

Full Council

Date:	16 October 2018
Title:	Land to the north of Moreton Road, Moreton
Contact Officer:	Graeme Markland, Neighbourhood Plan Continuity Officer

Background

1. The proposed development site is approximately 0.41 hectare in size, recti-linear, and aligned north-east to south-west. It is an area of paddocking that fronts Moreton Road, linking to Rycote Lane, the A329, and an assemblage of farm and former farm buildings, and Chestnut Farm house, on its south-eastern flank. To the north-east is School Lane House, and the School House. To the north is an enclosed field.
2. Three pre-application meetings have been held between the Town Council and the developer. Two, in November 2017 and March 2018, have been attended by residents of Moreton. Initially, two schemes were shown to the Town Council, one for 5 dwellings and one for 7. The former contained a higher proportion of larger properties. For subsequent meetings a 7-dwelling scheme was discussed.
3. In April 2018 the developer held a pre-application consultation event within Moreton and invited both spoken and written comments on the proposed development. The developer provided a form questionnaire which was sufficiently open in its questions in order to ensure members of the public were allowed the opportunity to fully express their approval / concerns.
4. In July of 2018 the developer submitted an application for 7 homes to South Oxfordshire District Council (SODC). At its Full Council meeting of 31 July 2018 Thame Town Council recommended refusal on the following grounds:
 - The proposal is contrary to Thame Neighbourhood Plan (TNP) Policy H5 and 2012 Core Strategy Policy CSR1 as it does not meet the Core Strategy definition of windfall in an “other” village;
 - The scheme is contrary to TNP Policy H10 in not providing a Thame-specific housing mix;
 - The scheme is contrary to TNP Policies ESDQ20 and ESDQ27, respectively, in failing to provide full details of traditional materials to be used, and in failing to design-in the “forgotten” details of house design;
 - In undermining the contribution to the setting of the Moreton Conservation Area, the scheme is contrary to TNP Policies ESDQ15, ESDQ16, Local Plan Policy CON7, and NPPF paragraphs 189 and 200;
 - The scheme fails to provide bicycle parking, and is therefore contrary to Local Plan Policy D2;
 - The scheme fails in proposing development in a location that will fail to reduce the need to rely on use of private cars, contrary to Local Plan Policy G3.
5. On September 21 2018 the applicant submitted an amended scheme to SODC, seeking to address key issues that had arisen through the planning application’s consultation process. They have stated this includes comments from both Thame Town Council and Moreton Residents Association and matters arising from the revision to the NPPF.

Proposed Development

5. Application P18/S2260/FUL has been amended and is now for 5 dwellings on just over 0.35 net hectares, a density of around 14 dwellings per hectare. The proposed dwellings are all detached and of two-storeys:
 - 1 x 3 bedroom property;
 - 3 x 4 bedroom houses;
 - 1 x 5 bedroom dwelling (4 bedrooms with study/fifth bedroom option).
6. The development is still split into two main groups. Plots 3, 4 and 5 on the east part of the site are unchanged from the previous proposal. Plot 5 was styled to call to mind a Georgian farmhouse, set well back from the roadside with plots 3 and 4, being converted barns within its associated farmyard. Plots 1 and 2 have changed in both floor and roof plan from those formerly proposed and are now angled with their facades facing the road frontage.
7. Plot 1 is now simpler in design, with one less gable and its lean-to style kitchen element shown in brick, rather than timber cladding. A side-facing carport has been attached to the front of the property. Plot 2 is roughly "L" shaped, with one gable end and a hipped roof at the other. Both properties have generous open porches. The amended Design and Access Statement claims the design has been influenced by existing properties within Moreton.
8. The properties are practicable, reasonably sized with storage space shown across floors. There are 16 formal parking spaces indicated on the plans, of which 9 are within car ports. These can all be used without tandem parking. At least another 7 informal spaces will be available through tandem parking in front of the double car ports without causing inconvenience to other residents or visitors.

Discussion

9. **Housing policy.** The site counts as a windfall planning application. Policy H5 of the 2013 Thame Neighbourhood Plan (TNP) declares that permission will be granted for small residential developments on infill and (brownfield) redevelopment sites within the parish. It is particularly mentioned that this would include Moreton village. The policy also states that proposals must be well-designed, and meet "relevant requirements set out in other policies in this Plan and the South Oxfordshire Core Strategy".
10. The latter part of the last sentence above is included for clarity, but is in itself superfluous. In order to be eligible for referendum, all neighbourhood plans have to be in conformity with the strategic policies contained within the Development Plan as a whole (NPPF paragraphs 12 and 13). Paragraph 20 of the revised NPPF tells us housing remains a strategic policy matter; and paragraph 29 reminds us that neighbourhood plans must not undermine those strategic policies, and must remain in general conformity with them.
11. Against this background, it has been noted that TNP Policy H5 does not specify a size of development, or introduce a threshold to explain what the TNP means by infill. In not doing so, policy H5 is and remains compliant with the District's Core Strategy policy CSR1. The TNP does not introduce a specification for infill because it did not seek to vary from that laid down in CSR1. The village of Moreton is described within Appendix 4 of the District's Core Strategy as an "other village". Policy CSR1 prescribes that infill is to be limited to sites of up to 0.1 hectare, which would allow for around 2, or possibly 3, dwellings. The proposed development site is at least 0.4 hectares in area, and is therefore not compliant with both Core Strategy Policy CSR1, and Policy H5 of the TNP, i.e., it is not infill.

12. The applicant has stated within their letter of 21 September 2018 that accompanies their amended application that the TNP should be in place “to shape and direct development that is outside of strategic policies” as per paragraph 13 of the NPPF. As the TNP does not prescribe what infill is, the applicant argues that there should be some flexibility applied to the definition.
13. As explained in paragraph 10 and 11 above, the TNP does indeed prescribe what infill is. The definition is in line with that given under policy CSR1 of the 2012 Core Strategy. This is outlined under Appendix A of the TNP, where it is stated that SODC Local Plan Policy H6, and its successor in the Core Strategy CSR1, will continue to apply to Thame. It is believed this approach is consistent with the revised NPPF in not undermining the overarching strategic policy.
14. Within paragraph 13.10 of the 2012 Core Strategy it is explained that infill is defined as “the filling of a small gap in an otherwise built-up frontage or on other sites within settlements where the site is closely surrounded by buildings”. The Moreton Road junction, punctuated by the War Memorial and a distinctly different residential area to the south-west, does not represent a continual frontage, but the end of a frontage. Similarly, the site’s road frontage of around 120 metres, should not be described as a small gap. Finally, the site is not closely surrounded by buildings; the longest side is free of any building, and the frontages to Chestnut Farm and Moreton Road can hardly be considered as surrounding. Site area aside, this scheme does not conform to the description of an infill site given within the Core Strategy. It equally does not comply with what might be called “redevelopment”; that term would be restricted for previously developed sites and this is a green, undeveloped site.
15. As this current proposal is for 5 units it does not have to comply with TNP Policy H9, in providing a mix of housing types, or TNP Policy H10, in demonstrating a Thame-Specific Affordable Housing and Dwellings Mix Strategy. In line with national policy no affordable housing provision is required.
16. **Design.** The farmyard avoids a merely linear, semi-urban development and attempts to respond to the neighbouring area in varying the set back of the properties. The shared access for plots 1 and 2 is suggestive of an infill on an earlier, redundant plot.
17. The materials used in the properties are primarily traditional brick and clay tile. Exceptions are in the use of wood cladding for the two “barns” of Plots 4 and 5, and in side/end walls of carports.
18. At the other end of the development, plot 5 faces the road from its set-back position, while the barn dwellings have been designed to address the “farm yard”. Care has been taken to avoid overlooking between habitable rooms, with the use of obscure glazing in certain windows. The distance between the back of School Lane House and the kitchen/bedroom elevation of plot 5 is likely to be over 20 metres, but it is difficult to be certain with the reduced scale plans supplied by the District Council. Plot 5 itself is presented in a Georgian style. This is suggestive of a build by a wealthy farm owner, similar to other Georgian houses in Moreton.
19. Fenestration is sensibly dealt with across the scheme, with window opening types appropriate to the style of building. The houses and “barns” have simple flush and recessed casement windows and rooflights while the Georgian-style “farmhouse” has sash windows.
20. On the basis of the Design and Access Statement submitted earlier, and notwithstanding the uncertainty over the distance between the rear of School Lane House and plot 5, the development meets the needs of TNP Policy ESDQ15, in showing how the proposal would

reinforce Thame's character. In the matter of TNP Policy ESDQ16, explaining how the development relates well to its site and surroundings, the Statement similarly explains how the proposed scheme developed in response to constraints and site-related opportunities. This can, however, be weighed up separately from how the proposal responds to the Moreton Conservation Area.

21. TNP Policy ESDQ20 requires designs that follow traditional architecture in response to historic character should use historically correct materials. The Amended Design and Access Statement now comprehensively covers all of the building materials that would be used. For example, all windows will be timber and the rainwater goods, iron-effect, and window cills and headers a mix of stone, brick and tile. Although the colours of the windows and wood cladding have yet to be declared, it is felt that the requirements of Policy ESDQ20 have been met.
22. It is a requirement of Policy ESDQ27 that the often "forgotten" design elements of schemes are included from the start of the design process. Within the original proposal, some items such as bin stores, bicycle storage and boiler flues were not shown. The recent amendments now show these items, boiler flues aside, and it is considered that Policy ESDQ27 has been adequately met.
23. **Landscape impact.** Supplied as part of the original Design and Access statement was an honest assessment of the impact of the development on the landscape and setting of Moreton. It correctly points out that the scheme's impact will be more considerable during winter months. The hedgerow to the north of the site, and along Moreton Road, will help shield the proposed development when the hedgerow trees and shrubs are in leaf. Those to the south and south-west, facing the War Memorial and Chestnut Farm, are scrubby and sparse. Submitted mitigation proposals include concentrating on the repositioning and / or reinforcement of these with native species, which will serve to both soften the development and improve the site's biodiversity.
24. Since the application was considered by Thame Town Council, SODC's landscape architect has provided comments on the original scheme. It was recommended that the landscape appraisal be updated following the submission of a Heritage Appraisal and Impact Assessment. Other recommendations were:
 - Revise the proposal, subject to recommendations arising from the Heritage Appraisal and Impact Assessment and revised landscape scheme;
 - Revise the site layout to remove straight-on views to parked cars from public rights of way, including those into the car ports (this appears to have been achieved in the amendment);
 - Submit details on the hard and soft landscaping, and specify a more rustic hedge type along Moreton Road; and add more trees to soften the impact of the development along Moreton Road (these are part of the Memorial Garden proposal);
 - Submit lighting plans that respect the darkness and tranquility of a rural village;
 - Provide details of bicycle parking (achieved in the amended scheme).

There was also concern expressed that some of the dwellings may not achieve adequate private amenity space as indicated within the SODC Design Guide, given their set back from the adjoining road. With the removal of the smallest semi-detached properties it is probable that this concern has been addressed.
25. The site will be visible from Moreton Road, possible from as far as The Chestnuts, in winter, and from the Moreton Road/Phoenix Trail footpath. Although plot one and two now have longer ridgelines and these are oriented north-east/south-west, the removal of two units from the scheme as a whole has reduced this impact. The approach to Moreton from this road will still feel less rural during the winter months. The view from The Furlongs across the War

Memorial will change significantly; the paddock will disappear, while the longer view to the field behind the paddock will be largely closed off by the proposed dwellings. It is possible that an attractive planting scheme within the proposed Memorial Garden could offset this. This junction is Moreton's only viable connection to the wider area, and all other concerns aside, the Memorial Garden would help in preserving something of the relaxed, rural form of Moreton. The next most critical view will be that looking south-west from the Thame Conservation Area, which will primarily be impacted on during the winter months.

26. It is felt that the scheme would have a minor negative effect on the wider setting of the village in the landscape. This should not be confused with the aesthetics of the scheme within its site.
27. **Moreton Conservation Area.** There is no published appraisal of the Moreton Conservation Area. The Moreton CA itself is centred on the cluster of listed buildings to the east of the proposed development site. It is therefore difficult to establish elements that particularly warrant consideration when judging the impact of the proposed development. There is no evidence that the area is connected with particular persons or events. It is therefore more likely that the Moreton CA is protected for a combination of its connection with past farming and village activities, its place in the wider economy of the past, and its aesthetic value. The inclusion of the road and verges opposite Chestnut Farm however, which are immediately adjacent to the proposed development site, indicates that they are seen as making a positive contribution to the whole.
28. The scheme's eastern crossover will be within the Moreton CA and this must be given some regard. The development will, however, mostly impact on the setting of the Moreton CA. The setting itself must be regarded as what contributes to the Moreton CA, in light of this application.
29. At the request of the District Council's Conservation Team, the applicant has submitted a heritage scheme assessment and impact statement. The document declares itself to have been drawn together in a rush, and to have certain limitations, being only the work of a walk-through and desktop assessment. Unfortunately, this is apparent, in that an inadequate conclusion is drawn as to the purpose of the Moreton Conservation Area within the statement of its significance. One statement made in paragraph 4.18 is telling: "Moreton Conservation Area derives historic and architectural significance from the linear development of the hamlet and its layout of strip plots along the road". This is only one part of the Conservation Area's story. No recognition has been made of the historic core's importance when compared to the ribbon development of wider Moreton. No mention is made of the significance of the chapel, school, pubs, shops and businesses known to have operated within the Moreton CA, some of which replaced earlier agricultural buildings. The CA represents the historic economic and social centre of the village, very distinct from the wider collection of contemporaneous farmsteads across Moreton.
30. The submitted heritage setting and impact assessment suggests that in proposing development that is similar to the local vernacular, the development would not harm the setting of the CA. This is deemed inadequate as an explanation; harm is not avoided by merely aping a particular style. Attention is also drawn within the assessment to the two relatively new houses south of the War Memorial as an example of what is appropriate within the area. These houses were infill development, in line with policy, that replaced non-heritage storage barns and a farm yard. Such a conclusion should not necessarily be drawn with this much larger, greenfield, windfall site.
31. The assessment goes on to state that as an individual field adjoining the Moreton CA, the harm caused by the site's loss would be limited. This field is arguably, however, the most

important of those fields to the understanding of the Moreton CA. It is the most visible, being apparent to all of Moreton's residents and visitors, and serves to enhance the separation of the historic core from contemporary ribbon and later infill development. The proposal is therefore contrary to both paragraphs 189 and 200 of the revised NPPF, in that it would not enhance or better reveal the significance of the Moreton CA, but would in fact erode that significance.

32. The proposed development would undoubtedly alter the setting of the Moreton CA and would serve to erode the spatial relationship between the Chestnut and Moreton farms. It would also impact negatively in the sense of both arrival into the Moreton CA and the view south-westwards, from the CA. There would, therefore, be harm. In the narrower terms of undermining the significance of the Moreton CA as a cluster of residential and formerly commercial and civic buildings at the end of the Moreton ribbon, the harm is deemed significant. In this context, the proposal is contrary to ESDQ15, in undermining Thame's historic character, and is also contrary to ESDQ16, in weakening, rather than maintaining or strengthening, the distinct character of the local surroundings.
33. The harm to the Moreton CA must be seen as less than substantial, in that it would not involve the loss of the area through demolition. Paragraph 196 of the revised NPPF informs us that in these cases, as a designated heritage asset, the public benefits of the proposal must be weighed against the harm to that asset. It is believed that on balance, and with reference to paragraphs 189 and 200, the NPPF indicates the harm would outweigh the benefit, in this case.
34. In undermining the Moreton Conservation Area by harming the contribution it makes to local distinctiveness, character and sense of place, the proposal is contrary to Core Strategy Policy CSEN3. As a site outside the Moreton CA that is introducing a harmful effect upon it, the development is contrary to Local Plan Policy CON7.
35. It is judged that the impact on Moreton's listed buildings when taken individually is limited to that of harm to their setting. Although this will undoubtedly be greater during winter months when vegetation has died back, this remains minor, overall.
36. **Proposed memorial garden.** The applicant is proposing to transfer between 4 - 500 square metres of land to the Moreton Residents Association to use as an area of public amenity space for the village. It is suggested that the ownership of the land, and its management, will be undertaken either through a management company associated with the development or through the Moreton community itself.
37. The proposal is for a simple pathway linking seating areas, planted with an appropriate, new hedgerow to the north-east boundary and some new trees. It has been suggested through the submitted Biodiversity Impact Calculator (BIC, September 2018) that the area around the pathways could be sown with a low-lying wildflower and grassland mix of seeds in order to create an attractive open space. The new proposals, including a net gain of just over 41 metres of hedgerow, give rise to a theoretical net gain in biodiversity. Please note the assumption of the existing hedgerow lengths vary between the June and September 2018 BIC editions by some 50 metres; the difference is not explained.
38. Thame Town Council's Asset Manager has advised that the wildflower meadow may well not meet local expectations of what is appropriate at a memorial garden. For the biodiversity gain returned, the management input would be relatively high. The community may also be frustrated by the absolute need to allow the meadow flowers and grasses to grow and die back, prior to its one annual cut. A more suitable proposal might be to initially seed the memorial garden with a traditional grass mix and seek greater gains through the further

provision of native tree and hedgerow plants, and bird/mammal/insect boxes, in order to allow the community time to choose an overall theme and purpose for the area.

39. **Transport.** The TNP Policy GA1 requires development to provide good pedestrian and cycle connections to the town centre and other local destinations. Paragraph 9.3 explains what good pedestrian and cycle connections are. They are: short and direct; designed as pleasant places to be; overlooked by adjacent building fronts. Paragraph 7.4 of the TNP similarly states that windfall sites must incorporate the same principles in setting out good connections to those used for allocated sites under Policy H4 of the TNP. Policy H4 describes the relevant matters. The connections should be:

- short and direct routes for pedestrians and cyclists to connect each site to the rest of the town; and
- provide good access to public transport by being located as closely as possible to existing bus routes, via good pedestrian routes.

It would be unreasonable to require the applicant to provide improved cycle and pedestrian connections, from Moreton. Furthermore, such connections would fundamentally change the setting of Moreton and its conservation area. It is noted however, that cycling opportunities do exist within the area; the Phoenix Trail is close by and the bridleway to Tetsworth is more than passable. Provision has been made within this revised scheme for cycle parking at the standard of one space per bedroom which is consistent with SODC Local Plan Policy D2. Regrettably though, the connections to the wider town are not short and direct, with the Moreton/Oxford Road route being the only practicable route to Thame in anything other than dry weather.

40. Parking spaces for 16 cars have been shown on the plans, 9 of which will be covered spaces. Tandem parking is practicable in front of most, if not all of the car ports, giving at least another 7 spaces. The very lowest interpretation of the District's parking standards possible would require only 10 spaces. Within the applicant's Transport Statement (September 2018) they have chosen to use Oxfordshire County Council's standard which includes an allowance for unallocated spaces (for visitors, etc.). This has given a requirement for 14 spaces. Parking could, therefore, be seen as generous. The applicant is, however, responding to concerns from local residents who recognise the lack of any immediate facilities in Moreton and that the likely number of vehicles and trips to and from each property is likely to be higher than the norm. Concern has also been expressed during pre-application discussions about the need to ensure that the adjoining lane is kept clear of vehicles in order to permit modern farm machinery to access buildings, farmyards and fields. Due to the development's location and the certain reliance on the private motor car for the residents, it would be reasonable for local residents to request that more spaces be provided than for similar developments in more sustainable locations. The level of parking provided is sensible and the physical form in line with TNP Policy ESDQ29.

41. The September 2018 traffic assessment contains, like its predecessor, examples of schemes across South Oxfordshire where development has happened in unsustainable locations, and where the private vehicle will dominate transport options for the residents and visitors. In doing so, this is presumed to be an acceptance by the applicant's transport consultant that the proposed development is unsustainable in terms of transport matters.

42. Four of the developments are in Moreton; one of these is the permitted development barn conversion at Bates Leys Farm while two others were policy-compliant infill. The last, and the other examples from across the District, all pre-date the District's April announcement of them having achieved a 5-year supply of housing land. In the absence of this supply, serious policy concerns are given less, or little weight, if they are seen to constrain housing supply. The examples shown are, therefore, more indicators of the perversity of current planning policy than evidence of deliberate action by SODC.
43. **Amenity.** Moreton lacks any formal or informal play space for children. There are no shops or public houses, and only a post-box and bus stop. It has emerged that the last non-school transport bus service ceased visiting Moreton in 2015. The County Council is trying to end bus services for non-primary age school children, meaning a 1km walk from the eastern edge of the village along an unlit path, the majority of which is unmade. It is likely that most will be transported by private vehicle for at least the winter and early spring/late autumn months. For any sort of service or basic need, the residents would have to travel out of Moreton.
44. **Recommendation.** That Thame Town Council objects to this application for the reasons given in the above report.