The Planning Inspectorate

Appeal Decision

Inquiry held 14 to 17 November 2017

Site visit made on 17 November 2017

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 January 2018

Appeal Ref: APP/Q3115/W/17/3169755
Land off Fieldside Track, Long Wittenham OX14 4PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by Kler Group against South Oxfordshire District Council.
- The application Ref P16/S1124/O, is dated 30 March 2016.
- The development proposed is outline residential development with all matters reserved except access for up to 36 dwellings.

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Decision

1. The appeal is allowed and planning permission is granted for outline residential development with all matters reserved except access for up to 36 dwellings at Land off Fieldside Track, Long Wittenham OX14 4PZ in accordance with the terms of the application, Ref P16/S1124/O, dated 30 March 2016, subject to the attached schedule of conditions.

Procedural matters

2. The application is in outline with all matters reserved for future consideration except for access. A site location plan and site access design drawing (WIE 006 005 A07) were submitted with the application. An illustrative masterplan (dwg.no.15-194-01B) was also submitted showing how the site might be developed. I have had regard to these plans in determining the appeal.

3. A completed Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (S106) was provided at the Inquiry. The S106 includes obligations relating to affordable housing, on-site open space, highway works, and contributions towards public art, recycling, street naming and monitoring costs. In addition, a draft S106 unilateral undertaking (UU) was submitted at the Inquiry with the certified copy of the document being provided after the Inquiry closed. The UU includes obligations relating to contributions to Oxfordshire County Council towards sustainable transport measures in the Science Vale area, provision of a travel plan and contributions towards monitoring costs.

4. Had the Council been in a position to determine the application it would have refused it for two reasons. The second reason concerned the absence of a planning obligation requiring the provision of affordable housing and the payment of contributions towards various forms of infrastructure. At the Inquiry, the Council confirmed that the submitted planning obligations would

secure an appropriate level of affordable housing and financial contributions. Consequently, as this matter is not disputed, I do not identify the absence of planning obligations as a main issue.

5. The Council and appellant provided written evidence in respect of housing land supply prior to the Inquiry. It was subsequently decided not to give oral evidence in this regard and I have dealt with this matter on the basis of the written submissions.

Main Issues

6. Having had regard to the procedural matters and in light of all that I have read, heard and seen, I consider the main issues for the appeal are:

- Whether the proposal would comply with the development plan strategy for locating new development and the distribution of housing in the area;
- The effect of the proposed access on highway safety on Didcot Road; and
- Whether there are material considerations sufficient to outweigh any conflict with the development plan and any other harm arising from the development.

Reasons

Planning policy context and background

7. The development plan for the area comprises the Long Wittenham Neighbourhood Plan (LWNP), the South Oxfordshire Core Strategy (Core Strategy) adopted December 2012 and the saved policies of the South Oxfordshire Local Plan 2011 (Local Plan) adopted January 2006. The Council is preparing the South Oxfordshire Local Plan 2011-2033 (SOLP 2011-2033), the final publication version was subject to consultation at the time of the Inquiry. The Council intend to submit the plan for Examination after the end of the consultation period. As the plan is at an early stage in its preparation, I give its relevant policies limited weight, given that it is yet to be Examined and may be subject to modification.

The Long Wittenham Neighbourhood Plan

8. The LWNP was made on 12 October 2017 and is the most up to date part of the development plan relevant to Long Wittenham. In determining this appeal I have had regard to The National Planning Policy Framework (the Framework) which in paragraph 198 includes that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

9. The Written Ministerial Statement (WMS) on neighbourhood planning[1] states that, where there are relevant policies for the supply of housing in a recently made neighbourhood plan, those policies should not be considered out-of-date unless there is a significant lack of supply. There will not be a significant lack of supply, and relevant neighbourhood plan policies will not be out of date, if all of the specific circumstances set out in the WMS apply. These circumstances are that the WMS is less than two years old, or the neighbourhood plan has been part of the development plan for two years or less, that the

[1] Published 12 December 2016

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neighbourhood plan allocates sites for housing, and the Local Planning Authority can demonstrate a three-year supply of deliverable housing sites.

10. There is no dispute between the parties that the LWNP does not allocate sites for housing[2]. LWNP Policy LW1 is concerned with the provision of a community hub. Policy LW1 is a criteria based policy which sets out the circumstances where a proposal for a community hub would be supported, including any associated enabling housing development. However, whilst there could very well be residential development associated with the provision of the community hub, the made LWNP, unlike an earlier version, does not specifically allocate any sites. I agree therefore that the LWNP does not make any allocations for housing and I note the preference of the Long Wittenham Parish Council (LWPC) is to progress the community hub scheme via a Community Right to Build Order (CRBO). Having had careful regard to the evidence before me concerning the likely enabling housing development which could come forward with the community hub scheme, I nevertheless consider that as the LWNP does not actually allocate any sites for housing, the WMS is not engaged.

11. The priority in the LWNP is to deliver community facilities within a community hub to upgrade the village hall, school and parking facilities along with any enabling housing development to address issues of sustainability. The LWNP in part 2.1 sets out its strategy to achieve the community hub. Having had regard to the LWNP as a whole, I find that it does not include any policies which change the strategy for housing development in the village from that set out in the Core Strategy. In addition, the LWNP is clear that it is compatible with the Core Strategy, albeit, enabling housing development may form part of the CRBO.

South Oxfordshire Core Strategy

12. The Core Strategy was adopted after the publication of the Framework and was found sound following Examination. Core Strategy Policy CSS1 sets the overall strategy which focuses major new development in Didcot. Villages such as Long Wittenham, would be supported by limited amounts of housing and employment development and by the provision and retention of services. Policy CSR1 is concerned with housing in villages and sets out that in smaller villages such as Long Wittenham, the scale and nature of development would be for sites of up to 0.2 hectares (equivalent to 5 – 6 houses) in order to contribute towards the future economic, environmental and social sustainability of the villages. Policy CSH1 is concerned with the amount and distribution of housing in the District and Policy CS1 sets out the presumption in favour of sustainable development.

Housing land supply

13. The Council and the appellant agree that the Oxfordshire SHMA 2014 provides the evidence from which the objectively assessed need for housing can be derived, with the SHMA mid-point being 775 dwellings per annum, rather than the figures set out in Core Strategy Policy CSH1. It is also agreed that a 20% buffer should be applied due to persistent under delivery, although there is disagreement as to how the buffer should be applied. The extent of the shortfall in housing land supply is a matter which I take into account in the planning balance. Despite the differences between the Council and appellant

[2] Inquiry doc 25 paragraph 11

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as to the extent of shortfall, they agree that the shortfall in housing land supply is a significant consideration in the appeal.

14. The judgment Phides Estates (Overseas) Ltd v SSCLG [2015] EWHC 827 (Admin) established that in carrying out the planning balance exercise, the weight given to a proposal's benefit in increasing the supply of housing will vary from case to case and depend, for example, on the extent of the shortfall, how long the deficit is likely to persist, what steps the authority could readily take to reduce it, and how much of it the development would meet.

15. Ms Jarvis in her evidence sets out that the Council can demonstrate a supply of about 4.08 years, whilst the appellant sets out scenarios ranging from 3.42 to 2.5 years, disputing the Councils stated housing supply and including provision for addressing the unmet need of Oxford City. Whilst I have had regard to the various appeal decisions in South Oxfordshire cited by the parties[3], the evidence before me is that the extent of shortfall is between 1,083 to 3,579 dwellings. Either way, there is a significant shortfall in housing supply.

16. I have taken into account that additional planning permissions for housing development have been granted in the District since 1 April 2017 and that the Council is progressing its new Local Plan which, should it be found sound, should provide a 5 year supply of deliverable housing sites. Whilst the Council is taking steps to address the shortfall, there is no evidence before me to suggest that it would be remedied before the emerging Local Plan could be adopted and therefore the shortfall is likely to persist in the interim. Given the emerging plan is yet to be examined, any adoption date is as yet unknown. For the purposes of the planning balance I adopt the Councils position in respect of housing land supply as the best case scenario.

17. There is no dispute that the Council cannot demonstrate a five year supply of deliverable housing sites and it is common ground between the Council and the appellant that the relevant policies for the supply of housing, Policies CSS1, CSR1 and CSH1 should not be considered as being up to date. I agree that the 'tilted balance' set out in paragraph 14 of the Framework is engaged. Paragraph 14 of the Framework indicates that where relevant policies are out of date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

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Development Plan Strategy for locating new development and its distribution

18. The Planning Practice Guidance[4] (PPG) in relation to rural housing states that all settlements can play a role in delivering sustainable development in rural areas and that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence. The Core Strategy was found sound following Examination and I have no reason to doubt that it was not based upon robust evidence.

[3] APP/Q3115/A/14/2217931, APP/Q3115/W/15/3032691, APP/Q3115/W/15/3097666, APP/Q3115/W/15/3035889, APP/Q3115/W/15/3136319, APP/Q3115/W/16/3163855, APP/Q3115/W/16/3165351, APP/Q3115/W/16/3161733, APP/Q3115/W/17/3177448
[4] Paragraph: 001 Reference ID: 50-001-20160519

19. Whilst Core Strategy Policies CSS1 and CSR1 are out of date in the context of paragraph 49 of the Framework and the supply of housing, I am not convinced that the plan strategy overall is inconsistent with the guidance set out in the PPG. As there has not been any other significant change in national policy I do not find the overall settlement hierarchy approach to be out of date. Therefore, whilst I have had regard to the PPG and that the strategy would have to have been consistent with the former Regional Spatial Strategy when it was prepared, I consider that the settlement hierarchy approach of the Core Strategy remains valid and is an important consideration.

20. Ms Jarvis in oral evidence confirmed that there has been a net increase of 6 residential units in Long Wittenham since 2011. The appeal proposal is for a scheme of up to 36 units, which together considerably exceed the level of development for smaller villages envisaged in the Core Strategy. Whilst it is argued that the appeal scheme would contribute towards the future economic, environmental and social sustainability of the village, the proposal conflicts with the distributional strategy as set out in Policies CSS1 and CSR1. However, given the housing supply position, I apply reduced weight to the conflict with the levels of housing for different tiers of settlement identified in Policies CSS1. Overall, I shall afford moderate weight to the conflicts with Core Strategy Policies CSS1 and CSR1 in the planning balance.

21. The emerging SOLP 2011-2033 in Policy STRAT1 in broad terms seeks to continue the strategy as set out in the Core Strategy, with major development being focused in identified settlements. For smaller villages, limited housing would be allowed to help to secure the provision and retention of services. Policy H1 sets out that housing development not on allocated sites will only be permitted in certain circumstances, including where it is brought forward via a CRBO or infilling. Policy H8 sets out that there will be a minimum of 500 new homes in smaller villages, either where Neighbourhood Development Plans (NDP) allocate sites for at least 5% increase in dwelling numbers or where there is no NDP, a 5-10% increase in dwelling numbers above those recorded in the 2011 Census. In this case Long Wittenham has a NDP, but it does not allocate any housing sites. The LWNP states that the village has 325 homes, and therefore the appeal scheme would be in excess of the level of development envisaged in Policy H8. Such conflicts with the emerging plan however should be afforded limited weight given the current position of the plan on the way to adoption.

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Accessibility

22. Long Wittenham is a relatively small village with a primary school, a pre-school, village hall, public house, restaurant and sports field and pavilion, which are accessible to villagers on foot. The village has, however, no shop or health care facilities, the nearest of which are located at Clifton Hampden, whilst a wider range of facilities are available at Didcot. I have had regard to the comments by interested persons concerning the capacity of education and health facilities but have not been convinced that any additional demand from the appeal scheme could not be met by existing services and facilities.

23. The appellant's Vitality Impact Assessment Report[5] gives the distances to Clifton Hampden as about 2km and Didcot about 4.5 km and sets out that a high proportion of journeys to work in the parish of Long Wittenham are made

[5] Rural Solutions report dated 18 October 2017

by car or van. The village is not directly served by buses and the roads from the village to Clifton Hampden and Didcot do not have continuous lit footways between the settlements.

24. At the Inquiry, some time was spent considering other cycle route and walking options. There is a combined walking and cycle route between the village and Didcot (National Route 5). This provides a surfaced off-road route between the settlements. However, given the limited width of the surfaced area, maintenance issues highlighted, lack of lighting and routing of the path via an unlit culvert beneath the A4130 road on the edge of Didcot, the attractiveness of this route as an alternative to the private car is somewhat diminished.

25. During the site visit I walked part of the footpath route to Appleford, which has a railway station. Whilst the route provides an opportunity to access the rail services provided at Appleford, as is not surfaced and is liable to flooding, in practical terms its value as an alternative to the private car is also limited. Furthermore I have had regard to the limited rail service available at Appleford and lack of parking for people with mobility problems.

26. The LWNP includes in Appendix 3 projects to be funded from the Community Infrastructure Levy (CIL), including for a new roadside footway to Clifton Hampden and to reduce the risk of flooding on the road between the two villages. At present, opportunities for travel between the two without using the private car are limited.

27. Consequently, whilst there are a number of essential services available within walking distance of the appeal site, access to some other services and employment is highly dependent upon the use of the private car, given the available options for travel using means other than the private car.

28. The Framework in paragraph 55 includes that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities such as where there are groups of smaller settlements, development in one village may support services in a village nearby. There is evidence before me that such a relationship exists between Long Wittenham and Clifton Hampden. The Framework in paragraph 29 also includes that the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

29. The UU makes provision for contributions towards sustainable transport measures and a travel plan. The appellant also proposes the provision of electric car charging points for the proposed dwellings. Whilst these contributions and provisions would not transform accessibility of services and facilities outside of the village, they would nevertheless provide the opportunity to make positive improvements over the existing situation. In addition, twenty five per cent of the any CIL contributions from the appeal scheme would be directed to LWPC, (about £154,000 for a scheme based on the illustrative master plan), which could be directed towards the projects identified in the LWNP, including improving access to Clifton Hampden. However, I have had regard to the unsuccessful efforts of LWPC to date in identifying an achievable route to Clifton Hampden and find there is no certainty that the accessibility projects would be funded or be achievable.

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30. To conclude on accessibility, Long Wittenham has a reasonable range of essential services within walking distance, with other essential services being available in Clifton Hampden and Didcot. To access services outside of the village, residents are largely dependent upon the private car, although there are some limited opportunities for use of other modes of travel. Development in Long Wittenham would assist in maintaining the viability of services and facilities in the village and support those in Clifton Hampden. Given the scale of development, and the mitigation measures proposed, the evidence before me is that the development would not give rise to a significant increase in traffic generation in a relatively inaccessible location and would make a modest contribution towards improving accessibility. Whilst the village is not served by public transport, measures are proposed to improve accessibility. Furthermore, there would be the opportunity to direct CIL monies to accessibility projects identified in the LWNP. Therefore the appeal scheme does not conflict with saved Local Plan Policy G3. Whilst there is no public transport service at the village, I do not find significant conflict with saved Local Plan Policy T1 which is concerned with transport requirement for new development, or Core Strategy Policy CSM1 which is concerned with transport.

The community hub proposal

31. It is evident that Long Wittenham has a vibrant community which has made considerable efforts to set out its vision for the future in the LWNP, a key element of which is the provision of a community hub under Policy LW1. Other than bus services being withdrawn, it is clear that services and facilities in the village are very well used and have not experienced decline in recent years. I appreciate the community wishes to provide modern facilities in the form of the community hub to improve the 'sustainability' of the village, and have regard to the evidence of Catherine Harrison that the Pre-School needs greater space and facilities to be able to provide the full 30 funded hours for children. I also note that if the hub did not go ahead, the pre-school may have to close whilst the village hall was refurbished. In addition, I have taken into account that the primary school buildings fail to meet current policies for internal and external facilities. I have considered the concerns expressed about the future of the primary school, but there is no substantive evidence before me that it is at risk.

32. The community hub would incorporate a new school, pre-school, village hall and community facilities which could include a café, community shop or market. The community hub proposal seeks to improve the quality of facilities in the village and if the CRBO includes provision for a café, shop or market, would also broaden accessibility to wider services and facilities. However, it was explained in oral evidence by Dr Pellegram that there is as yet no detailed scheme for the community hub, although pre-application advice is being sought and so it is unknown at this stage as to whether the hub would widen the range of services and facilities in the village. Under cross examination, Mr Rose for LWPC confirmed that the Hub proposal was viable in its own right and that it did not rely upon contributions from the appeal scheme for implementation, thereby making any CIL payments available for the projects listed in appendix 3 of the LWNP.

33. LWPC is concerned that should the appeal scheme precede the CRBO for the community hub, then the community may not support the CRBO Order which would be subject to a referendum. This is because it considers that the total

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number of new houses which would be provided in the village if this appeal were allowed would exceed what would be needed to enable the community hub scheme to be developed, in the context of a village the development strategy for which is for limited additional development, and that the required enabling development would then not be acceptable to the community. Whilst I can appreciate the position of LWPC, the CRBO has not been produced nor is the required supporting documentation required to satisfy LWNP Policy LW1 in terms of a viability assessment or justification for the scale of any development proposed available to the Inquiry.

34. On the balance of evidence, I am not convinced that the appeal scheme, whilst not being enabling development, would prejudice the delivery of the community hub scheme and do not find it conflicts with LWNP Policy LW1.

Conclusions in respect of Development Plan Strategy

35. I find that the appeal proposal would be at odds with the distribution of development in the District and the settlement hierarchy as set out in the development plan through the combination of Core Strategy Policies CSS1 and CSR1, and therefore conflicts for the policies for the location of new development. The appeal scheme also does not accord with policies H1 and H8 of the emerging SOLP 2011-2033. I find no conflict with the LWNP.

Highway Safety

36. The proposed site access is onto Didcot Road. Didcot Road is subject to a 30 mph speed limit and there is a traffic calming feature opposite the appeal site. Both the appellant and LWPC have undertaken surveys of vehicle speeds on Didcot Road. Both surveys identify 85th percentile vehicle speeds in excess of the 30 mph speed limit. However, there is no disagreement that site access should be provided by visibility splays measuring 2.4 metres by 90 metres. The proposed highway works also include a relocated traffic calming feature and a zebra crossing on a raised table. The S106 agreement makes provisions for highways works including an agreement to be made under Section 278 of the Highways Act 1980.

37. Whilst I have had regard to the evidence of LWPC as set out in the submitted Technical Note – Highways and Transport[6], having had regard to the consultation comments from Oxfordshire County Council (the Highways Authority) and the appellant's updated safety audit[7], I am satisfied that the proposed highways works would not give rise to any unacceptable highway safety issues on Didcot Road.

38. There is no dispute that the necessary highway works would involve land which is not controlled by the appellant. The appellant asserts that the necessary land falls within the highway and has entered into a planning obligation with the Highway Authority for the required works to be secured within a S278 Agreement. I have also taken into consideration the legal opinion[8] obtained for the appellant which sets out that there appears to be no legal impediment to the delivery of the access to the development. There is therefore strong evidence before me on this matter.

[6] Glanville May 2017
[7] Letter dated 13 December 2016
[8] Letter dated 13 December 2016

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39. LWPC asserts that third party land is required for the provision of the visibility splays. Two areas of land are identified, one to the north of the proposed junction, said to be controlled by another party and land to the south under the control of a Mr Weavers. The highways records map submitted by LWPC appears to show the land required to the north controlled by another party to be within the highway and I have no strong evidence before me to the contrary to suggest that land ownership would prevent the provision of the visibility splay to the north. LWPC states that it has an agreement with Mr Weavers and a house builder to develop the community hub scheme on the land to the south of the appeal site. Mr Weavers has stated that he will not allow his land to be used for the appeal scheme.

40. I have had careful regard to the evidence of LWPC concerning the boundary of the highway in relation to the roadside ditch and the land ownership of Mr Weavers. However, neither the highways records maps nor the H.M. Land Registry title plans before me demonstrate that the legal opinion of the appellant is wrong in that the land would not be available to them within the highway to the south to provide the required visibility splay. Whilst there may be an issue in relation to private rights regarding land ownership, any such issue would be dealt with under legislation dealing with private legal rights.

41. The Council and appellant have suggested that a Grampian condition should be imposed in respect of the highway works should I be minded to allow the appeal. I have had regard to the evidence of LWPC and Mr Eccles and the court judgements provided[9]. However, the PPG[10] is clear that such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.

42. In this case, there is strong evidence before me that the highway works would be achieved via the S106 and S278 Agreements. Furthermore, whilst I have had regard to the evidence concerning Mr Weavers' land and his stated intent, it has not been demonstrated that even Mr Weavers' land were found to be necessary, there would be no prospect at all of the access being provided within the time-limit imposed by a planning permission.

43. The PPG [11]also sets out that a negatively worded condition limiting the development that can take place until a planning obligation or other agreement has been entered into is unlikely to be appropriate in the majority of cases. In this case, there is a S106 agreement addressing the matter of highway works.

44. During the site visit I observed traffic on the High Street as parents dropped off children outside the village hall and school. Whilst the traffic was relatively free flowing that morning, I also take into account the evidence by interested persons and LWPC regarding congestion at peak times. Although the appeal proposal is for up to 36 dwellings, these would be situated within comfortable walking distance of the existing pre-school and primary school and any increase in traffic which is likely to result would have a minor effect upon the existing situation. LWNP Policy LW5 is concerned with car parking and sets out that new residential development will be supported where it can be demonstrated that off-street parking provision is adequate to meet future needs. The layout of the appeal scheme and detail of car parking would be the

[9] Inquiry documents 16 and 17
[10] Paragraph: 009 Reference ID: 21a-009-20140306
[11] Paragraph: 010 Reference ID: 21a-010-20140306

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subject of a reserved matters proposal and the appeal proposal does not therefore conflict with Policy LW5.

45. The appeal scheme would not give rise to unacceptable effects upon road safety and does not conflict with saved Local Plan Policy T1 which includes amongst other things that developments will provide a safe and convenient access to the highway network, or the transport policies of the Framework.

Other matters

Planning obligations

46. The S106 includes obligations relating to affordable housing, on-site open space, highway works, and contributions towards public art, recycling and street naming and monitoring costs. In addition, the UU includes obligations relating to contributions to Oxfordshire County Council towards sustainable transport measures in the Science Vale area, provision of a travel plan and a contribution towards monitoring costs.

47. Having had regard to the evidence before me including the Council's S106 schedule[12] and the Oxfordshire County Council Regulation 122 compliance statement[13] including the appeal decision cited[14], I am satisfied that the tests set out in paragraph 204 of the Framework and Regulation 122 of the CIL Regulations are met in that the obligations, except monitoring costs which I consider below, are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

48. At the Inquiry I asked the District Council whether the contributions towards monitoring costs fell within the scope of the reasonable everyday functions of the Council. The District Council did not identify any particular matter in relation to the obligations which would require the monitoring of them to fall outwith their reasonable everyday functions.

49. The County Council state that although the work of the Planning Obligations team in monitoring obligations arises solely as a result of the County Council entering into Section 106 Agreements, their experience is that 89% of contribution payments were not made within the terms of the agreements and further action is then required by the Planning Obligations Team. However, I am not convinced that the monitoring of the obligations in this case would go beyond the normal every day functions of the Councils even in light of the County Council's experience, nor that the provisions of the obligations are particularly complex. Consequently, I do not find that the payment of monitoring costs to be necessary in this case and do not take them into account.

50. The Council confirmed during the discussion regarding planning obligations that there was no reason under Regulation 123 regarding the pooling of contributions as set out in the S106, why I could not take the obligations into account. It was also confirmed orally that there was no issue in respect of the pooling regarding the obligations in the UU. Having had regard to the

[12] S106 Schedule: Policy context and CIL test summary for obligations / contributions sought document
[13] Inquiry document 20
[14] APP/V3120/A/13/2210891

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provisions of the S106 agreement and UU in terms of projects and the evidence before me, I do not disagree.

51. I am satisfied with the form and drafting of the Section 106 agreement and the UU and I therefore take the obligations, excepting those which relate to monitoring costs into account as material planning considerations.

52. LWPC has requested that I consider rejecting the S106 agreement and request one which reduces the affordable housing contribution and diverts the financial equivalent to the community hub. Firstly, I must consider the planning obligations before me, which I have found to accord with the required tests other than in respect of monitoring costs. Secondly, the evidence before me is that there is considerable need for affordable housing both within South Oxfordshire and in Long Wittenham as evidenced in the Neighbourhood Local Plan Survey 2015. In the context of such evidence, I am not convinced that it would be justified to reduce the percentage of provision of affordable housing. Furthermore, even if it were justified to do so, on the evidence before me, I am not convinced that such planning obligations would meet the required tests and be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

Affordable housing

53. It is common ground that there is unmet affordable housing need in South Oxfordshire and that delivery of affordable housing should be attributed significant weight. The appeal proposal would provide 40% affordable housing (up to 12 units) and is in accordance with Core Strategy Policy CHS3 and LWNP Policy LW3.

Historic environment

54. The parties agree that the appeal site falls within the setting of a number of listed buildings and that of the adjacent Long Wittenham Conservation Area. In determining this appeal I have had regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which imposes a duty to have special regard to the desirability of preserving listed buildings or their settings. The Framework at paragraph 134 expects any harm to a designated heritage asset to be balanced against the public benefits of the proposed development.

55. The appeal site consists of agricultural land which provides part of the wider setting of a number of Grade II listed buildings; Challis Farmhouse, The Old Farmhouse, the barn to the south of The Grange and The Grange. These buildings fall within the built up area of the village. The appeal scheme would change the wider setting of these buildings from a rural to a more urban context, and affect significance in so far as the relationships between these buildings and the adjoining countryside would change. However, such change would give rise to a minor level of harm to the significance of the listed buildings.

56. The boundary of the Long Wittenham Conservation Area runs along Fieldside and the proposed development would give rise to a similar minor erosion of the rural setting of the Conservation Area. In terms of paragraph 134 of the

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Framework, the harm which arises to the designated heritage assets, is towards the lower end of the spectrum of less than significant harm.

57. At the Inquiry there was some discussion as to the consistency of the relevant development plan policies for the historic environment with the Framework. Whilst I have taken into account the evidence regarding the wording of Policy CSEN3, which sets out that designated heritage assets will be conserved and enhanced, the appeal proposal gives rise to some limited harm to the historic environment and therefore fails to accord with the policy. Although the policy does not include provision for the weighing of public benefits against harm as is set out in the Framework, such inconsistency in a post Framework development plan should not render a relevant policy 'out of date'. The Framework is however an important material consideration to be considered in the planning balance.

58. Saved Local Plan Policy CON5 sets out that development which would adversely affect the setting of a listed building will not be permitted, whilst saved Policy CON7 includes that proposals for development outside of a conservation area which would have a harmful effect on the conservation area will not be permitted. The appeal proposal conflicts with these policies, but as they do not admit the weighing of public benefits against harm as set out in paragraphs 132 to 135 of the Framework, I find these policies to be inconsistent with the Framework, and apply limited weight to the identified conflict due to this inconsistency as per paragraph 215 of the Framework. The appeal scheme, nevertheless conflicts with Core Strategy Policy CSEN3 and saved Local Plan Policies CON5 and CON7.

Roman snails and ecology

59. LWNP Policy LW6 is concerned with ecologically sensitive areas and includes that development of land to the south of Fieldside, which includes the appeal site, will be required to assess the ecological and heritage impact fully and to propose mitigation of adverse impacts including the creation and linking of habitats. The LWNP identifies an ecologically sensitive zone to the south of Fieldside, within which part of the appeal site falls.

60. The LWNP refers to there being a population of Roman Snails along Fieldside. Whilst I have had regard to the comments that the appellant's ecological surveys were undertaken at the wrong time of the year, there is no clear evidence before me of Roman Snails being present within the appeal site. The appellant has prepared a Roman Snail Precautionary Mitigation Strategy, which could be the subject of a planning condition if the appeal is allowed. Given that the layout and landscaping are matters for a subsequent reserved matters application and that the proposed access does not impact directly upon the identified ecologically sensitive zone, the requirements of Policy LW6 would be properly assessed at the reserved matters stage. I find no conflict with the policy at this stage.

61. I have had regard to the comments by interested parties regarding bats, Great Crested Newts and House Martins but I am satisfied on the balance of evidence that the appeal proposal would not give rise to harm to protected species. Although landscaping and layout are reserved matters, the measures proposed in the appeal scheme could result in an overall net biodiversity benefit. However, the extent of any such benefit is at this stage unquantified.

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Character and appearance

62. The appeal site is situated on the edge of Long Wittenham and forms part of its countryside setting. Local Plan Policy G4 sets out that the need to protect the countryside for its own sake is an important consideration. The appeal scheme would require an opening to be made in the hedge along Didcot Road to facilitate the site access and for part of the hedge to be cut back to provide visibility splays. The character of the appeal site would change from rural to urban. The experience of people walking on the footpath to the east of the appeal site would also change, although the appeal scheme would be seen in the context of the existing edge of the village.

63. Whilst the appeal scheme is in outline, the illustrative master plan shows that views could be retained across the site from Fieldside to the Wittenham Clumps which are within the North Wessex Downs AONB. I consider that, the appeal scheme, through the loss of an area of countryside, would give rise to limited harm to the character and appearance of the area and would not have appreciable adverse effects upon the AONB. However, the limited harm identified could be adequately mitigated at the reserved matters stage, when design, layout and landscaping would be considered. Consequently, I do not find conflict with saved Local Plan Policy G2 which includes that the countryside will be protected from adverse developments, or Policy D1 which is concerned with design.

Other considerations

64. I have considered the comments regarding loss of privacy to nearby dwellings but do not find that the proposed access would give rise to harm to the living conditions of neighbours. Any effects upon living conditions arising from the layout, design and scale of dwellings would be considered at a subsequent reserved matters stage. In addition, having considered the submitted flood risk assessment, I do not find that the appeal scheme would give rise to an increase in flood risk. Furthermore, the evidence before me does not indicate that the modest increase in traffic generated would give rise to the need for a new river crossing, or cause damage to properties on the High Street.

65. I have had regard to the comments concerning the effect of the appeal scheme on property values but the courts have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property could not be a material consideration. The LWPC comments regarding the South Oxfordshire District Councils advice during the preparation of the LWNP about the allocation of the community hub site is a matter for local government accountability, rather than this appeal.

Planning and historic heritage balance

66. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise in accordance with s.38(6) of the Planning and Compulsory Purchase Act 2004. I find conflict with Core Strategy Policies CSR1, CSS1 and CSEN3, saved Local Plan Policies CON 5 and CON 7 and emerging SOLP Policies H1 and H8. Whilst I find no conflict with the policies of the LWNP, and consider that the appeal proposal accords with a number of development plan policies, given the

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proposal conflicts with a number of relevant policies, I consider that it conflicts with the development plan as a whole.

67. The development plan strategy is not serving to provide a 5 year supply of deliverable housing sites and the tilted balance in paragraph 14 of the Framework is invoked. The best case scenario put forward by the Council is that there is a 4.08 year supply of housing. This is shortfall of 1083 dwellings, which is a significant number. The strict application of the development plan strategy would prevent improvements to the shortfall in the supply of housing.

68. I afford conflict with Core Strategy Policies CSR1 and CSS1 moderate weight given the lack of a 5 year supply of housing and full weight to Policy CSEN3. I afford conflict with saved Local Plan Policies CON 5 and CON 7 limited weight due to their inconsistency with the Framework in accordance with paragraph 215 and little weight to conflict with emerging SOLP Policies H1 and H8.

69. Turning now to the test set out in paragraph 134 of the Framework. I have found minor harm to the setting of listed buildings and the Long Wittenham Conservation Area. The Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm should require clear and convincing justification and under paragraph 134 of the Framework, this harm must be balanced against the public benefits of the proposed development.

70. The appeal proposal would bring forward up to 36 dwellings which would make a meaningful contribution to addressing the significant shortfall in housing in the District. 40 per cent of these dwellings would be affordable homes. These constitute significant benefits.

71. In addition, the appeal scheme would provide economic benefits during construction and through the increase in population which would arise. In accordance with Section 70(2)(b) of the Town and Country Planning Act 1990, I take into account the local finance considerations in respect of the New Homes Bonus and Council Tax payments which, although would arise from any housing development, are nevertheless benefits to the scheme. The proposal would also provide CIL payments which would be available to LWPC to implement projects identified within the LWNP. The implementation of such projects would benefit the wider community of the village and not just residents of the proposed development. The potential benefits in respect of ecology and landscape suggested by the appellant cannot be determined properly at this stage. The highways works, travel plan and open space provision principally address the needs of the proposed development.

72. Whilst I give great weight to the conservation of the heritage assets, the total of harm to the heritage assets in terms of the Framework is outweighed by the public benefits of the proposal. Consequently, the policies of the Framework relating to heritage assets do not indicate that development should be restricted in this case. Core Strategy Policy CSEN3 does not include the weighing of harm against public benefits and I afford significant weight to the Framework in this regard when considering the conflicts identified with development plan policies.

73. I now address the tilted balance in paragraph 14 of the Framework. The appeal scheme would give rise to some moderate harm through conflict with

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the strategy for the distribution of development and minor harm to the setting of listed buildings and the Conservation Area. Having had careful regard to the submissions regarding the LWNP and the proposed community hub, I do not find that the appeal scheme to be contrary to the recently made LWNP, nor am I convinced that it would prejudice its implementation.

74. Set against this harm are the benefits of the appeal scheme already outlined. Overall the adverse impacts identified above do not significantly and demonstrably outweigh the social, economic and environmental benefits of the appeal scheme. Consequently the proposal would represent sustainable development as defined in the Framework, and, material considerations indicate that planning permission should be granted for development that is not in accordance with the development plan.

Conditions

75. A draft list of recommended conditions was provided at the Inquiry and was revised following discussion at the Inquiry. I have made some minor changes to these having regard to the tests set out in the Framework and the guidance contained in the PPG.

76. I have also had regard to the conditions suggested by LWPC. I have not applied the suggested conditions relating to the Ecologically Sensitive Zone, reducing the usable site area, provision of car parking or providing a pedestrian/cycle link onto Fieldside as those are more properly considerations for the reserved matters stage, when site layout would be considered. I have not attached the suggested condition requiring a cash contribution per dwelling towards the community hub as no payment of money or other consideration can be positively required when granting planning permission[15]. A 40% provision of affordable housing would be met via the S106 agreement and it is not necessary to impose a condition in this regard.

77. I have imposed conditions specifying time limits, the approved plans, and the number of dwellings permitted, as that provides certainty. The recommended condition states that reserved matters should be submitted within 2 years and that development should commence within one year of the final approval of reserved matters. Given that the proposed community hub would be on adjoining land, there would be a benefit in a shorter time period in this case for the submission of reserved matters given the community intention to pursue the CRBO. On the balance of evidence, I do not consider it necessary to apply a shorter period for implementation as I am not convinced that this would be either practical or reasonable.

78. I apply a condition to secure an appropriate housing mix for the area to ensure that the housing contributes fully to meeting current and future needs. I also attach conditions regarding provision of visibility splays, off site highway works, pedestrian access and to ensure that surface water is not discharged onto the highway in the interests of highway safety. I impose conditions regarding a residential travel plan and electric car charging points to encourage future occupiers to use more sustainable modes of transport, and a condition regarding provision of super-fast broadband to facilitate home working.

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[15] PPG Paragraph: 005 Reference ID: 21a-005-20140306

79. In the interests of the character and appearance of the area I attach a condition regarding a landscape management plan. To safeguard trees I attach a condition requiring the submission, approval and implementation of an arboricultural method statement. To safeguard biodiversity, I attach conditions requiring a Construction Environmental Management Plan for Biodiversity and provision for biodiversity enhancements for bats. In this regard, I also specify that the Roman Snail Precautionary Mitigation Strategy dated 21 July 2016 shall be updated in respect of the site layout, which is a reserved matter.

80. To prevent flooding and pollution, I attach a condition regarding drainage. I also apply a condition requiring an investigation of the risk of on-site contamination and measures to deal with any contamination found is applied to prevent pollution. To safeguard the living conditions of the occupiers of nearby properties, I have specified a condition to secure a Construction Method Statement and specified working hours. In the interests of the historic environment, I have applied a condition requiring a written programme of archaeological investigation. Finally, I attach a condition regarding the provision of children's play space, in order for the site to provide for the required children's play area.

Conclusion

81. For the above reasons and having considered all matters raised, I consider that the appeal should be allowed and planning permission granted.

Philip Lewis

INSPECTOR

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Schedule of conditions

1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than 2 years from the date of this permission.

3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and site access design drawing WIE 006 005 A07.

5) The development hereby permitted shall comprise no more than 36 dwellings.

6) The reserved matters for the scheme shall provide for a market and affordable housing mix in accordance with the latest Strategic Housing Market Assessment

7) No development shall commence on site until visibility splays measuring 2.4 metres X 90 metres have been provided to each of the sides of the access onto Didcot Road. The splays shall be designed to ensure there is no obstruction to vision above 0.9 metres in height relative to the centre line of the adjacent carriageway over the whole of each visibility splay area. Thereafter, the visibility splays shall be permanently maintained free from obstruction of vision.

8) Prior to the commencement of development a Residential Travel Plan for the encouragement of the use of sustainable modes of transport for the development shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented upon occupation of the first dwelling and thereafter used to promote the use of sustainable transport and avoidance of the single occupancy use of the private car, the targets for this shall be specified according to SMART criteria. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack. The Residential Travel Plan shall be monitored and reviewed in accordance with details to be set out in the approved plan.

9) No development shall commence until a scheme for the off-site highway works has been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented in full before the first occupation of any dwelling.

10) Prior to the commencement of development, details shall be submitted to and approved by the Local Planning Authority showing an internal footpath within the application site to provide safe pedestrian access to Didcot Road. The approved details shall be implemented in full before the first occupation of any dwelling.

11) No surface water from the development shall be discharged onto the adjoining highway.

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12) A landscape management scheme, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than domestic gardens, and an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The approved landscape management scheme shall be implemented in full.

13) No development or site clearance works shall take place until an arboricultural method statement to ensure the satisfactory protection of retained trees during the construction period has been submitted to and approved in writing by the Local Planning Authority. The written approval of the Local Planning Authority must be obtained prior to commencement of any site works including demolition. The matters to be encompassed within the arboricultural method statement shall include the following:

(i) A specification for the pruning of, or tree surgery to, trees to be retained in order to prevent accidental damage by construction activities;

(ii) The specification of the location, materials and means of construction of temporary protective fencing and/or ground protection in the vicinity of trees to be retained, in accordance with the recommendations of the current edition of BS 5837 ''Trees in relation to construction'', and details of the timing and duration of its erection;

(iii) The definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage;

(iv) The means of demolition for the existing site structures, and of the reinstatement of the areas currently occupied thereby;

(v) The specification of the routing and means of installation of drainage or any underground services in the vicinity of retained trees; Consideration will be made to avoid the siting of utilities and service runs within the Root Protection Area (RPA) of all trees to be retained. Only where it can be demonstrated that there is no alternative location for the laying of utilities, will encroachment into the RPA be considered. Methodology for any installation works within the RPA will be provided and must be in compliance with NJUG Volume 4, 2007 'Guidelines for the planning and installation and maintenance of utility apparatus in proximity to trees';

(vi) The details and method of construction of any other structures such as boundary walls in the vicinity of retained trees and how these relate to existing ground levels;

(vii) The details of the materials and method of construction of any roadway, parking, pathway or other surfacing within the RPA, which is to be of a 'no dig' construction method in accordance with the principles of Arboricultural Practice Note 12 "Through the Trees to Development'', and in accordance with current industry best practice; and as appropriate for the type of roadway required in relation to its usage; and

(viii) Provision for the supervision of any works within the RPAs of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified, by an appropriately qualified

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arboricultural consultant, the appointment of which shall be notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance to the Local Planning Authority.

The approved arboricultural method statement shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

14) Prior to the commencement of development (including demolition, groundworks, vegetation clearance) a Construction Environmental Management Plan for Biodiversity (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

(i) Updated ecological surveys for badgers, reptiles, amphibians, bats, nesting birds and habitats shall be undertaken. Updated surveys shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

(ii) Risk assessment of potentially damaging construction activities.

(iii) Identification of biodiversity protection zones.

(iv) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on protected species during construction.

(v) The location and timing of sensitive works to avoid harm to biodiversity features.

(vi) The times during construction when specialist ecologists need to be present on site to oversee works.

(vii) Responsible persons and lines of communication.

(viii) The role and responsibilities on site of an ecological clerk of works or similarly competent person.

(ix) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

15) Prior to the commencement of the development the Roman Snail Precautionary Mitigation Strategy 21 July 2016 shall be updated to reflect the approved reserved matters site layout. The updated strategy to include a timetable for implementation shall be submitted to and be approved in writing by the Local Planning Authority, and shall thereafter be implemented in full.

16) No development shall take place until a method statement for biodiversity enhancements, specifically related to potential impacts on the local bat population has been submitted to and approved in writing by the Local Planning Authority. These enhancements should include details and the implementation of proposals for the provision of:

(i) at least 10 permanent bat roosting features designed into new buildings in appropriate locations around the site boundaries,

(ii) the provision of 20 bat boxes in retained trees around the site boundaries,

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(iii) details of habitats designed to attract bats such as wildflower grassland and wetlands designed and managed to optimise biodiversity benefits.

The approved method statement shall be implemented in full.

17) Prior to the commencement of development, a scheme for surface water and foul drainage, detailing any on and off site drainage works including the provision of SuDS drainage ponds shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of any dwelling. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the approved scheme have been completed.

18) No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until the Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

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19) Demolition or construction works shall take place only between 0730 and 1800 on Mondays to Fridays and 0800 to 1300 on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.

20) No development shall commence (including any works of demolition), until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be complied with throughout the construction period, and shall provide details of the following:

(i) A construction traffic management plan;

(ii) Vehicle parking facilities for construction workers, other site operatives and visitors;

(iii) Site offices and other temporary buildings;

(iv) Loading and unloading of plant and materials;

(v) Storage of plant and materials used during construction;

(vi) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

(vii) Wheel washing facilities;

(viii) Measures to control the emission of dust and dirt during construction;

(ix) A scheme for recycling/disposing of waste resulting from demolition and construction works; and

(x) Measures for the protection of the natural environment.

21) No development shall commence until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and the approved programme of archaeological work has been carried out in accordance with the approved details.

22) No development shall take place until details of the layout and equipment to be included in the children's play space, and a timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority. The play space shall be implemented in accordance with the approved details and be maintained thereafter.

23) Prior to first occupation details of the means by which the dwellings hereby approved may be connected to the utilities to be provided on site to facilitate super-fast broadband connectivity have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

24) Prior to first occupation electric vehicle charging points shall be installed and be operational in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

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APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Robin Green	Of Counsel. Instructed by the Solicitor to South Oxfordshire District Council
He called	
Philippa Jarvis BSc (Hons) Dip TP MRTPI	Philippa Jarvis Planning Consultancy Ltd

FOR THE APPELLANT:

John Barrett	Of Counsel. Instructed by Michael Robson, Cerda Planning Limited
He called	
Alastair Macquire BA(HONS) DIP LA CMLI	Aspect Landscape Planning Ltd
Thomas Copp BA (Hons) MA AssocIHBC	CgMs Heritage
Nicholas Jones-Hill BSc (Hons) Dip MCIHT	Waterman
Michael Robson BA (Hons) Dip TP MRTPI	Cerda Planning Limited

FOR THE RULE 6 PARTY: LONG WITTENHAM PARISH COUNCIL:

Andrea Pellegram BA, MA, MSc, PhD, MRTPI, MCIWM	
Stephen Brown BSc C Eng. MICE	Long Wittenham Parish Council
Peter Rose	Long Wittenham Parish Council
Patrick Eccles	Local resident

INTERESTED PERSONS:

Catherine Harrison Long Wittenham Pre-School
Dominic Jarman Local resident
Jane May Long Wittenham Womens Institute
Councillor Lawson South Oxfordshire District Council

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DOCUMENTS PROVIDED AT THE INQUIRY

1 Opening on behalf of the appellant
2 Opening on behalf of South Oxfordshire District Council
3 Opening on behalf of Rule 6 Party, Long Wittenham Parish Council
4 Draft S106 Agreement
5 Statement of Common Ground Addendum 5 Year Housing Supply
6 Bundle of development extracts submitted by South Oxfordshire District Council
7 Revised summary of evidence for Dr Andrea Pellegram
8 Summary proof of evidence for Mr Rose
9 Photographs of traffic in Long Wittenham submitted by Mr Brown
10 Letter from Long Wittenham C.E Primary School
11 Signed S106 agreement
12 Long Wittenham Neighbourhood Plan (as Made)
13 Extracts from Definitive Map overlaid with flood mapping data submitted by Mr Brown
14 Recommended planning conditions
15 Copy of letter of objection dated 18 February 2017, from The Conchological Society
16 British Railways Board v Secretary of State for the Environment and Others 1993 WL 963747
17 Grampian Regional Council v City of Aberdeen DC [1984]
18 Long Wittenham Neighbourhood Plan Survey Report July 2015
19 Updated recommended planning conditions
20 Oxfordshire County Council Regulation 122 Compliance Statement
21 Draft Unilateral Undertaking
22 Statement of Catherine Harrison for Long Wittenham Pre School
23 Statement of Jane May for Long Wittenham Womens Institute
24 Statement of Councillor Dawson
25 Closing statement for Long Wittenham Parish Council
26 Closing Statement for South Oxfordshire District Council and Crane v Secretary of State for Communities and Local Government [2015] EWHC 425 (Admin)
27 Closing Statement for the appellant

DOCUMENTS PROVIDED AFTER THE INQUIRY

28 Final list of recommended planning conditions
29 Certified copy of Unilateral Undertaking
30 Email response from Oxfordshire County Council re planning obligation monitoring costs

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