

4th September 2018

Our ref: 18010_Emmer Green, RG4

Joan Desmond
Registration Officer (Applications)
Planning Department
South Oxfordshire District Council
135 Eastern Avenue
Milton Park
Abingdon
OX14 4SB

Dear Ms. Desmond,

Re: Response in relation to

In respect of: Planning ref: P18/S1522/O

Proposal: This application is submitted in Outline form to establish the principle for use of the site for Class C3 Residential occupation. Under this application, means of access from Highdown Hill and density of Class C3 residential on the site are submitted for determination, all other matters Reserved.

Location: Land to Highdown Avenue Emmer Green Reading RG4 8QS

We have monitored the progress of the above application and noted comments and objections raised by both neighbours and members of the public. Similarly, we are aware of the intention of Reading Borough Council to resolve to object to the proposal and as a consequence of these issues we would like to make a number of observations and responses.

It would not be practical to reply to each of the individual consultation responses received and so we have elected to draw out the themes raised and provide our comments to issues rather than individuals. We trust that this aids in the clarity of our response.

The responses received contain a broad variety of issues of greater or lesser material weight in the determination of the application. These can be summarised as :

Neighbour / Public Consultation / Reading BC objections and issues raised

- South Oxfordshire District Council can demonstrate a 5.4 year housing land supply
- Developments are not supported on greenfield sites in this locality
- Main access is through a private road, with no pavement, no lighting, no drainage, and overhead cables
- Overloading Reading already oversubscribed transport network
- Landscape Officers had some objections to the LVA.
- Thames Water > No habitable rooms within 15m of a pumping station.
- Site surface water drainage/ adding problems to flooding/ drainage
- Badger/ wildlife habitats will be destroyed.
- The housing is technically an extension of Reading
- The impact on air quality
- Setting a negative precedent for development
- Unnecessarily eating into the green belt/ concerns over the reduction of the green belt
- Schools and doctors surgeries are already oversubscribed
- Pumping station is incapable of coping with 39 houses on the site
- Noise pollution
- The development will "blight the re-generation of Reading town centre".

These points can be broadly grouped into several themes which we suggest are:

1. Housing Land Supply and location of proposal
2. Drainage
3. Ecology and Landscape
4. Local service provision

5. Highways

Taking each of these themes in turn:

1. Housing Land Supply and location of proposal

At time of application the South Oxfordshire District Council's Assessment of Five Year Housing Land Supply, May 2017 confirmed that the District has 4.1 years of deliverable housing land. This is the result of a shortfall in cumulative completions in relation to cumulative requirements since the start period of 2011/12.

The underlying situation with respect to under supply and cumulative requirements was not improved by Paragraph 47 of the NPPF which requires an additional 5% buffer to be added to the requirement to ensure "choice and completion", however where there is a persistent under delivery as is the case with South Oxfordshire, a further 20% buffer should apply. This has been accepted by South Oxfordshire DC and consequently the housing land requirement at April 2017 has risen from 4650 to 5903 - an increase of 1,252.

The requirement for an increase in housing numbers has been taken forward within para. 74 of the 2018 revision for the National Planning Policy Framework.

In respect to the location of the proposed development we are mindful that the proposed development may be seen as an extension of Reading separated by an administrative border however Reading is a de facto sustainable settlement and one which has a provable and explicit requirement for affordable housing. From the South Oxfordshire context however we are mindful of the former para 14 of the NPPF (now re-stated as para.11 of the NPPF 2018) which in revised form states, inter alia, :

- "d) where there are no relevant development plan policies, or the policies are out of date, granting permission unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development

proposed or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole"

We are also mindful of the Supreme Court's judgement which is referenced Easter Term [2017] UKSC 37 ("On appeals from: [2016] EWCA Civ 168, [2015] EWHC 132 (Admin) and [2015] EWHC 410 (Admin) (Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant))").

Under this ruling Lord Carnwath said, inter alia, that the lack of a five year housing land supply is a trigger for the operation of para. 14 of the NPPF as is the case here.

Consequently, the "policies for the supply of housing" may be deemed to be out-of-date but only those dealing with the numbers and distribution of housing and not residential policies generally.

It therefore follows that, in principle, the site would be considered to be suitable for residential use on the understanding that the development may be considered to be sustainable.

2. Drainage

Drainage is an important consideration of any development proposal and it has been established that the site is identified within the Environment Agency's Flood Risk Maps as being located within Flood Zone 1 and so may be considered to be "safe" for the purposes of development management. Similarly, the site is located outside of any Critical Drainage Area and with a very low probability of flooding from surface water (pluvial) run off. The site is also located outside of any known zone of pollution or contamination risk and so again may be considered to be safe for the purposes of development management.

Notwithstanding the above a site specific Flood Risk and Drainage Strategy Report has been provided as part of the application packet wherein it will be noted that foul water / sewerage generated by the development may be disposed of in a effective manner and mitigation means for the storage and low level re-infiltration of storm water are proposed.

It is noted that within the Conclusions section of the report at para.4.6 that " If the measures outlined above are implemented it is considered that the requirements of the Local Planning Authority; National Planning Policy Framework and Thames Water Services can be satisfied and the outline application for the re-development of the application site could be granted in this case."

3. Ecology and Landscape

Several comments were raised in respect to the potential for detrimental impact to ecology of the site however it is evident from the results of the Preliminary Ecological Appraisal submitted that these concerns are unfounded. The Assessment was able to conclude that:

"Using the criteria in the table (appendix 4), the habitats on the site are considered to be of negligible value due to the habitats found on site being of low grade and widespread."

Notwithstanding these findings further surveys, and the production of a Phase 2 report, would be undertaken at Reserved Matters stage if deemed required by the Local Authority.

In respect to landscaping, the comments of the Forestry officer were noted and a response issued to the Local Planning Authority of the 10th July 2018. Additionally, a comprehensive Landscape and Visual Appraisal report was commissioned and submitted as part of the application packet (ref:RSK/MLs/P661998/06/01 Rev00 Final).

In summary of the Conclusions to this report its authors noted that:

“Overall, it is considered that the site represents a logical extension to the settlement of Emmer Green. This appraisal demonstrates that a sustainable housing development can be delivered that is well related to the existing settlement pattern and would not adversely impact on the landscape character of the site or its environs. In summary, the proposed development:

- Adds a contained extension to the existing town;
- Does not have a direct or indirect influence on any designated landscapes;
- Is set within the regular landscape pattern within mature and well-vegetated boundaries, which would be enhanced through additional planting;
- Would result in the retention, enhancement and management of key features which would strengthen the landscape pattern, biodiversity and increase screening for nearby visual receptors;
- Although initially perceived, the proposed development would be contained and set within a well-vegetated and maturing landscape; and
- Overall, limited impacts on landscape character and visual receptors and their views.”

4. Local Service Provision.

Concerns were raised in respect to local service provisions such as schools, doctors surgeries and other public facilities within the Emmer Green area and the potential detrimental impact that the development may have on their efficacy and operations.

As part of any residential development it would be expected that contributions to maintain and support such facilities would be provided as part of the normal s.106 / Community Infrastructure process to ensure that any adverse impacts could be mitigated or removed and services improved. Owing to the complexity of development on the immediate border of two Council's it would be necessary for both Authorities to gauge and agree the level of impact to the services of each Council and seek contributions

accordingly. Though complex to a degree this approach is standard practice and part of the general requirement for local authorities to work together to resolve cross border issues.

5. Highways

It is recognised that the transportation network - both vehicular and pedestrian - within the Emmer Green area is less than optimal however new development across the locality has incrementally improved conditions both through the roads within developments being of high standard and through the investment made through contributions to road and junction improvements. We note the concerns of residents, and particularly those of Reading BC, however it is evident that new development contributions remain the primary means of upgrading local network provision.

As part of the application submission a Highways Statement was commissioned wherein it was concluded that despite the apparent poor quality of the local highway network the proposed development would not materially impact on its efficacy and, from a transport perspective the proposal was acceptable.

We trust that these comments and observations are of use and interest however should further information or clarification be required please do not hesitate to contact me direct.

Kind regards,

David Kerford