
Appeal Decision

Hearing (Virtual) Held on 15 April 2021

Site Visit made on 19 and 20 April 2021

by Mr Andrew McGlone BSc(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2021

Appeal Ref: APP/V3120/W/20/3265465

Land behind 31-33 The Causeway, Steventon OX13 6SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Joe McDermott of Albright Dene Ltd against the decision of Vale of White Horse District Council.
 - The application Ref P19/V2459/O, dated 7 October 2019, was refused by notice dated 17 June 2020.
 - The development proposed is an outline application for provision of self-build and/or custom housebuilding plots for 7 detached dwellings, with all matters reserved except for access and layout.
-

Decision

1. The appeal is allowed and planning permission is granted for outline application for provision of self-build and/or custom housebuilding plots for 7 detached dwellings, with all matters reserved except for access and layout at Land behind 31-33 The Causeway, Steventon OX13 6SE in accordance with the terms of the application, Ref P19/V2459/O, dated 7 October 2019, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was submitted in outline with all matters reserved for future consideration, except for access and layout.
3. The main parties agree that a revised layout to plot 7 submitted as part of the appeal is minor in detail. The dwelling is now shown to be positioned further away from the eastern boundary, and the gable end facing the driveway has been moved to the rear of the house. Both parties agree that the consideration of the amended plans as part of the appeal would not prejudice interested parties. I agree and thus I have considered the appeal on this basis.
4. In my Pre-Hearing Note, I identified the provisional main issues in this case. The fourth of these concerned local bus transport and biodiversity. Along with the land to the east, the site is a Priority Habitat as a Traditional Orchard. Three fruit trees on site are a remnant part of this habitat. To address a net loss of biodiversity, it is common ground between the main parties that a planning condition would mitigate the effects of this. Moreover, they agree that landscaping details could be addressed at reserved matters stage so that the proposed development would not have a significant biodiversity impact.
5. A signed and dated Section 106 Deed of Agreement (s106) has been submitted which includes a contribution towards public transport services. As a result, the Council accepts that the fourth reason for refusing planning permission has been addressed. I agree, and I am satisfied that this would meet the tests of

the Framework and Regulation 122 of the Community Infrastructure (CIL) Regulations. The s106 also includes provisions in respect of self-build and custom housebuilding and a waste strategy. I shall consider the merits of these shortly. A Unilateral Undertaking mirroring the provisions of the s106 was also submitted by the appellant in case the s106 was not executed in accordance with the deadline that I set for its submission. However, as the s106 has been signed and dated by all parties, I have reached my decision based on the s106.

6. To reflect the **party's** points made at the Hearing, I have adjusted the third main issue compared to the version that I read out at the start of the event.

Main Issues

7. The main issues are: a) whether the proposed development would preserve or enhance the listed buildings at 39 The Causeway, 35/37 The Causeway, Pound House, The Cottage, the Raised Causeway, Station House and Brook House, and character or appearance of the Steventon Conservation Area; b) whether the development would accord with development plan policies relating to the location of development in the District, including the provision of self-build and custom-build dwellings; and c) whether the proposed development would provide suitable access arrangements and adequate provision for on-site waste management.

Reasons

Heritage assets

8. Steventon is an historic, extended village that has evolved along two historic routes: The Causeway which runs roughly west to east and joining it, on its southern side, High Street, which runs roughly south to north. The village is characterised by domestic and commercial development. The appeal site is located near to the centre of the village, to the west of the junction of The Causeway and High Street. The site itself mostly lies behind the detached dwellings at 31 and 33 The Causeway. It comprises of improved grassland with an area of dense scrub with four mature sycamore trees on the southern boundary. Beyond here is a field extending to Ginge Brook and the buildings of Station Yard which lie near to the Great Western Railway line. Access to the site is between Nos 29 and 31. To the west of the site is Bargus Close, which contains 15 static caravans. To the east is a rectangular shaped orchard. Dwellings accessed from High Street adjoin its eastern boundary.
9. The proposed access and the upper part of the site lie within the Conservation Area whilst most of the site lies outside, but next to the larger of part of the Conservation Area which is focussed around the historic core of the village and its listed buildings. The smaller part of the Conservation Area is to the south of the site around the former railway station, Station House, Brook House and the 20th century development at Station Yard that abuts the railway line.
10. The early development of the village **took place along the length of the 'Raised Causeway' which is an ancient**, raised cobbled Grade II* listed pathway lined by mature trees that extends alongside The Causeway. Buildings within the Conservation Area range from 15th and 16th century timber framed houses to 19th brick vernacular and mid-20th century housing. The village has a high number of Grade II and II* listed timber framed houses that extend along the Raised Causeway towards the Grade I listed parish church found at the western end of The Causeway. Fields and paddocks do abut, extend up to and between

parts of the village, and in turn the Conservation Area. Some then give way to a character that is more readily associated as open countryside. This reflects **the village's rural heritage.**

11. Several of the historic buildings along this part of The Causeway are listed, including Nos 35/37 (Grade II), 39 (Grade II*), Pound House and The Cottage (both Grade II). Pound House and The Cottage are the closest to the appeal site. The latter of the two is an exposed timber frame two storey building with a two-storey bay window with a jettied roof over. Pound House is of a roughcast construction on timber-framing with a plain tile roof and a brick chimney stack above the ridge to the right of centre of this two-storey dwelling. To the rear of Pound House is a long orchard/paddock.
12. Nos 35/37 is next to the junction of Bargus Close with The Causeway. This two-storey timber framed building is now two dwellings and has a rendered cross-wing to the left-hand side. Next door is No 39 which is a two-storey detached dwelling dating from around late 14th century with additions in later years. The building is rendered with a timber frame and a cross-wing.
13. The appeal scheme would not physically affect any of the listed buildings and not fall within the setting of Station House and Brook House which were constructed for use by the Great Western Railway. These buildings are a reasonable distance from the site, separated by other development which is **more reflective of the village's vernacular and associated with** the arrival of the railway to Steventon in 1840. Hence, no harm would arise to their significance. The proposal would also not harm the setting, and thus the significance of the southern part of the Conservation Area.
14. No appraisal or management plan associated with the Conservation Area has been produced as per Policy CP39 of the Local Plan 2031 Part 1 Strategic Sites and Policies (Local Plan). The setting of the Conservation Area extending along The Causeway varies according to the development or space next to it or how it is experienced. In turn this influences its significance, albeit it remains an irreplaceable resource and great weight should be given to its conservation. Nevertheless, I agree **with the appellant's assessment that the eastern and western ends of The Causeway are areas of very high heritage significance, and that there are pockets of 20th century development next to or to the east of the site that don't positively contribute to its significance.** The listed buildings either side of the proposed access in tandem with the Raised Causeway do, however, still positively contribute to the overall significance of the Conservation Area, though the varied type, form and age of development along this stretch of The Causeway displays how the village has evolved over time.
15. Gaps between buildings fronting The Causeway between High Street and Stocks Lane are not uniform in their size or frequency. Nor do they always allow views beyond due to alignment of built form or the presence of outbuildings. These gaps, when travelling by car or on foot in either direction on The Causeway, are not readily perceived due to the speed of travel, the need to focus on oncoming or parked vehicles, or the close proximity of the footway to the frontage development. So, while there are limited glimpsed views, the undeveloped land behind parts of the frontage development is not readily apparent or sensed. The projection of development at Bargus Close and outbuildings associated with nearby dwellings also influences matters.
16. However, the experience differs from the elevated Raised Causeway which is

set back on the northern side of The Causeway. Users speed of travel allows for **the site's surroundings to be appreciated**. Mature trees lining the Raised Causeway inhibit views to some extent, especially whilst in leaf, but there are pockets of elevated views through some gaps and above boundary treatments to the undeveloped land beyond. **This positively reflects the village's rural heritage**, historic pattern of development and evolution. At times, the views include Steventon Hill. Some gaps also include views of the static caravans on Bargas Close, Timsbury House, the development next to the railway line and the electrified lines themselves. The ridgeline of Steventon Hill prevents views to the wider countryside beyond.

17. The proposal would introduce development behind the predominate frontage development lining The Causeway, despite the development at Bargas Close and on and behind High Street. While the proposed layout would allow views down the access road to the land beyond, the access would be a long formal arrangement. The use of a design code would inform any reserved matters application so that the dwellings are of a high-quality design and responsive to their surroundings, but even with bespoke designs, the proposal would erode the sense of open space that the appeal site positively contributes to and which informs the sense of being within a rural village. The loss of this space would adversely affect the character and appearance of the Conservation Area as a whole and harm the rural setting, and thus significance of the listed buildings at Nos 35/37, 39, Pound House, The Cottage and The Raised Causeway.

Location of development

18. Local Plan Policy CP3 details the settlement hierarchy in the District. Steventon **is a 'Larger Village'**. Local Plan Policy CP4 **outlines the Council's strategy for meeting housing needs through the allocation of strategic sites, and development within the 'built area' of the larger settlements** such as Larger Villages. The appeal site is not allocated for development by the Local Plan or by a neighbourhood plan. There is no defined settlement boundary for Larger Villages, such as Steventon. Consequently, it is a matter of judgement¹ as to whether or not the appeal site lies within the built area of Steventon.
19. Bargas Close could be viewed as an anomaly in the context of the historic pattern of development nearby, but it has been part of the village for a long period of time. Built form has also been added to the east of the site over the 20th century. The appeal scheme would mirror the length of Bargas Close and extend as far as the development at Timsbury House.
20. Collectively, the existing development on The Causeway, High Street (including that set behind and accessed from High Street) and Bargas Close provides a sense of enclosure to three sides of the site even with the adjacent orchard separating the site to the development to the east. The dense scrub and trees on the **site's** southern boundary add to the sense of enclosure, but their retention cannot be relied upon in perpetuity. Between here and the buildings at Station Yard is a field leading to Ginge Brook. While this physically **'loops'** around to the other side of Bargas Close and a wider field/paddock, this is not appreciated from within the site, from The Causeway or High Street. The railway line beyond Station Yard is a strong physical feature with Steventon Hill rising up beyond and of a more rural countryside character. The perception from within the site is one of enclosure, but it does have a transitional feel

¹ Julian Wood v SSCLG, Gravesham Borough Council [2015] EWCA Civ 195

between the development fronting The Causeway and the open countryside beyond Station Yard and the railway line. However, the site does not have the same open character as the land beyond the railway line or benefit from its openness due to the built form adjoining the site or near to it.

21. The relationship between and point at which built form becomes open countryside varies physically and visually across the village. The appeal site has a greater degree of enclosure and far fewer physical and visual links to the open countryside than the Brewers Close² site which affects how it is experienced. Hence, the two sites are not directly comparable. I have also noted the context to 97 The Causeway³, but this differs to the appeal site due to the cohesive block of undeveloped backland spaces that extend between the development on The Causeway and Castle Street. There is not the same sense of enclosure as that which influences the appeal site. Therefore, I consider, on balance, that the appeal site lies within the built area of Steventon.

Self-build and custom housebuilding

22. The Council has a duty under the Self Build and Custom Housing Act 2015 (as **amended by the Housing and Planning Act**) ('the Act') to keep a register of persons who are interested in acquiring a self-build or custom-build plot, and to also grant enough suitable development permissions for serviced plots to meet this demand. Policy DP1 of the Local Plan 2031 Part 2 Detailed Policies and Additional Site (Local Plan 2) and Framework paragraph 61 are generally supportive of the provision of plots for sale to self and custom builders in the District. Framework paragraph 61 reflects this.
23. There is no dispute between the main parties about the number of persons who have been added to the register in each base period since December 2015. The demand for each base period must be met by 30 October 3 years after the end of that period.
24. The Council accepts that it has not granted enough suitable planning permissions to address the demand arising from the first two base periods (70 and 109 entries respectively) which was to be met by 30 October in 2019 and 2020. It is continuing to assess whether other planning permissions have been granted which could count towards the first, second or third base periods. This work is ongoing, but I must reach my decision based on the current situation.
25. Despite the demand established by the register, the Council speculates on what **the 'actual' demand is for this type of housing if they were to apply a local** eligibility test and financial solvency test. This is an academic exercise as neither test has been subject to public consultation as advised by the Planning Practice Guidance. The Council confirmed at the Hearing that it does not operate a two-part register.
26. In any event, the proposal would help meet the demand arising from the third base period (80 entries). As of 24 February 2021, the Council had granted 7 suitable planning permissions. This figure was unchanged by the time of the Hearing. The Council has until 30 October 2021 to meet this demand and fulfil its duty for the third base period. The Council accepted in the Chilton⁴ hearing that it would, based on current progress, not be likely to meet the demand for

² Appeal Decision Ref: APP/V3120/W/16/3160879

³ Appeal Decision Ref: APP/V3120/W/18/3208949

⁴ Appeal Ref: APP/V3120/W/20/3261691

the third base period. A different view was expressed by Ms Smith at the Hearing relating to this case, but consistency is important in decision-making. I am aware of the 6 self-build and custom build houses proposed at Chilton and anecdotally of a further proposal on another site in the District, but even if all these were granted planning permission, and suitable, there would still a good number of permissions to grant and there is no evidence to suggest that there are other schemes either being considered or likely to be considered or determined by the Council before the end of October. The proposed provision would be of a substantial benefit given the period of time left for the Council to meet the demand for the third base period.

27. Notwithstanding this, the appellant considers Policies CP3, CP4 and DP1 are out of date due to the under delivery of this type of housing. The number of suitable permissions granted by the Council for the first two base periods varies between the main parties with either 30 (appellant) or 53 (Council) suitable permissions granted for the first base period, and either 13 (appellant) or 25 (Council) for the second base period.
28. Legislation, planning policy or guidance does not set out how any under supply of this type of housing against the established demand should be dealt with. However, not accounting for past under delivery of this type of housing would seem to be, when considered in the context of the duties placed on local authorities in the Act, Framework paragraph 61, Local Plan 2 Policy DP1 and **Government's encouragement for this type of housing**, illogical. Approaches to unmet demand, which is a relevant consideration, have been considered in several appeal decisions⁵. If I were to take unmet demand into account, the scale of the proposal would not change the substantial weight that I have set out above, nevertheless, the position would only confirm my opinion about the weight that I have given to the provision of this type of housing.
29. Local Plan Policies CP3 and CP4 outline the approach to housing development in the district, where it ought to be located **and how much. They don't specifically** refer to self-build or custom build housing, so they must be read with other development plan policies such as Policy DP1. As the Council can demonstrate a five-year supply of deliverable housing sites, Policies CP3 and CP4 appear to be fulfilling their purposes. Jointly Policies CP3, CP4 and DP1 support self-build or custom build housing schemes or with elements thereof if in line with the settlement hierarchy and the strategy for housing delivery. There is not a **specific exception to the Council's strategy for housing delivery that allows self-build and custom build housing to come forward**. But, evidently the mechanics of policy or the application of it are not yielding the number of suitable permissions required. However, the position could change once further robust work is completed by the Council. Given this, and considering how Policies CP3, CP4 and DP1 can operate together, I am content that they are not out-of-date.

Conclusion on this main issue

30. I conclude, in respect of this issue, that the proposal would accord with Local Plan Policies CP3 and CP4 and Local Plan 2 Policy DP1 which, when taken together, relate to the location of development in the District, including the provision of self-build and custom-build dwellings.

⁵ Appeal Decision Refs: APP/G2435/W/18/3214451 and APP/W0530/W/19/3230103

On-site waste management

31. Local Plan Policy CP43 seeks developments to make adequate provision for the recycling of waste on site. Local Plan 2 Policy DP28 adds that development will not be permitted if recycling and refuse provision that meets the requirements set out within the policy cannot feasibly or practicably be provided. Proposals must ensure that there is sufficient space for recycling and refuse containers; access is safe for existing users/residents and for refuse and recycling collection vehicles; and the location and design of recycling and refuse provision should be integral to the design of the proposed development, having regard to the level and type of provision.
32. The width and length of the proposed access would mean that **the Council's** large refuse vehicles would not be able to access the site to undertake household refuse and recycling collections. It would also not be practical or reasonable for future occupiers to move refuse, recycling and food waste receptacles to the kerb on The Causeway for collection due to the distance and number of containers involved. The latter would be likely to block or hinder pedestrian access along the footway and/or affect potentially affect the safety of vehicles using the road. A communal collection point nearer to the highway is also not an option due to the width of the proposed access as this would comprise the ability of users to pass one another safely.
33. The appellant submitted an option agreement during the Hearing. This may allow the access to be widened, but it is not the scheme before me and both parties agreed that it was a matter of fact and that I was not being asked to grant planning permission on this basis.
34. Given the practical issues of a Council waste collection, the s106 proposes a private waste collection to **mirror the Council's own service in** terms of bin provision and the frequency of collection for refuse, recycling and food waste.
35. The evidence shows that a private waste contractor could use a vehicle to access the site, collect refuse and recycling, turn around and leave in forward gear. Moreover, each property could have separate refuse and recycling containers to match the size of those used for Council collections. There is sufficient space for these to be accommodated on each plot. The key difference would be that future occupiers would need to pay for this service. While this would be an extra financial commitment on top of Council Tax, this would not be prohibitively expensive for future occupiers.
36. The Council also collects food waste weekly. This is in line with the proposals within the Environment Bill which is yet to receive Royal Assent. The evidence of the potential private waste operator confirms that they would be unable to offer a weekly food waste collection. Therefore, to **match the Council's service**, the appellant suggests two options. The first is that the Council collect food waste. A partial collection service may not be normal practice, but it is possible based on the size of the vehicle currently used. However, this size of vehicle could well change. Hence, Council food waste collections are uncertain over the lifetime of the development.
37. The second option would be a composting bin for each dwelling. This could be of a benefit to the environment in mitigating the effects of climate change, and financially beneficial to future occupants as they could re-use composted material in their gardens. Otherwise future occupiers would either dispose of their food waste in refuse collections, need to pay for food waste to be

collected or they would need to dispose of it themselves. It is therefore a sustainable waste management measure that would encourage future occupiers to recycle their food waste. While the Council are concerned about its potential use, and I recognise that it would be a choice for future occupiers, this is no different to the choice that residents have in using the Council food waste collection. The Environment Bill may change matters, but my decision is based on the current situation and adopted development plan policy.

38. The Council are worried about future occupiers expecting a Council run collection service and the associated costs of responding to queries such as this, but there is no substantive evidence of what, if any, costs there would be to the Council based on a private waste collection service.
39. Insofar as the s106, I consider that the proposed waste strategy would meet the tests of the Framework and CIL Regulation 122. Consequently, I conclude that the proposed development would provide suitable access arrangements and adequate provision for on-site waste management and would as a result accord with Local Plan Policy CP43 and Local Plan 2 Policy DP28. These policies collectively seek development to make adequate provision of the recycling of waste on site and ensure safe access for existing users/residents.

Other Matters

40. Points are raised by residents about the use of The Causeway, highway safety and the effect of additional parking. The proposal would provide off-street parking for each plot and the access could be used by the majority of vehicles, including fire tenders. There would not be any specific visitor parking, but there are no parking restrictions along this stretch of The Causeway which allows for good forward visibility in either direction. Although vehicles do need to wait to pass oncoming vehicles, the proposal would not change this or make matters worse in highway safety terms.
41. I have had regard to the points raised about the effect of the **proposal's** construction on existing built form, but there is no substantive evidence before me to support the concerns. Any existing damage will not be because of the proposal as no development has commenced.

Planning Balance

42. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
43. **The Government's objective is to significantly boost the supply of housing and** the proposal would accord with the strategic plan-led approach set out in the Development Plan and provide 7 modern self-build and custom-build dwellings in a location with adequate access to facilities and services.
44. No harm would be caused by the proposed waste strategy and the s106 would **mitigate the scheme's impact on public transport services and biodiversity.** These matters do not weigh in favour or against the proposal.
45. I have found that the character and appearance of the Conservation Area would not be preserved and that the proposal would harm to the setting of the listed buildings at Nos 35/37, 39, Pound House, The Cottage and The Raised Causeway which would be contrary to the respective duties of Sections 66(1)

and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

46. In terms of the Framework, the degree of harm to the special interest and significance of the heritage assets would be at the lower end of less than substantial harm. Even so, I give it great weight and importance. Policies DP36 and DP37 along with Framework paragraph 196 require such harm to be weighed against the public benefits of the proposal which require clear and convincing justification. Policy DP37 states insofar as the Conservation Area that the development should make an equal or greater contribution in terms of public benefit.
47. The provision of self-build and custom-build houses would be a public benefit as they would help the Council meet its duty, help address the established demand for this type of house and widen the type and size of housing in the area. These are substantial social benefits. The s106 would secure the provision of the self-build or custom-build houses and satisfy the relevant tests. Future occupiers would be very likely to use and support local services, local facilities and local businesses. Consequently, the proposal would make a positive contribution to the local economy. The development of each house should also create **opportunities for local builders, tradesmen and builder's** merchants leading to local employment opportunities, especially given that construction is the third highest employment type in Steventon⁶. These economic benefits carry moderate weight. Council Tax is mitigation not a public benefit. Collectively, in this case, I consider these public benefits would outweigh the less than substantial harm that I have identified. Accordingly, the proposal would accord with Local Plan Policies CP1, CP37 and CP39, and Local Plan 2 Policies DP36, DP37 and DP38 and Framework paragraph 196.
48. I note the Corner Mead⁷ appeal decision, but the issues in this case differ. Concerns are expressed about a precedent being set, but my decision is based on the specific circumstances of the site, its surroundings and the merits of the case itself. It would be for the Council to consider any other development proposal based on its own merits in the first instance but having visited the village I am satisfied that my decision would not set a precedent.

Conditions

49. Conditions in respect of the reserved matters for the individual plots and the shared area of the site are necessary due to the nature of the scheme before me and to ensure the site is developed in accordance with the details submitted. I understand the points about the length of time which the development could take place over and to strike a balance between this and the type of housing that would be pursued by individuals, I have adjusted the timescale for submission of the reserved matters for each individual plot. An approved plans condition is necessary in the interests of certainty. Whilst allowing for flexibility in the design of each self-build and custom-build dwelling, a design code condition is necessary so secure a coherent and high-quality development that conserves or enhances the surrounding historic environment. For the same reason, conditions to secure tree protection measures and landscaping of the shared area are necessary.
50. A condition to secure a detailed sustainable drainage scheme for foul and

⁶ Appellant Statement of Case, Appendix C

⁷ Appeal Decision Ref: APP/H1840/W/19/3241879

surface water is necessary to prevent pollution and flooding. To ensure the construction of the development does not adversely affect highway safety, the living conditions of residents and the historic environment, I have imposed a condition for a construction traffic management plan. Conditions have been imposed in respect of car parking provision, turning areas and the access in the interests of highway safety. To compensate and mitigate for the net loss of biodiversity resulting from the development I have imposed a condition to secure off-site biodiversity enhancements. To minimise the impacts of the development on biodiversity, I have imposed a condition requiring the recommendations of the Preliminary Ecological Appraisal to be implemented. A permitted development restriction is necessary for extensions, roof additions or alterations and outbuildings due to the size of the plots, neighbouring residents living conditions and so that future development accords with the design code. A permitted development restriction is also necessary for gates, fences, walls or other means of enclosure to ensure compliance with the design code.

Conclusion

51. The proposal would accord with the Development Plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision.
52. For the reasons given above I conclude that the appeal should be allowed.

Mr Andrew McGlone

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Within two years of the date of this planning permission an application for approval of the initial reserved matters for the Initial Phase of the development involving all elements of the scheme not comprised within the individual dwelling plots shall be submitted, to include the following details:
 - the site access works comprising the access to The Causeway generally in accordance with, but not limited in detail to the application drawings, such including the removal or relocation of the existing telegraph post;
 - the shared access driveway and shared surfaces;
 - all car parking facilities and manoeuvring areas to be provided within the site in accordance with Oxfordshire County Council's standards (Transport for New Developments Parking Standards for New Residential Developments 2017 design guide document or any superseding document);
 - any external lighting in these areas;
 - site boundary treatments and structures;
 - landscaping not incorporated within a residential plot curtilage including shared open space and associated tree planting; and
 - the identification of plot boundaries

All subsequent reserved matters for each individual plot or plots must be submitted not later than three years from the date of this planning permission and development must be begun not later than two years from the date of the approval of the last reserved matter for the Initial Phase.

- 2) Approval of the details of the scale and appearance of buildings and landscaping within any particular plot (hereinafter called "the reserved matters") shall be in accordance with the approved Design Code for the site and shall be obtained from the Local Planning Authority in writing before the development of the dwelling on that plot is commenced. The development of each plot shall be carried out as approved.
- 3) That the development hereby approved shall be carried out in accordance with the following approved plans, A-02-102; A-01-101 Appeal Revision – Plot 7; Parameters for 7 plots Rev A; 333675-1; P850-03; P850-04; and P850-02a, except as controlled or modified by conditions of this permission.
- 4) No reserved matters applications shall be submitted until such time as a Design Code for the entirety of the site has been submitted to and approved in writing by the Local Planning Authority. The Design Code shall reflect guidance in the Vale of White Horse District Council Design Guide (March 2015) and include details, but not be limited to;
 - the form, massing and scale of the buildings;
 - plot coverage and plot parameters;
 - maximum building and storey heights for each plot;
 - building appearance;
 - building openings
 - material palette and detailing;
 - boundary treatments, soft and hard landscaping;
 - vehicle parking reflecting parking provision as per the approved initial reserved matters
 - cycle parking facilities;
 - external lighting;

- water and Waste Water (including SUDs);
- sustainable Construction (standards and design principles);
- gross Internal Floor Areas meeting the Local Government's Technical Housing Standards - Nationally Described Space Standard Level 1 in the case of any one or two-bedroom dwellings; and
- facilities for the storage of household waste and recycling;

All reserved matters applications shall include a statement providing an explanation as to how the design of the development complies with and responds to the details approved in the Design Code. The development shall thereafter be carried out in accordance with the approved details.

- 5) Prior to the commencement of any site works (including site clearance) a protected area shall be designated for all existing trees which are shown to be retained, and the trees shall be protected in accordance with a scheme which complies with the current edition of BS 5837: "Trees in relation to design, demolition and construction" that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development.
- 6) No development shall commence until a detailed sustainable drainage scheme for foul and surface water along with a programme and phasing plans for these works has been submitted to and approved by the Local Planning Authority. The strategy shall be based on Version 3 of the Flood Risk Assessment prepared by Water Resource Associates dated October 2019 and the information contained within letter reference WRACS02 dated 06/12/2019. The scheme shall have full consideration for the hydrogeological situation of the site and be based on latest sustainable drainage principles. No dwelling shall be occupied until all drainage required to serve that dwelling has been constructed in accordance with the scheme. The scheme shall include:
 - infiltration tests to be undertaken in accordance with BRE365;
 - proposed discharge rate limited to greenfield QBar (if attenuation based) and details of flow control;
 - SUDS features, attenuation requirements and detail drawings;
 - detailed drainage layout with pipe/chamber/soakaway numbers & sizes;
 - maintenance and management plan for SUDS;
 - detailed network calculations to include climate change allowances;
 - ground investigation report;
 - proposed site levels, floor levels and an exceedance plan;
 - site emergency response plan based on Environment Agency warnings with safe access and egress routes highlighted.
- 7) No development hereby permitted shall commence until a Construction Traffic Management Plan (CTMP) is submitted to and approved by the Local Planning Authority. The CTMP shall include details of:
 - parking arrangements for all vehicles of site personnel, operatives and visitors and mechanisms to ensure no vehicles of site personnel, operatives and visitors are parked on The Causeway;
 - the arrangements for the loading and unloading of plant and materials on to the site for the duration of the works;
 - the storage of all plant and materials on the site;
 - on-site turning for construction vehicles;
 - hours of construction and operation of machinery of deliveries;

- confirmation that no deliveries of plant or materials to/from the site shall take place between the hours of 0730 – 0930 hours and 1500 – 1800 hours;
- point of contact details for site manager during initial construction phase and prior to the construction of individual units;
- details of where the approved CTMP will be displayed on site for all site personnel, operatives and visitors to observe;
- details of wheel washing facilities and their location on the site;
- a plan showing the route to and from the site along the highway network for delivery vehicles; and
- details of how access to the site will be controlled (e.g. a banksman).

The approved CTMP shall be implemented prior to any works being carried out on site and shall be maintained throughout the course of the development and the development of each individual plot.

- 8) Subsequent to the initial reserved matters application, a scheme for the landscaping of the site in communal areas, including boundary treatments and the planting of live trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the building up of the eastern stone boundary wall and schedules of new trees and shrubs to be planted (noting species, plant sizes and numbers/densities), the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread), any earth moving operations and finished levels/contours, and a implementation and maintenance programme.

The approved scheme shall be commenced prior to the first occupation of any dwelling and implemented in accordance with the approved implementation programme. Thereafter it shall be maintained in accordance with the approved scheme and maintenance programme. In the event of any of the trees or plants so planted within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, such trees or plants shall be replaced in the next planting season with others of similar size and species.

- 9) No development shall commence until details of all car parking facilities and manoeuvring areas to be provided within the site have been submitted as part of the initial reserved matters and approved in writing by the Local Planning Authority. The approved car parking and manoeuvring facilities shall be provided before first occupation and shall thereafter be retained at all times for the use of the development.
- 10) No development shall commence until details of the proposed works to the existing access to the site have been submitted as part of the initial reserved matters and approved in writing by the Local Planning Authority and no part of the development shall be occupied until those works have been constructed in accordance with the approved details. Thereafter, prior to the first occupation of any dwelling, the entire means of access to and shared surface drive within the site (except for the final surfacing thereof) shall be laid out, constructed, lit and drained and if required, temporary or permanent traffic calming shall be put in place in accordance with the previously approved details.
- 11) No development shall commence unless and until a certificate confirming the agreement of an Offsetting Provider to deliver a Biodiversity Offsetting Scheme totalling a minimum of 0.82 biodiversity units has been submitted to and approved in writing by the Local Planning Authority. The written approval of the Council shall not be issued before the certificate has been issued by the Offset Provider. The

details of biodiversity enhancements shall be documented by the Offset Provider and issued to the Council for their records.

- 12) The development hereby approved shall be implemented in accordance with all the recommendations made in section 6 of the supporting Preliminary Ecological Appraisal (Ecology By Design Ltd, 18/04/2019, Project Code: EBD000803).
- 13) Notwithstanding the provisions of Classes A, B, and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), there shall be no extension to any of the dwellings hereby permitted and no incidental buildings or structures shall be erected within the curtilage of any dwelling without the prior grant of planning permission.
- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) 2015 (or any Order revoking or re-enacting that Order) the erection or construction of gates, fences, walls or other means of enclosure as described in Schedule 2, Part 2, Class A of the Order shall not be undertaken without obtaining planning permission from the Local Planning Authority.

END OF SCHEDULE

APPEARANCES

FOR THE APPELLANT:

Karen Cooksley
Andre Botha
Nichola Burley

W Legal
Albright Dene Ltd
Heritage Vision

FOR THE LOCAL PLANNING AUTHORITY:

Celina Colquhoun		39 Essex
Tracy Smith	South Oxfordshire and Vale of White Horse District Councils	
Samantha Allen	South Oxfordshire and Vale of White Horse District Councils	
Ryan Hunt	South Oxfordshire and Vale of White Horse District Councils	
Lisa Selby	South Oxfordshire and Vale of White Horse District Councils	
Kate Morris	South Oxfordshire and Vale of White Horse District Councils	
Luke Veillet	South Oxfordshire and Vale of White Horse District Councils	
Paul Harrison	Oxfordshire County Council	
Nick Hill	South Oxfordshire and Vale of White Horse District Councils	
Alex Tait		39 Essex

INTERESTED PARTIES:

Lesley Lovell

Alexandra Freeman

Dr C Wilding

Steventon Parish Council

Angela Einon

Steventon Parish Council

DOCUMENTS

- 1 - Suggestion walking route for site visit
- 2 - Two photographs of Council food collection vehicle
- 3 - Option agreement
- 4 - Revised wording to suggested condition no. 7
- 5 - Unilateral Undertaking
- 6 - Section 106 Dead of Agreement