goes on to emphasize the interdependence of the 3 aspects of sustainability – economic, social and environmental as follows:-

"Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) **an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;**
- b) **a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible**

services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”**

5.4 Paragraph 11 sets out that at the heart of the NPPF is the presumption in favour of sustainable development. The paragraph subdivides the advice into that for plan making and decision taking. With regard to decision taking the NPPF states:-

“For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or**
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:**
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or**
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”**

5.5 We believe that in the light of our assessment of the relevant policies (see below) that Paragraph 11c is of particular importance.

5.6 Section 4 of the NPPF entitled “Decision Making” states at Paragraph 38:-

“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”

5.7 Paragraph 48 continues:-

“Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);**
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and**

- c) **the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."**

5.8 In Section 5 of the NPPF entitled "Delivering a Sufficient Supply of Homes" the well known and often quoted Paragraph 59 indicates that central Government has the objective of significantly boosting the supply of homes with sufficient amount and variety of land. Paragraph 73 goes on to state that to assist in this process will require a minimum 5 Year supply of housing land:-

"Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old."

5.9 This Paragraph also requires the supply of specific deliverable sites to include a buffer of 5% (moved forward from later in the Plan period), or 10% or 20% depending upon the previous performance of the Authority in delivering completions. The need to provide a 20% buffer on the 5 Year supply occurs:-

- "c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply."**

5.10 Footnote 39 to Paragraph 73 explains that from November 2018 performance on past completions will be used for a new Housing Delivery Test (HDT) and that a 20% buffer will be required where completions annually fall below 85% of the housing target. Further details of the HDT are given in Paragraph 75 but these are not entirely consistent with the Footnote. Additional information on the Test is set out in the Planning Policy Guidance Notes and in a new Technical Paper.

5.11 So far as Rural Housing is concerned Paragraph 78 of the NPPF states:-

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."

5.12 Various parts of the Planning Practice Guidance were amended in 2019 to take into account the new NPPF particularly those relating to the 5 Year Land Availability position and the new Housing Delivery Test.

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5.13 Whilst the NPPF advice relating to draft Neighbourhood Plans was relevant in respect of the earlier consented application, its withdrawal means that this is no longer the case.

Development Plan

5.14 The Development Plan for the area comprises the “saved” policies from the Cherwell Local Plan (1996) and the latest Cherwell Local Plan Part 1 which was adopted by the Council in July 2015 and re-adopted in December 2016 with some minor amendments.

5.15 The Council is in the process of a partial Review of the CLP2031 to decide how the City of Oxford’s unmet need will be distributed between the surrounding authorities. This aspect of the Review was submitted to the Secretary of State in March 2018 and is currently the subject of Proposed Main Modifications which were submitted to the Examining Inspector in February 2020. To that extent, whilst the Council may have agreed the distribution of this unmet need between it and the other authorities, the Review has relatively little weight which can be attached to it at this stage especially in the context of the current application at Deddington which is not in any event a settlement that is intended to accommodate unmet Oxford housing needs.

5.16 A Cherwell Local Plan (Part 2) is also understood to be in preparation but as this is even further behind the Review to Part 1 and has only reached the early stages of Issues Consultation, (published March 2016), similarly little weight can be attached to this document. Cherwell District Council along with the other Oxfordshire authorities is committed to the production of a Joint Statutory Spatial Plan covering the period to 2050. It was intended that this document be submitted to the Secretary of State by March 2020 but this has not progressed to date. Therefore little weight can be attached to this.

5.17 Similarly, although it is noted that some progress has been made towards the preparation of the Oxfordshire Plan 2050, recent decisions in November 2019 to defer this to allow for further consultation, means that little weight can be attached to this document either.

5.18 The CLP2031 Part 1 which covers the period 2011 – 2031 identifies (Policy BSC1) a need for 22,840 dwellings across the Local Authority area. Of this total, the bulk (76.4%) is focussed at Bicester and Banbury urban areas (10,129 and 7,319 dwellings respectively) with the remainder distributed to the Rural Areas (5,329 dwellings). This latter figure is distributed partly at a single strategic allocation at Upper Heyford (1,600 dwellings) with the remainder in existing villages. These rural of settlements are categorized into Policy Villages 1 (Village Categorization) and Policy Villages 2 (Distributing Growth Across the Rural Areas); this subdivides settlements in the Rural Areas into “Service Villages” which have a reasonable range of facilities, and smaller villages which are categorized as Satellite and Other Villages. A copy of both Policies is attached as Appendix 1. Deddington is identified as a Category A “Service Village” as it has a good range of facilities within the village (see Paragraph 2.4

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above which contains a Table with walking times to the range of facilities). It should also be noted that Policy Villages 2 confirms that over the Plan period (2011 – 2031) there will be approximately 750 dwellings from 2014 delivered in Category A villages; and a further 754 dwellings on windfall sites of less than 10 units across the whole of Rural Areas. Policy Villages 1 notes that both Category A Service Villages and Category B Satellite Villages will be considered suitable for "minor development" as well as infilling and conversions. Minor development is defined in slightly more detail in Paragraph C.262 which states:-

"In assessing whether proposals constitute "minor development" regard will be had to the following criteria:-

- **The size of the village and the level of service provision.**
- **The site's context within the existing built environment.**
- **Whether it is in keeping with the character and form of the village.**
- **Its local landscape setting.**
- **Careful consideration of the appropriate scale of development particularly in Category B (Satellite) Villages".**

APPENDIX 1 - POLICY VILLAGES 1 AND POLICY VILLAGES 2 & POLICY ESD15

5.19 Prior to this Paragraph C.261 indicates that whilst there is a need for villages to contribute to sustainable growth, the appropriate form of development will vary depending on the character of the village and development in the immediate locality. In all cases Policy ESD15: The Character of the Built and Historic Environment will be applied in considering applications.

5.20 Policy ESD15 which is also attached as Appendix 1 sets out various criteria which new development proposals should meet in order to meet high standards of design including:-

- buildings which are of high quality, safe and attractive
- adaptable
- use land efficiently
- contribute positively to the character of a settlement
- conserve and enhance heritage assets
- respect traditional patterns of development
- takes account of local distinctiveness
- promote permeable routes
- create high quality streetscapes
- take account of the amenity of adjoining buildings
- reduce light pollution
- consider design in the early stages of planning
- incorporate energy efficient designs
- integrate local green space
- use local materials.

5.21 These points as they relate to the Rural Areas are emphasized in Paragraph B.271 which notes that a large proportion of Rural Settlements are covered by Conservation Areas where the quality and special interest needs to be protected.

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- 5.22 There are a number of other general policies of relevance to this application of which we would specifically draw attention to Policy BSC2 (Efficient Use of Land and Housing Density), BSC3 (Affordable Housing), BSC7 (Meeting Education Needs), BSC11 (Local Standards of Outdoor Recreation Provision), ESD1 (Mitigating Climate Change), ESD3 (Sustainable Construction) and ESD7 (Sustainable Drainage Systems).
- 5.23 Before leaving the CLP2031 it is relevant to examine the 2017 Annual Monitoring Report which is apparently the last such study and which sets out various milestones in terms of meeting Local Plan policies and objectives particularly those in relation to housing and housing completions which, as noted in the previous subsection, central Government is seeking to boost significantly. Table 12 of this document shows a total of 4,579 completions in the period 2011 – 2017 of which 71% are at Banbury and Bicester with 29% in the Rural Areas thereby successfully achieving the CLP2031 urban focus objective; this reverses previous trends prior to 2011 whereby housing development was proceeding at a faster rate in the Rural Areas. Although housing completions in recent years have accelerated the very low completion levels achieved in the early years of the Plan have resulted in a deficit of 2,273 dwellings (31st March 2017).as against the anticipated build rates over this period. In Category A villages completions have been only 103 dwellings since 2014 (the start date for the 750 dwellings specified in Policy Villages 2 – see Table 40) despite permissions of 664 dwellings being granted in this period on 18 sites. Whilst there is no doubt that some of these sites will come forward to enhance completions in the Category A villages, past annual build rates have been inadequate to achieve the 750 dwellings 2014 – 2031 if projected forward. As at March 2017 (the date of the last Annual Monitoring Report) the number of outstanding consents plus completions still did not exceed the 750 in the CLP2031. Even allowing for some further consents in the year 2017 – 2018 both from the Council and through the appeal process, there is still some margin before the 750 dwellings total is reached. Even if it is reached (or even exceeded) the overall aim of CLP2031 to focus development on the two main urban areas, has been overwhelmingly successful. It follows that if sustainable forms of development can be achieved in the Category A Villages without eroding the overall objectives of the Plan then the dwelling numbers in Policy Villages 2 should not be allowed to thwart Government objectives for increasing housing supply generally.

Draft Deddington Neighbourhood Plan (Withdrawn)

- 5.24 In accordance with the provisions of the Localism Act (2011) Deddington Parish Council opted (in 2013) to prepare a Neighbourhood Plan for their area (DPNP) and spent 2 – 3 years preparing a draft document which has been the subject of several rounds of public consultation. A further round of public consultation was undertaken prior to the Plan being submitted to the District Council for formal consideration by that Authority. It was then subsequently the subject of a separate independent Examination by an Inspector later in the year and was finally put to the local electorate in a referendum.

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5.25 The draft Plan currently out for consultation sets out a number of goals which it seeks to achieve. The first of these goals relates to Housing and states:-

“Goals H1: To deliver high quality and sustainable housing development that satisfies strategic growth requirements, fulfils local housing needs and is compatible with the historic rural character of the Parish and its landscape setting”.

5.26 To that end it set out eight housing objectives:-

- to deliver housing growth that meets strategic needs and the needs identified through a local Questionnaire
- to provide affordable homes (both social and market) for younger people.
- to provide high quality homes
- to provide well designed homes in character with the Parish
- to ensure that housing takes place in sustainable locations and to ensure that the size of developments respects the distinctive Parish heritage
- to give preference to brownfield sites
- to ensure that estate infrastructure is provided and adopted.

5.27 There were a further range of environmental, community, transport and economic objectives some of which are of relevance to any residential development.

5.28 In preparing the Local Plan the Parish Council sought to find out from local residents the quantum of housing development that might be needed and the appropriate size of site. A slight majority (53%) felt that more housing was needed but a large majority (71%) favoured development on sites of no larger than 20 units. Hence the DDNP proposes approximately 50 new houses over the Plan period on the basis that this accords with community consultation; is not out of character with Deddington generally albeit social infrastructure is seen to be close to capacity; that this figure more closely accords with the housing numbers for Category A villages in the CLP2031; and that large scale developments were not favoured by residents.

5.29 Accordingly Policy DED – HOU1 proposed 50 dwellings 2015 – 2031 on sites of 10 or more dwellings. Additionally the total number of plots per site should not exceed 20; some further development of small windfall sites of less than 10 dwellings within the built up limits of development may also be permitted .

5.30 In terms of housing location the DDNP favoured a criteria based approach rather than the specific identification of sites. Accordingly Policy DED – HOU2 sets out a range of criteria including the fact that proposals for residential development on land adjoining or beyond the built up area of the settlement would not be supported if this disproportionately extends the built up limits or spoil the setting of the village. A further series of criteria were included within the policy for determining whether residential proposals are acceptable. These were as follows:-

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- i. Whether the size of site meets the requirements of Policy DED – HOU1.
 - ii. Whether adverse impacts on heritage assets can be avoided.
 - iii. Whether the proposals avoid disproportionately extending the built up limits.
 - iv. Whether the proposals would deliver sustainability requirements set out in the environmental goals.
 - v. Whether the proposals deliver the housing goals (see above).
 - vi. Whether the proposals involve brownfield land.
 - vii. Whether the proposals avoid adverse impact on views.
 - viii. Whether the scheme can be integrated with the community especially for pedestrian and cycle movements.
 - ix. Where development is for older people that it is close to facilities.
 - x. Where development minimizes traffic impact.
- 5.31 Policy DED – HOU3 sought a mix of housing that meets the requirements of local people. It stated that development of more than 3 dwellings that provided some 2 – 3 bed homes, or first time buyer homes, or medium sized homes for the elderly, or bungalows and flats, would be favoured.
- 5.32 Policy DED – HOU4 set out a series of requirements regarding design with all schemes being required to be of high quality and to fit sympathetically with the surrounding vernacular architecture as well as meeting other more detailed requirements.
- 5.33 Policy DED-HOU5 required all infrastructure including roads, sewers and balancing ponds to be constructed to adopted standards and unless there were good reasons, to be offered for adoption.
- 5.34 Policy DED – HOU6 deals with Affordable Housing. In accordance with the CLP2031 there was a requirement for 35% Affordable Housing with 50% being available to those with a Parish connection and a majority i.e. more than 50%, one bedroom properties.
- 5.35 It is worth noting that unlike earlier versions of the DDNP there was no plan specifically delineating the settlement boundary of the village. However, for the record it should be noted that in the preceding version of the Plan the consented section to the south of the application site, was included in the defined settlement boundary.
- 5.36 As noted above the DDNP was withdrawn in autumn 2019 although the reasons for this are not entirely clear. It follows that although the document represents an indication of local views the draft policies contained within it can only be given very limited weight. It is for this

reason that the current application increasing the housing numbers above the 20 unit limit has been prepared as it now extends the site to a logically defined planning boundary.

- 5.37 It is noted that the Parish Council has recently re-commenced the Neighbourhood Plan process which it intends to extend to 2036; however, as this has only progressed as far as the “Call for Sites” little weight is attached to this.

Five Year Housing Land Supply

- 5.38 The latest five-year land supply data for Cherwell is set out in the Annual Monitoring Report for 2019 which was published in December 2019. Table 16 in this document indicates clearly that the Council accept that there is not a 5 Year supply of residential land to meet the requirements of the NPPF. For the period 2019 to 2024 there is a deficit of 665 dwellings giving a 4.6 years supply of residential land. It is anticipated that for the period from 2020 to 2025 this will increase slightly to 866 dwellings representing only a 4.4 years supply of land.
- 5.39 Setting aside whether or not these calculations are correct, it is important to stress that the NPPF emphasises that the 5 Year provision is a minimum requirement. Failure to achieve this minimum requirement sets off the “tilted balance” which effectively favours the release of additional housing land. It is self evident that this “tilted balance” should not radically disturbs the general strategy outlined in the Local Plan, but it should allow additional housing land releases in sustainable locations rather than adhering stringently to the numerical provisions set out in the Local Plan for the various parts of the settlement hierarchy. In this case Deddington is a Category “A” Village with a good range of services and reasonable public transport links to main centres of employment. As such it is an inherently sustainable location as can be seen by the release of the 21 dwellings immediately to the south of the application site.
- 5.40 As is always the case the situation in Oxfordshire with regard to 5 Year land supply is not as straightforward as might exist elsewhere; all the District Councils have received a dispensation from the Secretary of State whereby they do not have to conform with the NPPF 5 Year land supply minimum whilst they prepare a new Oxfordshire Plan 2050 which is intended to significantly boost residential completions. However, the Secretary of State’s dispensation (dating from July 2018) which reduced the 5 Year minimum requirement to three years, was accompanied by a strict requirement for the Authorities to proceed quickly and expeditiously in the preparation of this Plan. The original timetable for submission of the Plan to the Secretary of State was March 2020 with adoption by early 2021. In November 2019 the Oxfordshire Growth Board representing all the Councils preparing this Plan, unilaterally decided this timetable did not allow sufficient time for public consultation; and so the deposit date for submission to the Secretary of State has recently been extended nearly two years until January 2022. There will need to be yet further time to allow for an Examination and Modifications which means that it is unlikely to be adopted before Spring 2023 i.e. nearly five

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years from the date of the Secretary of State's conditional dispensation regarding the 5 Year land supply. Whether he continues to regard this as proceeding quickly with a tight timetable has yet to be determined. Notwithstanding this the release of this site can assist in meeting the 5 Year land supply deficit. Moreover, the release of the site will assist in meeting the objectives of the Housing White Paper whereby emphasis was present placed on the release of more small and medium size sites in order to, first increase overall housing production; and second, to encourage a better balance of housing sites with more development being carried out by small and medium-sized builders and less in major strategic sites which have long lead times.

5.41 The second point to note in this section is the approach taken by Inspectors in other recent appeals that have taken place in the Cherwell area. At a recent appeal in Launton (see Appendix 2) where the Council claimed to have a 5 Year supply of housing land at that time, Inspector Kenneth Stone considered a refusal to allow planning permission for up to 72 dwellings in a similar Category A Village. In his decision (dated 18th September 2018) he concluded that:-

(i) examining the 750 dwellings allocated to Category A Villages in the CLP2031 post 2014, showed a slow rate of delivery in the initial years such that this figure (34 p.a.) would not achieve the required dwelling total over the remainder of the Plan period (see Paragraph 17).

(ii) the 750 dwelling total should not be regarded as an upper limit i.e. a ceiling, and that it would require a material exceedance to conclude that the urban focus was in danger of being breached. (paragraph 18).

(iii) at that time (July 2018) there was still some margin before consents actually exceeded the 750 figure (Paragraph 18). Even allowing for this consent for 72 dwellings a further 21 dwellings (for example, on the application site) would only just exceed the 750 figure.

(iv) contrary to the Planning Authority's approach at other appeals (where it argued that consents in the early part of the Plan should effectively be restricted to avoid breaching the 750 unit figure), the Inspector took the view that any permissions now granted would only be likely to be implemented in the latter part of the Plan period; moreover, there was the possibility that the Plan could be reviewed.

(v) accordingly there would be no breach of Policy Villages 2. (Paragraph 19).

(vi) the overall strategy of urban focus was in any event being delivered and would not be harmed by the release of the Launton site. (Paragraph 20).

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5.42 Whilst each application/appeal is considered on its own merits these general comments by the Inspector do have wider implications and set the tone for the appropriate interpretation of Policy Villages 1 and 2 in the CLP2031. In our view this interpretation applies equally to the relatively small scale proposal being promoted through this application at Deddington, another

Category A village. However, this flexible approach to overall housing numbers has almost certainly been superseded by the Council's acceptance that there is now a five year land supply deficit, albeit this now needs to be tempered by the situation relating to the Oxfordshire Plan 2050 (see above).

6. SECTION 6: AFFORDABLE HOUSING STATEMENT AND DWELLING MIX

6.1 The applicant is willing through a S106 (see next Section) to comply with the CLP2031 and the emerging DDNP policies to make 35% of the dwellings available as affordable housing in this case the number would be 5 dwellings assuming that 14 dwellings were constructed. The precise details of the mix of tenures would be a matter for further discussion with the Council's Housing Department.

6.2 So far as the mix of dwellings is concerned the Design & Access Statement and the illustrative Master Plan show the following mix of dwellings:-

- 3 x 4 Bedroom Houses
- 9 x 3 Bedroom Houses
- 2 x 2 Bedroom Houses

6.3 In our view this mix provides a good range of dwellings including some for first time purchasers thereby according with the requirements of the CLP2031.

7. SECTION 7: PLANNING OBLIGATIONS

7.1 As the applicants have been negotiating the Section 106 Obligations in relation to the land immediately to the south, a draft Unilateral Planning Obligation is attached as Appendix 3 to this Statement. It is based upon the requirements of the scheme immediately to the south adjusted proportionately to take into account the reduced number of dwellings. On the basis that it incorporates all those elements previously deemed acceptable by the County and District Councils we assume that this is acceptable. It deals specifically with Affordable Housing, education contributions and open space.

APPENDIX 3 - DRAFT UNILATERAL S106 OBLIGATION

8. SECTION 8: PLANNING BALANCE

8.1 As with all planning applications it is necessary to ensure that the proposals accord with a reasonable interpretation of both the Local Plan policies and the emerging Neighbourhood Plan policies. In this case although the overall strategy for the area is one of urban focus primarily at Bicester and Banbury, the housing completion figures since 2011 show that this re-balancing is largely being achieved in terms of the proportion of completions. Despite this it is also clear that since 2011 there has been an accumulating deficit of over 2,000 dwellings

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amounting to nearly 10% of the total housing allocations for the 20 year period. As a consequence there is a need to accelerate production of housing not only to meet the Council's Development Plan targets but also to meet central Government objectives as set out in the recently released Mk2 NPPF (July 2018) and in the Planning Policy Guidance Notes.

8.2 Whereas at the time of the first application housing numbers for the Rural Areas was deemed to be a key consideration, the current position whereby the Council now accept a 5 Year land supply deficit hastens still more the need for the Council to release more housing sites, even if the Secretary of State's dispensation on the 5 Year supply is taken into account. When account is taken of the fact that the Oxfordshire Growth Board has deliberately chosen to miss its tight timetable this site is one which, irrespective of all else could contribute to the need for housing within the District Council area in a sustainable village and a sustainable location.

8.3 The application is clearly located in a village which is regarded as a sustainable community which has a good range of facilities (see Section 2 above). All of these facilities are within a reasonable walking distance although some are closer than others (not surprisingly). Overall the site can be regarded as being a sustainable location within a sustainable community. Moreover, as can be seen from the documents associated with this application:-

- i. There are few, if any, adverse visual impacts created by the proposed development
- ii. There are no adverse ecological consequences arising from the development of the site
- iii. The site does not lie adjacent or close to any heritage assets
- iv. The site lies in Flood Zone 1 and, with adequate balancing facilities, (shown on the Illustrative Master Plan), will have no adverse effects on adjoining residents by reason of run off.
- v. The site can be adequately accessed onto the adjoining highway (Hempton Road).

8.4 As such there are no site specific reasons which justify refusing planning permission or which need to be invoked in the "tilted balance" in favour of the release of more housing land. However, this is to look only at the application in a negative way and there are good positive reasons as to why this site should be granted outline planning permission now as it accords with the policies in both the CLP2031. Not only will the site contribute a relatively small but important number of houses (14) of which 5 will be affordable, but more importantly the development of this site accords with nearly all the criteria for residential development set out in the withdrawn DDNP.

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- 8.5 In the case of the application site it is clear that development in depth on the northern side of Hempton Road extends to exactly the same point as the proposed application. For example, the development served by Wimborne Close extends as far north as the proposed scheme; and development further to the east again extends to exactly the same point. The proposed width of the new scheme is limited by the existing field pattern and hedgerows on the western boundary although its proposed northerly extension has been deliberately chosen to accord with the settlement boundary further to the east.
- 8.6 On the opposite (southern) side of Hempton Road the site lies directly adjacent to the access to the Windmill Community Centre and a large area of community open space including a significant number of pitches. As such it is a reasonable, small scale extension to the village which fits in with the general morphology of the settlement and can easily be assimilated into the community.
- 8.7 In addition to meeting these criteria as set out above the illustrative layout shows a good mix of units to meet the requirements of the Local Plan. The plan also shows how the site can be practically developed with an attractive layout with locally distinctive buildings to comply with the principles of good design required by the revised NPPF.
- 8.8 To the extent that the 5 Year Residential Land Supply Study identifies the need for the release of more housing land we believe this small extension to a recently granted scheme represents a sustainable means of securing additional housing land which can be developed within this 5 Year time horizon. Deddington is of a sustainable size within the Local Plan settlement hierarchy and the site is sustainably located within that settlement. In applying the “tilted balance” when taking a decision on this application the presumption in favour of its release cannot be said to be outweighed by any site specific or strategic policy reasons against its release.

APPENDIX ONE

POLICY VILLAGES 1 & POLICY VILLAGES 2 & POLICY ESD15

APPENDIX TWO

LAUNTON APPEAL 18TH SEPTEMBER 2018

APPENDIX THREE

DRAFT UNILATERAL S106 OBLIGATION