

Appeal by Gladman Developments Ltd

Land off Peppard Road, Emmer Green

**Against the Refusal of Planning Permission by
South Oxfordshire District Council on the Application for:**

“Residential development of up to 245 residential dwellings (including up to 40% affordable housing), structural planning and landscaping, informal public open space and children's play areas, vehicular access from Peppard Road and Kiln Road and associated ancillary works. All matters reserved with the exception of the main vehicular access.”

Statement of Case

September 2017

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1 INTRODUCTION

1.1 Context

- 1.1.1 This Statement of Case is submitted by Gladman Developments Ltd ('the Appellant') and it relates to an appeal against South Oxfordshire District Council's ('SODC' or 'the council') decision to refuse outline planning permission for:

"Residential development of up to 245 residential dwellings (including up to 40% affordable housing), structural planning and landscaping, informal public open space and children's play areas, vehicular access from Peppard Road and Kiln Road and associated ancillary works. All matters reserved with the exception of the main vehicular access."

- 1.1.2 A draft list of Core Documents that will be referred to during the course of the appeal is appended to the submitted Statement of Common Ground (SoCG). These documents may be added to by the Appellant or Council prior to the commencement of the appeal.
- 1.1.3 The Appellant considers a public inquiry is the most appropriate forum in which to test the appeal proposal. A justification for this request is provided at **Appendix 1** in accordance with Annexe K of the *Procedural Guide* of the Planning Inspectorate (5th August 2016).

1.2 Site and Surroundings

- 1.2.1 The appeal proposal involves the development of up to 245 residential dwellings with all matters reserved, except for details of the main site access. The proposal includes up to 40% affordable housing which will be provided on site and secured by way of a Unilateral Undertaking.
- 1.2.2 The site, comprising 13.48 ha of agricultural land, is located to the immediate north and adjoining the suburb of Emmer Green, approximately 4km from Reading town centre.
- 1.2.3 A full description of the appeal site and surroundings is set out in the SoCG for agreement with the Council.

1.3 Background to the Application

- 1.3.1 The planning application for the proposed development was validated by SODC on 2nd November 2016 (application ref: P16/S3630/O). The application was supported by a comprehensive suite of technical reports in accordance with the Council's planning application validation requirements, which are set out in the Planning Statement that accompanied the application.
- 1.3.2 The application went before South Oxfordshire Planning Committee on 6th September 2017 with a recommendation for approval from the Case Officer (Ms Joan Desmond) as set out in the Officer's Report (CD5.1).

1.3.3 The Planning Committee resolved to refuse permission against the recommendation. The council issued the Decision Notice on 14th September 2017 which confirmed four reasons for refusal which are summarised below:

- 1. Outside the settlement hierarchy / landscape harm.**
- 2. In the absence of a completed S106 legal agreement, the proposal fails to secure affordable housing to meet the needs of the district.**
- 3. In the absence of a completed S106 legal agreement, the proposal fails to secure on and off site infrastructure necessary to meet the needs of the development.**
- 4. In the absence of a completed S106 legal agreement, the proposal fails to secure funding to mitigate the potential adverse effects of the proposed development to local wildlife sites.**

1.3.4 A full copy of the Decision Notice is enclosed at CD5.3.

1.3.5 Should the Council within its Statement of Case seek to widen the matters upon which this appeal will be considered, the Appellant reserves the right to respond to this change of case and request permission to adduce additional evidence.

1.4 Housing Land Supply

1.4.1 The Council acknowledges that it cannot currently demonstrate a five year housing land supply. The Council's latest housing supply statement confirms the supply position is equivalent to 4.12 years (May 2017). In an appeal decision issued on 2nd August 2017 at 'Thames Farm, Reading Road, Shiplake, Henley-on-Thames', Inspector Braithwaite expressed the supply figure to be around 2.99 years.

1.4.2 The appeal proposals therefore respond to the urgent requirement to identify new development sites to meet the minimum housing needs in the District.

1.4.3 In light of the above, the Appellant does not propose to produce 5YHLS evidence. However, should the Council's position change, then the Appellant will appoint an expert witness to adduce 5YHLS evidence.

1.4.4 Where such policies are out of date, paragraph 14 states that 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 NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

2 THE DEVELOPMENT PLAN

2.1 Planning Context

2.1.1 This section sets out the Appellant's case in respect of the development plan for South Oxfordshire.

2.2 Accordance with the Development Plan

2.2.1 S38(6) of the Planning and Compulsory Purchase Act 2004 provides that determination must be made in accordance with the development plan unless material considerations indicate otherwise. The Appellant will provide evidence to show that in respect of parts of the development plan, material considerations exist to justify the appeal to be allowed.

2.2.2 The statutory development plan for South Oxfordshire comprises:

- South Oxfordshire Core Strategy 2027 (adopted December 2012); and
- The saved policies of the South Oxfordshire Local Plan 2011 (adopted January 2006).

2.3 South Oxfordshire Local Plan 2011

2.3.1 The South Oxfordshire Local Plan (SOLP) was adopted in January 2006 and covered the period to 2011. The plan replaced the previous South Oxfordshire Local Plan which was adopted in April 1997.

2.3.2 Following the adoption of the South Oxfordshire Core Strategy in 2012, a number of the SOLP policies were replaced. The SoS issued a Saving Direction setting out those policies that would continue to form part of the Local Plan post 19th January 2008.

2.3.3 The SOLP allocates sufficient land to meet the Structure Plan requirements as set out at Policy H2 (part deleted following adoption of the Core Strategy). Policy H4 (also part deleted following adoption of the Core Strategy) allowed for additional development but only where it was proposed within the built-up areas of the main 4 towns of the district or the villages.

2.3.4 The allocations were predicated on the housing requirement of the Plan, which itself was carried over from the Oxfordshire Structure Plan, for the period to 2011. The allocations are therefore time-expired and cannot be used as a policy tool to deliver the district's OAN nor can they be used to significantly boost the supply of housing.

2.3.5 A list of the SOLP planning policies relevant to the appeal proposal is enclosed in the submitted draft Statement of Common Ground for agreement with the Council.

2.4 South Oxfordshire Core Strategy 2027

2.4.1 The South Oxfordshire Core Strategy (SOCS) was adopted by SODC in December 2012 to provide the spatial strategy and overall policy framework for the District up to 2027. The Core Strategy contains a 21 year spatial vision which, along with other development plan documents, is intended to deliver a strategy for sustainable growth. Policy CSHS10 of the SOCS sets an overall housing requirement of 11,487 in the period 2006-2027, which is equivalent to 547 dwellings per annum.

- 2.4.2 The Core Strategy split the delivery strategy into two sub-areas; targeted delivery in and around the main settlement of Didcot (6,300 dwellings) and a parallel requirement for the rest of the District (5,187 dwellings). The housing requirement does not seek to meet the full objectively assessed need (OAN) for housing set out in the Oxfordshire SHMA 2014, as demonstrated in the appeals at Wallingford (APP/Q3115/W/15/3032691) and Chinnor (APP/Q3115/W/15/3097666). Given the plan does not identify or seek to meet the OAN, the housing requirement cannot be seen to be consistent with the NPPF and therefore limited weight should be given to those policies relevant to the supply of housing.
- 2.4.3 The Inspector's Report into the examination of the SOCS makes it clear that the requirement was set to meet the South East Plan housing total for the District, with an additional year at the annual average rate in order to ensure that the strategy had a 15 year horizon. Notwithstanding this, it is acknowledged that the Inspector's Report was published post adoption of the NPPF and that a NPPF compliance session was held as part of the Examination in Public.
- 2.4.4 However, the adopted housing requirement set out in the SOCS does not comply with national guidance, as set out in Hunston and Gallagher, and is therefore out of date and can be afforded no weight in decision making.
- 2.4.5 A list of the SOCS policies relevant to the appeal proposal is enclosed in the submitted SoCG for agreement with the council.
- 2.4.6 The SOCS was adopted as 'Part 1' of the emerging Development Plan. 'Part 2' was anticipated to comprise site allocations and development management policies. However, work on the 'Part 2' DPD was cancelled by the Council and instead the decision was taken to proceed with a new comprehensive Local Plan. The Courts have considered the implications of this decision on the Development and have concluded that the Plan is silent in respect of non-strategic allocations. This will remain the case until such time as the new Local Plan is adopted.

2.5 Weight to be afforded to the Development Plan

- 2.5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that determination must be made in accordance with the development plan unless material considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.
- 2.5.2 Whilst the Core Strategy has an end date of 2027, its policies give effect to the housing requirements of the revoked South East Plan and were prepared in the context of a different national planning framework. It is therefore at odds with one of the key requirements of the NPPF, namely to identify and plan to deliver the OAN.
- 2.5.3 In addition, since the Council cannot demonstrate a five year housing land supply, those policies relevant to the supply of housing are also out of date for the purposes of paragraph 49 of the Framework.

- 2.5.4 The policy requirements of the adopted development plan fall short of current evidence on housing need. A different planning strategy to that set out in the development plan is required to deliver housing needs. Furthermore, the Council cannot demonstrate a five-year housing land supply. The housing policies of the development plan are out of date and the weight to be afforded to them for the purposes of development management is diminished.
- 2.5.5 The 'tilted' presumption in favour of sustainable development set out in the Framework at paragraph 14, applies regardless of the 5YHLS position, and a determination other than in accordance with the development plan is justified.

3 OTHER MATERIAL CONSIDERATIONS

3.1 The National Planning Policy Framework

- 3.1.1 The Appellant will demonstrate that having regard to the proper application of the Framework the following can be said of the appeal proposals.
- 3.1.2 The proposal strongly accords with the aims of the Framework, insofar as it will deliver sustainable development. The site is located within a sustainable location for new market and affordable housing delivery.
- 3.1.3 The proposal site is accessible by sustainable transport modes and will support local facilities and services. Evidence will be provided which outlines how the development will be consistent with all aspects of sustainable development and in particular how the development will provide social, economic and environmental benefits.
- 3.1.4 It will be demonstrated that the appeal proposal benefits from the presumption in favour of sustainable development and that they strongly accord with the Core Planning Principles set out in paragraph 17 of the Framework.
- 3.1.5 As the Council cannot demonstrate a five year housing land supply, paragraph 49 of the Framework provides extremely clear guidance on how this should be achieved and how development proposals should be considered if it is not:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant 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.

- 3.1.6 It is also the Appellant's case that the development plan is silent as to the specific location of sites for housing development until such time as the new comprehensive emerging Local Plan is adopted.
- 3.1.7 In the context of decision taking, paragraph 14 of the Framework makes clear that "*where the development plan is absent, silent or relevant policies are out-of-date*" the decision maker should grant planning permission "*...unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits...*".
- 3.1.8 The appeal proposals will deliver new housing development which will assist SODC by contributing towards the remediation of the land supply and will also assist in meeting the central government objective of "*boosting significantly*" the supply of housing.

Sustainable Development

An economic role

- 3.1.9 Evidence will be adduced to demonstrate the beneficial economic impacts of the appeal proposal. The delivery of new market and affordable homes now in Emmer Green would be key to enabling South Oxfordshire to promote and sustain a strong, responsive and competitive economy. There would be economic benefits arising from New Homes Bonus and increased number of Council Tax receipts.

A social role

- 3.1.10 It will be demonstrated that the appeal proposals will deliver new homes of the right type and mix, at the right place and at the right time to meet market and affordable housing need, which in turn will support South Oxfordshire's growth aspirations. Without a sufficient supply of new homes, SODC cannot meet the needs of present or future generations. It will be demonstrated that the site is located in an accessible and sustainable location close to key services and facilities, and the wider area, that will help support the health, social and cultural wellbeing of the local community.

An environmental role

- 3.1.11 It will be demonstrated that the proposed development have no unacceptable adverse effects on environmental considerations. The proposals involve the provision of a significant area of informal and formal public open space, landscaping and ecological mitigation works which together deliver a net gain to biodiversity.

Summary

- 3.1.12 In accordance with paragraph 14 of the Framework, there are no adverse impacts arising from the appeal proposals which would significantly and demonstrably outweigh the benefits the development will deliver. There are no specific policies of the Framework which would preclude the development and in the circumstances; the Framework directs that planning permission should be granted.

3.2 Emerging South Oxfordshire Local Plan 2033

- 3.2.1 The Oxfordshire Strategic Housing Market Assessment (SHMA), published April 2014 by GL Hearn established that the OAN for South Oxfordshire is between 725 – 825 dwellings per annum (dpa), with the mid-point being 775. Given paragraph 5 of the Core Strategy Inspector's Report and the NPPF need for a comprehensive plan, the Council elected to cancel work on the Sites and Development Management DPDs and instead commence work on a wider Local Plan 2033 review (which will take account of the new OAN figure).
- 3.2.2 Consultation on the Issues and Options stage ran between 11th June and 23rd July 2014. The results of the consultation period were summarised in an Issues and Options report published by the Council in February 2015. Following this the Council published a Refined Options paper, also in

- February 2015, in order to further capture the views of the District. Public consultation for the Refined Options stage ended on 2nd April 2015.
- 3.2.3 The Preferred Options consultation ran from the 27th June – 19th August 2016. The Council considered their responses to the key themes raised in the consultation and opted to undertake a Second Preferred Options consultation.
- 3.2.4 In December 2015, a working assumption was made of the unmet housing need of Oxford City at 15,000 dwellings. SODC included potential approaches to helping to meet some of this need in the first preferred options consultation. In September 2016, the Oxfordshire Growth Board published a memorandum of co-operation that identified an apportionment of the assumed unmet housing need from Oxford City amongst all the Oxfordshire authorities. This included 4,950 dwellings to be apportioned to South Oxfordshire.
- 3.2.5 SODC were not a signatory to the memorandum. The council maintain that Oxford City Council hasn't demonstrated through its Local Plan process that it cannot accommodate more housing within its own boundaries.
- 3.2.6 SODC's most recent stage on the emerging South Oxfordshire Local Plan was a Second Preferred Options consultation which occurred from 29th March – 17th May 2017. The overall emerging Local Plan housing requirement was increased to 17,050 dwellings, which equates to the mid-point SHMA figure of 775 dpa. The Second Preferred Options continued to include a potential approach to helping to meet the city's housing needs. However, this figure was 3,750 dwellings, some 1,200 dwellings less than the figure identified by the signatories to the Oxfordshire Growth Board memorandum.
- 3.2.7 The Publication Local Plan went before the Council's Scrutiny Meeting on 13th September 2017 and was approved. The Publication Plan is anticipated to go out for public consultation from 11th October – 22nd November 2017.
- 3.2.8 The Council's latest Local Development Scheme, published on the 1st February 2017, indicates the following timescale for the remaining stages of the emerging Local Plan:
- Submission to Secretary of State → Autumn 2017
 - Examination in Public → Spring 2018
 - Adoption → Summer 2018.
- 3.2.9 The Schedule of Changes to the emerging South Oxfordshire Local Plan document states that Submission of the Plan to the Secretary of State is anticipated in December 2017 with adoption expected by the end of 2018.
- Weight to be attributed to the emerging Local Plan*
- 3.2.1 The advice contained in paragraph 216 of the Framework deals with the matter of weight to be accorded to emerging plans. In the context of this planning appeal, the Local Plan 2033 is in the

early stages and has yet to be submitted for examination nor found sound by an independent Inspector.

- 3.2.2 The Appellant contends that due to the Plan being in the early stages of preparation and significant unresolved objections (including Oxford's unmet need that has been apportioned to SODC but not agreed), it can only be afforded limited weight. The Framework dictates that while decision takers may give weight to emerging planning policies, the amount of such weight will depend on the stage of preparation of the emerging plan, the extent to which there are unresolved objections and degree of consistency of relevant policies in the emerging plan to policies in the Framework (paragraph 216).

3.3 Other Documents

- 3.3.1 The Appellant may also refer to the following policy documents:
- Supplementary Planning Documents/ Guidance - (SPD) Open Space (2009).
 - Emerging Local Plan Evidence Base – The Council is currently drafting a range of documents to support the preparation of a New Local Plan. The Appellant may rely upon a number of evidence base documents.

3.4 Planning Decisions / Appeals

- 3.4.1 The Appellant may refer to other planning applications and decisions and appeal decisions, where relevant to the appeal proposal. These will be agreed with the local planning authority and provided as Core Documents.

4 RESPONSE TO THE COUNCIL'S REASONS FOR REFUSAL

4.1 Introduction

- 4.1.1 This section of the Statement of Case sets out the Appellant's position in relation to the Council's Reasons for Refusal (RfR).

4.2 Reason for Refusal 1: Contrary to the adopted Spatial Strategy & adverse landscape impacts

- 4.2.1 The Appellant will demonstrate that the site is situated in a sustainable location in close proximity to local services facilities and services. As referred to by the Officer in her Report, the site adjoins the suburb of Emmer Green and would form an extension to the built up area of Emmer Green.
- 4.2.2 It is accepted that the appeal proposals are contrary to the adopted spatial strategy. However, it will be evidenced that the adopted spatial strategy is both out of date as it fails to take account of, and plan for, the District's OAN and is silent in respect of the location of non-strategic housing development.
- 4.2.3 Landscape evidence will be adduced that will set out the landscape value and sensitivity of the appeal site and include an assessment of the likely landscape and visual impact as a result of the appeal proposals. It will be evidenced that the appeal proposals are capable of being accommodated without any adverse landscape or visual impacts, over and above those to be expected from the development of any greenfield site.
- 4.2.4 Evidence will be adduced to demonstrate that the significant benefits of this proposal outweigh any landscape harm.

4.3 Reason for Refusal 2: Failure to secure affordable housing

- 4.3.1 It is expected that RfR 2 will be withdrawn prior to the start of the Inquiry.
- 4.3.2 The Appellant has confirmed that they are willing to provide 40% affordable housing on site in accordance with adopted SOCS Policy CSH3 (Affordable Housing) and that this will be secured by way of a s106 Unilateral Undertaking.

4.4 Reason for Refusal 3: Failure to provide adequate services and facilities

- 4.4.1 It is expected that RfR 3 will be withdrawn prior to the start of the Inquiry.
- 4.4.2 The Appellant will enter into constructive dialogue to agree obligations for on and off-site provisions in relation to 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 Community Infrastructure Levy Regulations 2010.

4.5 Reason for Refusal 4: Failure to provide funding to mitigate potential adverse effects to local wildlife sites

- 4.5.1 It is expected that RfR 4 will be withdrawn prior to the start of the Inquiry.
- 4.5.2 The Appellant will provide a financial contribution to overcome this RfR within the Unilateral Undertaking (UU) subject to the Council demonstrating that the contribution requested meets the relevant tests set out in the CIL Regulations.

5 PLANNING CONDITIONS AND SECTION 106 OBLIGATIONS

5.1 Planning Conditions

- 5.1.1 The parties will seek to reach agreement on a draft list of planning conditions in advance of the Inquiry. An agreed list will be provided in due course.

5.2 Section 106 Obligations

- 5.2.1 The Appellant will prepare a Unilateral Undertaking to ensure that necessary infrastructure to support the development is appropriately secured. The UU, which will be provided to the Council for comment in the run up to the inquiry and will be issued to the inspectorate at least 10 days prior to the inquiry commencing.

5.3 Third Party Representations

- 5.3.1 In addition to the above issues raised by the Council and consultees, a number of objections were received from third parties to the planning application. These raise issues that were considered by Council officers, as well as a number of other potential material considerations, which are summarised and considered in the table enclosed at **Appendix 2**. The Appellant will also address those material considerations raised in evidence to demonstrate those concerns are unfounded, or that they can be suitably mitigated by condition or planning obligation.

6 THE PLANNING BALANCE AND CONCLUSIONS

6.1 The Planning Balance

6.1.1 It is accepted that the appeal proposal constitutes a departure from certain policies of the adopted South Oxfordshire development plan. The Appellant will demonstrate those policies serve to restrict the construction of much needed market and affordable homes and that those policies cannot be determinative in this case.

6.1.2 On the basis that the proposal constitutes sustainable development and the Council does not have the minimum requisite five year land supply, the Appellant submits that the presumption in favour of sustainable development, set out in the Framework, applies.

6.1.3 The appeal proposal will secure a range of benefits that will be demonstrated in full in evidence. These include, *inter alia*:

- 245 market and affordable dwellings to meet pressing housing needs;
- Provision of 40% affordable housing in an area with acute need;
- 31% informal and formal open space (4.28 ha) and equipped children's play areas;
- Opportunities to achieve net biodiversity gains;
- Significant CIL levy;
- A contribution towards enhancement of off-site public open space (Clayfield Copse); and
- A wide range of socio-economic benefits including construction and operational impacts.

6.1.4 It will be demonstrated that the harm arising in respect of the appeal proposal is no more than might reasonably be anticipated when changing a green field to one of built form.

6.1.5 The development would make a substantial contribution toward the Council's five year housing land supply deficit, a factor which must be given significant weight in the determination of this application. The development will deliver both market and affordable housing, which will support the Government's objective of "boosting significantly" the supply of housing in South Oxfordshire. The provision of new homes in this location will also actively serve to maintain and enhance the vitality of Emmer Green.

6.2 Conclusions

6.2.1 In accordance with paragraph 14 of the Framework, it will be demonstrated there are no material adverse impacts arising from the appeal proposal, which would significantly and demonstrably outweigh the benefits the development will deliver. There are no specific policies of the Framework which would either preclude or restrict the development and in the circumstances the tilted balance remains engaged.

6.2.2 It is clear there are very significant material considerations which outweigh the statutory presumption in favour of the development plan. It is therefore concluded that planning permission should be granted.

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APPENDIX 1 – JUSTIFICATION FOR AN INQUIRY

With reference to Annexe K of The Planning Inspectorate's Procedural Guide for Planning Appeals – England (5th August 2016), the Appellant requests a public inquiry for the following reasons:

1. Need for the Evidence to be tested through Formal Questioning by an Advocate

Matters in relation to planning policy and landscape are contested between the council and the Appellant. Emerging case law in relation to the interpretation of national policy means detailed legal submission will be necessary.

2. Complexity of Issues

The Appellant disputes objections made by the council in relation to landscape and planning policy which will need to be dealt with through evidence adduced by both parties. As such, it is the view of the appellant that these matters will require cross examination to establish the extent of the evidence which underpins the council's claims.

The Appellant expects to use expert witnesses to advance its case in respect of landscape and planning. Detailed scrutiny of the Council's claimed housing land supply is also a matter that will require detailed evidence.

3. Likely length of proceedings

It considered that to address all matters, 3- 4 sitting days will be required. This exceeds the single day usually reserved for a hearing (or even a two day hearing, which are understood to be used only in exceptional circumstances). Annexe K therefore suggests that a public inquiry is necessary. It is hoped that the number of days could be reduced following the submission of further information to the council to address the reasons for refusal on planning policy and landscape issues.

Summary

For the above reasons, the Appellant considers a public inquiry is the only appropriate procedure in this case.

APPENDIX 2 – RESPONSE TO THIRD PARTIES

Purpose

This document summarises, responds, and gives due consideration to the relevant interested third party representations submitted to South Oxfordshire District Council as part of the planning application process. Responses to the planning application are summarised, together with the appellant's response in the table below:

Summary of Comments	Response
Impact on Area <ul style="list-style-type: none"> Speculative planning on neighbouring Green Land. Land between Sonning Common and Emmer Green is an important green buffer between the two communities. Lead to an incursion into Greenbelt land. This development will lead to the joining of Sonning Common and Emmer Green. Commuters will most likely be going into Reading putting more pressure on the Caversham Area, most importantly the two bridges. There are already lots of applications in Sonning Common. This development could lead to other developments in the area. The land is prime farm land, producing 3 specific crops a year, where is the report to the sustainability of these crops? Increased use of the public footpath potentially causing privacy issues to existing residents. 	<ul style="list-style-type: none"> South Oxfordshire DC acknowledge that their current housing land supply position is not sufficient and will not be able to meet their requirement in the coming years. The loss of greenfield sites in sustainable locations within South Oxfordshire is inevitable in order for the Council to meet its requisite five year requirement. The site is not designated as Greenbelt land. It is a greenfield site which is not subject to any landscape designation. Although this proposal is on land located between Sonning Common and Emmer Green it would not cause coalescence between the two settlements. This is disputed by the Council. Each planning application must be considered on its own merits and will include a cumulative assessment where appropriate. A survey has confirmed that the land is a mix of Grade 3a or 3b land. The loss of BMV land weighs against the proposal in the overall planning balance. The highways impacts of the proposals have been assessed by both OCC and RBC and neither highways officers object to the proposals.
Site Location Issues <ul style="list-style-type: none"> Site lies within SODC and not part of Emmer Green, Reading Borough Council should not be expected to provide the services for dwellings in another authority. 	<ul style="list-style-type: none"> Local authorities are encouraged to work together, with neighbouring authorities, to meet the needs of national housing demand. The site is adjoining the built-up suburb of Emmer Green. It is expected that new residents would use

<ul style="list-style-type: none"> • Impact will be on Reading residents not South Oxfordshire residents. • There will be a loss of open space for the community. • Brownfield sites should be utilised first rather than greenfield. • Contrary to Sonning Common's Neighbourhood Plan which should be respected. • The site is not located in a sustainable location as required by the NPPF. 	<p>the local facilities and services available in Emmer Green. However, statutory provisions such as education will be delivered by SODC and OCC.</p> <ul style="list-style-type: none"> • The application will incorporate designated areas of formal and informal open space of the community. Current public access to the site is limited to the existing PRoW. • The appeal site is not located within Sonning Common's designated Neighbourhood Plan area. • Our sustainability assessment has shown to site to be sustainably located for the development proposed. SODC Officers agree with this analysis.
<p>Affordable Housing</p> <ul style="list-style-type: none"> • Affordable housing is a bonus, there should be a planning condition that affordable housing is delivered at the numbers stated in the proposal of 98 dwellings. • How affordable will the affordable housing actually be? • 40% affordable housing is not an attractive or viable proposition. 	<ul style="list-style-type: none"> • The Appellant is providing up to 40% affordable housing (up to 98 dwellings) onsite which is compliant with adopted Core Strategy Policy CSH3. • The affordable housing element of the proposal will be secured by way of a legal agreement. • The provision of affordable housing onsite would help young professionals and families an opportunity to remain to live in the area and to get on the housing ladder. • The tenure and price of the provided affordable housing will be set by the Registered Provider. • The Inspector in the Thames Farm, Shiplake appeal decision described the affordable housing situation in SODC as "serious or even dire". • The Appellant is satisfied that the provision of 40% affordable housing will not adversely affect the viability or deliverability of the scheme.
<p>Landscape</p> <ul style="list-style-type: none"> • Poor representation of the landscape in the application. • SODC have been very protective of the Area of Great Landscape Value in the Rural Areas Local Plan, this development would contradict this. • Site will have a large visual impact on the area, with adverse impacts on the landscape, character and appearance of the area. • Although not within the Chilterns AONB its proximity would have an adverse impact upon it. 	<ul style="list-style-type: none"> • A Landscape and Visual Impact Assessment was submitted as part of the application. The Council have not raised any issue with the methodology used. • The site is not a designated or 'valued' landscape in terms of the NPPF. Any limited adverse landscape harm is significantly outweighed by the considerable benefits of the scheme. • Great efforts have been made within the application to ensure that any impact on the surrounding area will be kept to a minimum. This will

	<p>include the retention and enhancement of existing hedgerows to act as a buffer between the site and the wider area.</p> <ul style="list-style-type: none"> The LVIA confirms that the appeal proposals will not have an adverse impact on the setting of the Chilterns AONB.
<p>Ecology</p> <ul style="list-style-type: none"> The site currently supports a lot of wildlife, what will be done to protect these animals. The development will result in the loss of wildlife on the site. 	<ul style="list-style-type: none"> An Ecological Impact Assessment was submitted as part of the application suite of documents which confirms that the site currently has limited ecological value due to its agricultural use. The Council's ecologist had no objection to the application subject to the imposition of conditions and a financial contribution towards mitigating off-site impacts arising from increased recreational pressure.
<p>Highways</p> <ul style="list-style-type: none"> Major increase in traffic through the village with the addition of 500+ cars. Congestion at peak times is already terrible. Access point is too narrow and not safe with many blind spots. Junction between Kiln Road and Peppard Road is already a busy junction which will get worse making it harder to get onto Peppard Road. Kiln Road is a county road and cannot support the cars from this development. Kiln Road is a 60mph road, with dangerous bends, further development could increase the risk of accidents. Sonning Bridge will become more congested unless the third bridge is progressed quickly, this should take place before any development takes place. Contributions need to be made to improve highway infrastructure. Travel Plan is not useful and is just a guide to bus and train times. A pedestrian/cycle facility should be put in place to Sonning Common along the B481. 	<ul style="list-style-type: none"> The Transport Assessment submitted with the planning application confirms that the traffic generated by the appeal proposals would not have an adverse impact upon the highway network. The TA outlines details of off-site highways improvements which will be secured as part of the appeal proposals. The Travel Plan will encourage the use of sustainable transport methods, reducing reliance on the use of private cars. The site is located close to a wide range of sustainable transport options, a high frequency bus service into Reading Town Centre and Reading Train Station – frequent services to London Liverpool Street throughout the day. The Travel Assessment concluded that the impact of the proposed development could be best described as negligible and that no offsite mitigation measures should be required. The Transport Assessment has assessed a number of options and considers the proposed location of accesses are the safest locations to access the site.
<p>Noise/Pollution</p> <ul style="list-style-type: none"> Concern over the pollution that will arise from the development on the environment. 	<ul style="list-style-type: none"> A Noise Assessment was submitted with the application. It concludes that the noise impact would not be at an unacceptable level.

<ul style="list-style-type: none"> • Why has the additional noise created by the traffic not been modelled? 	<ul style="list-style-type: none"> • There was no noise objection submitted by the Health and Housing officer. • The appeal proposals will include a financial contribution (damage cost calculation) towards a reduction in air pollution.
<p>Facilities/Services</p> <ul style="list-style-type: none"> • The Primary school does not have capacity to take on the children from this school. • The secondary school within walking distance is at capacity. • The GP surgery is already over-subscribed and cannot support the influx of residents. • Development needs to invest into the existing facilities to improve the services. • No facilities proposed on the development. • Parking at the shops will not be possible with the influx of new residents. • Not realistic that home owners will walk 2 km to visit the local services. 	<ul style="list-style-type: none"> • New residents from the development will help support the local economy and the sustainability of local services and facilities. • If there is a need for further capacity at any of the local services/facilities and the contributions requested are CIL compliant, then contributions can be provided as part of a S106 Agreement. • Oxfordshire County Council have not objected to the proposals on the grounds of educational capacity. • The Oxfordshire Clinical Commissioning Group did not receive any notification from SODC until very late in the determination stage. Improvements to medical facilities are covered under the Council's CIL. • The travel plan will encourage the use of sustainable transport methods, reducing reliance on the use of private cars.
<p>Design</p> <ul style="list-style-type: none"> • Homes should be environmentally friendly and sustainable. • Size and scale of the development is inappropriate to the area. 	<ul style="list-style-type: none"> • A Design and Access Statement has been submitted as part of the application. • The design of the housing is a matter which will be addressed as part of the reserved matters application. • Emmer Green has been assessed to be sustainable and capable of supporting this scale of development.
<p>Flooding/Drainage</p> <ul style="list-style-type: none"> • Sewers are already overstretched. • Kiln Road and Row Lane are already poorly maintained and prone to flooding. 	<ul style="list-style-type: none"> • The scheme is accompanied by a detailed Drainage Strategy that has informed the Framework and provides a comprehensive solution to draining the site. The Lead Local Flood Authority have not objected to the proposed development, neither have Thames Water. • Modelling of the existing sewerage system is ongoing but this should not prevent the determination of the appeal proposals.

<p>Other</p> <ul style="list-style-type: none">• Consultation held outside of relevant planning authority.• Planning application notice was put in the Henley Standard rather than Reading newspapers.• Investigations are taking place on site already, isn't this a bit presumptuous that the application will be approved.• There is a huge demand for housing in Reading and the application should be considered.• Which authority will receive the S106?	<ul style="list-style-type: none">• Gladman undertook extensive consultation on this site in the form of a leaflet drop, press advertisements, local councillor meetings and a public exhibition held at Highdown School and Sixth Form Centre. This was considered to be the most appropriate location for an exhibition to be held.• Site Investigations routinely take place on site to inform planning applications and so mitigation strategies can be drawn up for any issues which may arise.• South Oxfordshire DC would receive the S106 and CIL monies. However, there would be scope to redistribute monies to neighbouring authorities if necessary.• The demand for housing in both Reading and South Oxfordshire is high and the appeal proposals seek to contribute toward increase supply.
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