

# Mike Gilbert Planning

## Proposed development of 48 houses Land at Station Road Hook Norton Planning Statement



**October 2014**

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## Instruction

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*Nursery Ground Ltd. requested that we prepare a Planning Statement to accompany an outline planning application for the development of 48 houses on land at Station Road, Hook Norton. This Statement has been prepared by Mike Gilbert who is a professional member of the Royal Town Planning Institute with over 30 years of experience in planning matters working in Oxfordshire.*

## Introduction

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1. This Planning Statement accompanies an outline planning application for the development of 48 houses on land at Station Road, Hook Norton. Access is the only detail to be considered at the outline stage.
2. The application site has an area of 2.264 hectares and is currently used as arable farmland as part of Crushill Farm. It is located on the north side of Station Road on the eastern edge of Hook Norton. The modern development of Ironstone Hollow (27 houses) lies to the west of the site and a new development of 37 houses (The Grange) is currently progressing adjacent to Railway House on the former Stanton Engineering site on the opposite side of Station Road.
3. The site lies at a lower level than Station Road as a result of historic ironstone quarrying. Although it is relatively flat, ground levels slope gently down towards the north-east. A substantial elevated belt of mature trees lies along the whole of the site's west boundary, and belts of mature trees also lie along the site's north boundary and the Station Road frontage. There is also a substantial belt of mature trees on the embankment of the dismantled railway line 40 to 150 metres to the east of the site.
4. Public footpath 253/19 runs through Ironstone Hollow and then northwards from the application site, and public footpath 253/21 runs along the northern boundary

outside the site and then to the higher ground to the north-east. What appears to be a permissive path runs the whole length of the site's western boundary through the belt of mature trees outside the site.

5. The site lies within the locally designated Ironstone Downs Area of High Landscape Value. It does not lie within or adjoining a Conservation Area or Area of Outstanding Natural Beauty, and there are no listed buildings nearby. The site has no planning history.
6. The following documents have also be submitted with this application:  
Illustrative Layout Plan, Design and Access Statement, Transport Statement, Travel Plan, Flood Risk Assessment, Landscape and Visual Appraisal, Ecological Appraisal, Tree Survey Report and Arboricultural Impact Assessment, Utility Service Assessment, and Cultural Heritage Assessment.  
Section 106 Draft Heads of Terms are included in Appendix 1.

## The proposal

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7. An illustrative layout plan of the proposal has been submitted with the application (drawing no. 14045-P01) which shows how the development could be laid out to create a distinctive and high quality living environment. Vehicular access onto Station Road will be provided at the western end of the site to ensure the provision of good visibility splays and appropriate spacing with the junction to the new housing development on the opposite side of Station Road. Visibility splays at the junction onto Station Road will be 2.4m x 70m to the right and 2.4m x 96m to the left, which exceed that required in Manual for Streets for a 30mph road. Only two or three trees will need to be removed to provide the new access.
8. A footpath link off Station Road is proposed at the eastern end of the site which connects to a new footpath running along the whole eastern edge of the site and then connects to footpath 253/21 at the north-east corner of the site.

9. A substantial new planting belt 6 to 15 metres wide is proposed along the whole of the site's eastern boundary to help assimilate the development into the local landscape. A green open space with an area of 0.321 hectare, which includes a 910 sq metre local area of play (LAP), is also included on the eastern side of the development in accordance with policy.
10. The illustrative layout plan shows a good mix of 48 one to four bedroom terraced, semi-detached and detached houses. 17 of the houses (35%) will be affordable in accordance with policy. Each house has ample car parking and bicycle storage space. The moderate density of the scheme reflects the site's edge-of-village location and the proposal to include substantial planting along the eastern boundary. More information about the design and overall quality of the proposal is provided in the Design and Access Statement.

## Policies and guidance

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### National Planning Policy Framework

11. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would "*significantly and demonstrably*" outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate that development should be restricted (paragraph 14).
12. Paragraph 17 sets out 12 core planning principles, including proactively driving sustainable economic development to deliver the new homes and infrastructure the country needs, supporting thriving rural communities, and seeking high quality design.

13. Paragraphs 18 - 22 confirm the Government's commitment to secure sustainable economic growth in order to create jobs and prosperity. Paragraph 19 says that the planning system should do everything it can to support sustainable economic growth.
14. Paragraphs 29 - 41 promote sustainable transport and say that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are "severe".
15. Paragraphs 47 - 55, entitled "*Delivering a Wide Choice of High Quality Homes*", say that local planning authorities should "*boost significantly*" the supply of housing and ensure the objectively assessed needs for market and affordable housing are met in full. Five years worth of specific deliverable and developable housing sites need to be identified, with an additional buffer of 5% to ensure choice and competition in the market for land, or 20% in areas where there is a record of persistent under-delivery. Cherwell's record of under-delivery means that a 20% buffer needs to be included in the calculation of the Council's housing land supply.
16. Footnote 11 to paragraph 47 says that, for a site to be considered "deliverable" it "*should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development on the site is viable.*"
17. Footnote 12 to paragraph 47 says that, for a site to be considered "developable" it "*should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.*"
18. Paragraph 49 says that housing applications should be considered in the context of a presumption in favour of sustainable development. Relevant Local Plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing

sites. This particularly applies in Cherwell as the Council's housing land supply is currently well below the required five years.

19. Paragraphs 56 - 66 promote good design of the built environment which is seen as a key aspect of sustainable development. Part of this is to promote or reinforce local distinctiveness. Good design is indivisible from good planning, and should contribute positively to making places better for people.
20. Paragraph 55 says that in order to promote sustainable development within rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
21. Paragraphs 186 - 187 say that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. They should work proactively with applicants, looking for solutions rather than problems, and they should seek to approve applications that improve the economic, social and environmental conditions of the area.
22. Paragraph 215 says that policies in existing Local Plans should be given due weight according to their degree of consistency with the Framework.

### **Planning Practice Guidance**

23. Paragraph 035 Reference ID: 3-035-20140306 says in relation to calculating the five year housing land supply:

*"Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible."*

### **Oxfordshire Strategic Housing Market Assessment (SHMA)**

24. The Oxfordshire SHMA was published in April 2014 and is the up-to-date objective assessment of need for market and affordable housing as required by paragraph 47 of the Framework. The SHMA identifies a level of housing provision up to 2031 which will be necessary to support committed economic growth and deliver the required amount of affordable housing, and ensure an

improvement in the general affordability of housing over time. For Cherwell, the SHMA identifies a need to provide between 1,090 and 1,190 new homes per annum between 2011 and 2031. This is significantly higher than the Council has delivered in recent years. According to the Council's Annual Monitoring Report 2013, an average of 386 new homes were delivered per annum between 2008/09 and 2012/13.

### **Adopted Cherwell Local Plan (adopted in 1996)**

25. Due weight needs to be given to the saved policies of the adopted Local Plan according to their degree of consistency with the National Planning Policy Framework. Consideration needs to be given to the following policies:

- Policy H5 says the Council will negotiate to secure an element of affordable housing in "*substantial new residential development schemes.*"
- Policy H13 identifies Hook Norton as a "*Category 1 Settlement*" capable of accommodating some limited additional housing development.
- Policy H18 seeks to resist the development of new housing beyond the built-up limits of settlements. This policy, in particular, needs to be considered in the light of paragraph 49 of the Framework.
- Policy C7 seeks to protect the topography and character of the landscape.
- Policy C13 says that within the Areas of High Landscape Value the Council will seek to conserve and enhance the environment.
- Policy C28 says that the layout, design and appearance of all new development needs to be sympathetic to the urban or rural context of the site.
- Policy C30 says that new housing needs to be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity, and acceptable levels of amenity and privacy need to be provided.
- Policy R12 requires the provision of open space on new housing developments at a minimum standard of 2.43 hectares (6 acres) per 1,000 population.
- Policy TR1 says that development proposals need to make provision for the funding of appropriate transportation measures.



### **Non-Statutory Cherwell Local Plan 2011 (approved in 2004)**

26. The policies of the Non-Statutory Local Plan do not carry much weight as the Local Plan has not been adopted and it has an end date of 2011. Work on this replacement Local Plan ceased in 2004 to enable work to begin on the new Local Development Framework. Recent appeal decisions have confirmed that the Non-Statutory Local Plan should be afforded "*extremely limited weight*" (appeal reference no. APP/C3105/A/13/2189896).

### **Cherwell Submission Local Plan 2011 - 2031 (January 2014)**

27. The Examination into the Submission Local Plan was suspended on 4 June 2014 to allow the Council time to propose modifications to the Plan to include the provision of additional homes in accordance with the new SHMA. A further 6,050 new homes in addition to the 16,750 new homes already included in the original Submission Local Plan need to be provided across the District by 2031. Proposed Modifications to the Submission Local Plan to address this issue have recently been the subject of public consultation.

28. The policies of the Submission Local Plan can only be afforded limited weight at the current time, but the following policies are relevant:

- Policy BSC 1, in accordance with the Proposed Modifications, provides for 22,840 new homes over the plan period, at an average rate of 1,140 homes per annum.
- Policy BSC 3 says that in the rural areas at least 35% of the housing on new developments of three or more houses should be affordable.
- Policy BSC 4 seeks a good housing mix in new developments.
- Policies BSC 10 requires new developments to contribute towards open space and outdoor sport and recreation provision. Policy BSC 11 provides local standards for such provision which updates the standards in the Planning Obligations Draft SPD dated July 2011.
- Policy ESD 7 says that all new development will be required to use sustainable drainage systems (SUDS) for the management of surface water run-off.

- Policy ESD 10 seeks to protect and enhance ecology and the natural environment.
- Policy ESD 13 relates to local landscape protection and enhancement and says: *"Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided."*
- Policy ESD 16 says that all new development needs to meet high design standards and should complement and enhance the character of its context through sensitive siting, layout and high quality design.
- Policy INF 1 says that development proposals will be required to demonstrate that infrastructure requirements can be met, including the provision of transport, education, health, social and community facilities.
- Policy Villages 1 identifies Hook Norton as one of Cherwell's larger Category A villages.
- Policy Villages 2 relates to the distribution of some growth across the rural areas of the District, with some additional housing earmarked for the Category A villages, particularly the larger villages of Hook Norton, Adderbury, Ambrosden, Chesterton, Deddington and Launton.

### **Hook Norton Neighbourhood Plan**

29. Hook Norton Parish Council has submitted its Neighbourhood Plan to the District Council for public consultation and a public referendum. The Neighbourhood Plan includes policies to protect the local landscape and character of Hook Norton, to ensure new development is high quality and locally distinctive, and to restrict new housing developments to small-scale schemes of up to 10 houses or, if exceptionally justified, up to 20 houses.

30. In section 4.2, under the heading *"Location of development: Policy background and reasoning"*, the Neighbourhood Plan says that consideration has been given to the possible residential development of the application site. It says:

*"The area between Ironstone Hollow and the old railway evoked a close split between respondents who thought it appropriate for housing and those who did not.*

*"Sites suggested as potentially suitable in part only were: land between Ironstone Hollow and the old railway; off Bourne Lane (subsequent to the consultation, the whole site was consented), and the land near the Doctor's surgery. In each of these cases, the smaller potentially suitable areas identified were those closest to existing housing."*

31. However, the Neighbourhood Plan has not yet progressed far enough to be afforded much weight in the consideration of this planning application. A key issue for the Neighbourhood Plan to address as it progresses is the extent to which it helps to meet the objectively assessed housing needs of the District as set out in the SHMA, particularly given the status of Hook Norton as one of the largest villages in the District. The Neighbourhood Plan has been prepared using the same out-of-date evidence used in the original Submission Cherwell Local Plan. The Submission Local Plan has had to be substantially modified in the light of the up-to-date evidence in the SHMA. The restrictive policies of the Neighbourhood Plan, therefore, will also need to be revisited to take into account the more up-to-date evidence in the SHMA and to ensure compliance with the modified Submission Local Plan.

## **Planning assessment**

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### **Housing land supply**

32. The Cherwell Submission Local Plan, as proposed to be modified, includes a provision of 1,140 new homes per annum between 2011 and 2031. Taking this into account, together with past shortfalls in provision and the need for a 20% buffer, Table 1 below sets out my calculation of the Council's housing land supply position at 30 September 2014.

**Table 1**  
**Cherwell's housing land supply position at 30 September 2014**  
**Based on April 2014 SHMA**

Housing requirement 2011 - 2031	A	22,840	<i>Submission Local Plan Proposed Modifications</i>
Completions 2011/12 - 2012/14	B	1,106	<i>Submission Local Plan Proposed Modifications</i>
Remaining provision required 2011 - 2031	C	21,734	A - B
Housing requirement 2006 - 2014	D	6,770	5 years @ 670 dpa (SE Plan) 3 years @ 1,140 dpa (SHMA)
Completions 2006 - 2014	E	3,260	<i>Annual Monitoring Report December 2013 and Submission Local Plan Proposed Modifications</i>
Shortfall 2006 - 2014	F	3,510	D - E
5 year requirement 2014 - 2019	G	5,700	5 years @ 1,140
5 year requirement 2014 - 2019 including shortfall	H	9,210	G + F
5 year requirement 2014 - 2019 including shortfall and 20% buffer	J	11,052	H x 120%
Annual requirement 2014 - 2019	K	2,210	$\frac{J}{5}$
Total 5 year supply 2014 - 2019	L	5,625	<i>Annual Monitoring Report, December 2013</i>
Shortfall in 5 year supply	M	5,427	J - L
Housing land supply as a % of 5 year requirement	N	50.9%	$\frac{L \times 100}{J}$
<b>Housing land supply</b>		<b>2.55 years</b>	N x 5

33. The Council currently has only 2.55 years supply of housing land. A significant amount of new housing, therefore, needs to be delivered in the short-term (i.e. within the next five years). The required rate of delivery is a substantial 2,210 homes per annum between 2014 and 2019.
34. Paragraph 49 of the Framework says that relevant Local Plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. As Cherwell's housing land supply is currently well below the required five years (plus 20% buffer), the Council's policies relating to the supply of housing (including the restraining effect of policy H18 of the adopted Local Plan) are no longer up-to-date and so should be afforded very little weight. Applications for new housing, therefore, should be considered in the context of a presumption in favour of sustainable development.
35. To help restore the housing land supply in the short-term, it will be necessary for the Council to take pragmatic decisions and permit small-scale housing schemes on previously unidentified sites which are well located and available for development now. It is significant that the Submission Local Plan, as proposed to be modified, includes the provision of 70% of the new homes required by 2031 (i.e. 15,219 homes) on 16 large-scale strategic allocations. Land ownership and / or infrastructure complications often delay the delivery of such larger-scale developments, so these schemes will not contribute fully to meeting Cherwell's short-term housing needs.
36. This planning application has been submitted by a local house building company who own the freehold of the application site, and they intend to develop the site as soon as possible. The site has no land ownership or infrastructure complications. The scheme is small-scale and deliverable and will be developed without delay. The proposal, therefore, complies with paragraph 47 of the Framework and will make a welcome contribution to the Council's housing land supply in the short-term.

## Sustainability

37. Sustainable development and the presumption in its favour are at the heart of the Framework. Hook Norton is categorised in both the adopted Local Plan and the Submission Local Plan as one of the largest villages in the District. It has a good range of local facilities, including a primary school, post office / general store, village shop, library, Sports and Social Club, three pubs, doctor's surgery, dentist, fire station, two churches, Memorial Hall, and the Hook Norton Brewery.

38. In his Report to the Secretary of State dated 1 May 2013 on the proposed housing development on land off Bourne Lane on the northern edge of Hook Norton (application no. 11/01755/OUT), the appeal Inspector made the following comments about the sustainability credentials of the village:

*"The appeal site is located within easy walking distance of the centre of the village and the range of shops, services and facilities that it has to offer. This includes a primary school, post office, village shop selling a wide range of produce, and dentist's and doctor's surgeries. The settlement, other than in relation to employment, is capable of meeting many of the day to day needs of its residents. In recognition of this the adopted Local Plan and the Non Statutory Cherwell Local Plan both identified Hook Norton as a 'Category 1' settlement. This is the highest category in terms of the facilities and services present. Based upon the assessment carried out by the appellant I agree that the facilities and services within the village are similar to those found in the most sustainable villages in the District. (Para. 168)*

*"In terms of car accessibility, only one village is less than 10 minutes travel time away from all key services and facilities. Hook Norton is between 10 and 15 minutes away by car. Therefore whilst there are 19 villages that have shorter car journey times than Hook Norton the difference is comparatively small and insufficient to indicate that Hook Norton is a remote village in an unsustainable location. (Para. 175)*

*"Opportunities to travel by public transport also need to be considered. The No. 488 bus service links Hook Norton with Chipping Norton to the south and*

*Banbury to the north. Whilst unlike 10 other villages this bus service cannot link Hook Norton with all key services within 30 minutes, it can access the majority of key services within this time period and all such services within an hour. (Para. 177)*

*"The No. 488 service operates at 60 minute intervals Mondays to Saturdays. The service starts early enough in the day and finishes late enough to allow residents of the village to commute to Banbury but not Chipping Norton. The service allows residents to access the wider range of services and facilities in both towns. The absence of an evening and Sunday service is a limitation. However, in my judgement, Hook Norton has a reasonable level of service." (Para. 178)*

39. It is clear from the above comments that Hook Norton is a reasonably sustainable village, so it is, in principle, a good location to accommodate a reasonable amount of growth. The proposed development itself will provide a good mix of house types and sizes, including 17 affordable houses. This complies with Policies BSC 3 and BSC 4 of the Submission Local Plan and will help create a sustainable, inclusive and mixed community, as required by paragraph 50 of the Framework.

40. The Google Map below shows the setting of the application site, with Ironstone Hollow and the substantial tree belt to the west, Railway House on the opposite side of Station Road to the south, the tree belt along the northern boundary, and the heavily treed embankment of the dismantled railway line lying further to the east.



41. In visual and physical terms, the site relates very well to Railway House and the 37 new houses currently being built on the opposite side of Station Road (The Grange). That development extends the village eastwards along Station Road, and the current proposal does the same on the north side of Station Road. Visually, the proposed development will be contained by the existing mature tree belts along the west and north boundaries and, in longer views from Station Road to the east, by the heavily treed embankment of the dismantled railway line.

42. Although the site is largely well contained by the existing tree belts, it does form part of a larger field and its eastern boundary is currently open. As a result, the proposal will have a localised landscape impact and will be visible in short distance views from along Station Road to the east. To mitigate this impact, a



substantial landscaping belt is proposed along the whole of the site's eastern boundary.

43. The Landscape and Visual Appraisal submitted with the application acknowledges that the proposal will have some impact on the immediate local landscape character of the site and on visual amenity from a limited number of viewpoints. These impacts, however, are localised due to the site's significantly lower level than the adjoining land and its tree lined boundaries.
44. Whilst the proposed housing layout and the house type designs are reserved matters, the applicants are a local house building company with an excellent record of building high quality homes. They will ensure the development meets the high quality design objectives of the Framework and the adopted and emerging Local Plans. The high quality intentions of the proposal are shown on the illustrative layout plan shown below and the viewpoint illustrations included within the Design and Access Statement.



DATE: 15/05/2014  
 DRAWN BY: M.G.  
 CHECKED BY: M.G.  
 PROJECT NO: 14045 - P01

HOUSE TYPE	QUANTITY
4 bed house	10
3 bed house	20
2 bed house	10
1 bed house	20
1 bed house	20
1 bed house	20

PLANNING  
 14045 - P01  
 15/05/2014  
 M.G.  
 1:500 @ A2

Anderson Orr  
 Architects

45. The proposed development, therefore, is sustainable under the terms set out in the Framework. The proposal is well located and is a high quality scheme which will help create a sustainable, inclusive and mixed community. It will reflect the new housing development on the opposite side of Station Road and, with complementary landscaping, its localised landscape impact can be mitigated.

### **Local economic considerations**

46. The Government attaches great importance to new development as a driver of economic growth which is its top priority. The proposed development will generate about 100 construction jobs and, upon completion, the spending power of an additional 48 households will be significant and will benefit the economy of Hook Norton and the wider District.

47. Both the District Council and the County Council will also receive additional money through the New Homes Bonus to spend on local services and facilities. Section 143 of the Localism Act 2011 amended Section 70 of the Town and Country Planning Act 1990 and confirms that local finance considerations such as the New Homes Bonus can be a material consideration in determining planning applications. The aim is to incentivise new housing development and ensure the economic benefits of growth are returned to the communities where that growth takes place. The New Homes Bonus resulting from this development of 48 houses will provide funds to benefit the local community and is a material consideration in determining this application.

### **Other material considerations**

48. The Transport Statement and Travel Plan confirm that the proposed access off Station Lane meets relevant safety standards, the proposed development will result in a relatively modest level of traffic generation, and the site is well located to enable future residents to be able to make journeys without recourse to the private car. An appropriate transport contribution will be made in accordance with Policy TR1 of the adopted Local Plan and Policy INF 1 of the Submission Local Plan to mitigate the limited transport impact of the proposed development.

49. The Flood Risk Assessment confirms that the site lies in Flood Zone 1 as shown on the Environment Agency's flood maps so it is not susceptible to fluvial flooding and, in accordance with Policy ESD 7 of the Submission Local Plan, sustainable drainage techniques will manage surface water run-off to ensure the development will not contribute to increased flood risk on or off the site. Foul drainage will be connected to the existing foul sewer that runs under the southern edge of the site. Accordingly, there are no flooding or drainage issues to prevent the site from being developed as proposed.
50. The Utility Service Assessment confirms that the proposal raises no utility capacity issues and no significant diversion works are envisaged to enable the development.
51. Given the intensively arable farmed nature of the site, the Ecological Appraisal confirms that it has limited nature conservation value. The Appraisal also confirms that, in accordance with Policy ESD 10 of the Submission Local Plan, measures can be taken to enhance the long-term nature conservation interest of the site.
52. The Arboricultural Impact Assessment confirms that the proposed development will only have a limited impact on existing trees, and only at the point of access into the site off Station Road. The limited tree loss will be more than compensated by the proposal for extensive tree planting within the site and along the eastern and southern boundaries.
53. The Cultural Heritage Assessment confirms that historical quarrying will have had a severe impact on any archaeological features that might have pre-existed within the site. It is highly unlikely that any heritage assets will have survived within the quarried areas. However, any development in the eastern part of the site, which appears not to have been quarried, may have an impact on any as yet unrecorded archaeological features. This may require additional survey work to be carried out following the granting of planning permission.

## Planning obligations

54. The applicants would like to agree obligations for on and off site services and facilities which are reasonably related in scale and kind to the proposed development and which meet the statutory tests set out in Regulation 122 of the CIL Regulations 2010. This is in accordance with Policy INF 1 of the Submission Local Plan. To help achieve this, Section 106 Draft Heads of Terms are included in Appendix 1.

## Conclusion

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55. The Council's housing land supply is currently well below the required five years, so policies relating to the supply of housing (including policy H18 of the adopted Local Plan) are no longer up-to-date. The current deficit in housing provision and the contribution that the proposed development will make in helping to address it are strong material considerations in favour of the proposal. In accordance with paragraph 14 of the Framework, therefore, the proposed development needs to be considered favourably provided that any adverse impacts of doing so would not "*significantly and demonstrably*" outweigh the benefits of the proposal.

56. The proposed development offers the following benefits:

- providing a good mix of 48 high quality homes to help meet the objectively assessed needs for market and affordable housing identified in the Oxfordshire SHMA;
- delivering the houses immediately to help the Council make up its substantial short-term housing deficit;
- providing 17 affordable houses;
- generating additional spending power in the local economy;
- creating about 100 jobs for a local house building company;
- securing a substantial New Homes Bonus;

- securing appropriate Section 106 contributions to improve local services and facilities;
- creating ecological and landscape enhancements.

57. These benefits need to be afforded significant weight. To ensure they are delivered, the site is available for development now - there are no land ownership or infrastructure complications to delay delivery. The scheme is small-scale and deliverable and will be developed without delay. The proposal, therefore, complies with paragraph 47 of the Framework.

58. The adverse impacts are much less significant - i.e. loss of agricultural land and localised landscape impact. A good number of greenfield sites in appropriate locations will need to be developed to meet the substantial housing need identified in the SHMA, and the localised landscape impact can be appropriately mitigated. Neither issue amounts to such an adverse impact to "*significantly and demonstrably*" outweigh the benefits of the development.

59. Considering the Framework as a whole, and giving proper weight to the substantial benefits offered by the proposed development, the planning balance has to be in favour of granting planning permission.

# Appendix 1

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## Section 106 Agreement Draft Heads of Terms

### Land North of Station Road, Hook Norton

#### **Proposed development**

48 houses, open space, landscaping and new access

#### **Applicant**

Nursery Ground Ltd.

#### **Local Planning Authority**

Cherwell District Council

Bodicote House

Bodicote

Banbury

OX15 4AA

#### **Date of planning application**

10 October 2014

#### **Planning Obligations:**

##### **Affordable housing**

35% of the houses will be affordable.

##### **Open space**

The developer will provide appropriate on-site open space, including a local area of play. An appropriate scheme for the long-term management and maintenance of these areas of open space will be agreed with the LPA.

**Transport contribution**

The developer will pay the necessary contributions towards the costs of improvements to the public highway infrastructure and public transport services arising from the additional demands generated by the development. The amounts to be paid shall meet the appropriate tests of necessity and reasonableness. Payment of the agreed amounts shall be phased in accordance with a payment plan agreed with the LPA.

**Education contribution**

The developer will pay a commuted sum towards the costs of education provision arising from the additional demands generated by the development. The amount to be paid shall meet the appropriate tests of necessity and reasonableness. Payment of the agreed amount shall be phased in accordance with a payment plan agreed with the LPA.

**Other contributions**

There may be a need to meet other obligations through financial payment(s), including off-site sport and recreation facilities. Subject to the amounts requested meeting the appropriate tests of necessity and reasonableness, the developer will make such payments. Payment of the agreed amount(s) shall be phased in accordance with a payment plan agreed with the LPA.