

Community Right to Build: Draft Order

Published under Regulation 21 of the neighbourhood planning (general) regulations 2012 (as amended)

February 2018_v3

Shilton Parish Council

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1_introduction

1.1 what is a Community Right to Build Order ?

A Community Right to Build Order (CRTBO) Submission is comparable to a Planning Application, but with two key differences:

- o a CRTBO can only be submitted by a community group or organisation (and so are usually drafted to deliver community benefit).
- o a CRTBO can only be approved or 'made' if the local community votes in favour of it at a referendum. (A Planning Application is 'granted', whereas a 'Submission' CRTBO is 'made' - the result is however basically the same that the proposals set out become accepted under planning law).

The right of qualifying bodies, in this case Shilton Parish Council, to produce and submit a Community Right to Build Order is granted under the Neighbourhood Planning (General) Regulations 2012.

1.2 why has Shilton Parish Council submitted this CRTBO?

The Council has prepared this CRTBO to support the Neighbourhood Plan which includes a policy allocating this site for the delivery of a village green and an affordable housing scheme to serve the parish. A CRTBO can support a neighbourhood plan in a number of ways:

- o by illustrating in greater detail particular proposals set out within the Neighbourhood Plan and thus give the community a better idea of what is intended.

- o by giving the community the opportunity to decide whether or not to support these particular proposals.
- o if the proposals are voted for, then the local authority (West Oxfordshire District Council) will 'make' the Order. This will be the equivalent to giving this policy within the neighbourhood plan the equivalent of an outline planning consent which will bring it that much closer to being delivered.

1.3 the purpose and organisation of this document.

This is the Draft version of the Order being published under Regulation 21 of the Neighbourhood planning general regulations 2012 (as amended). It is being published alongside the Shilton Parish Neighbourhood Plan that contains policy SH2 Allotment Field, and this Order is intended to implement that policy.

The Order proposal has been screened for an environmental assessment and one is not required. However, the neighbourhood plan policy which this is intended to implement has been subject to a Strategic Environmental Assessment.

Whilst part of the purpose of this document is to illustrate proposals for the CRTBO it provides two distinct kinds of information and, depending on the interest of the reader the following may be a useful guide to its use.

For those wishing to form a view as regards both the benefits and character of the proposals the following sections of the document might be best focused upon:

- o Section 1, the introduction, provides an overview of the nature and purpose of the Order and the benefits of the proposals to the community.
- o Section 3, the design statement, provides both illustrations of the design proposals and information to help provide an understanding as to why the designs have been developed as they have.

For those wishing to review the planning law framework associated with the Order, the other sections of the document should be referred to. In particular:

- o Section 2, which provides the Order definition, and outlines the Conditions that will need to be met so that the proposals can be implemented. These Conditions require further technical and design work before the detailed proposals can be reviewed and approved for planning and building control matters in the same way, and to the same standards as any other project.
- o Section 7, the consultation statement, which provides a record of the consultation carried out both with the local community and with other parties.

Of the remaining sections of the document,

- o Section 5 & 6, relate to Archaeological and Heritage issues and demonstrate that the proposals will not affect any archaeological features or be detrimental to the setting of any heritage assets or designations.
- o Section 8 relates to Enfranchisement Rights

1.4_introduction

1.4 Providing and securing community assets

This Order has drawn together two needs that have been identified through the neighbourhood plan process:

A village green: The land which the village has had access to for holding local events is no longer available and the provision of an open space that could serve the parish and accommodate these events was identified through the neighbourhood plan as a key objective.

Affordable housing: the neighbourhood plan also identified the need for the provision of affordable housing within the parish to meet local needs and to improve the range of housing available as a key objective.

Through consultation, three types of affordable housing were agreed as being needed to support the parish; starter homes, 'downsizer/single person' homes and family homes. There are relatively few smaller dwellings for young people or new families within the village and affordability is an issue.

There is also a need that is more widespread, for smaller scale dwellings that are easy to maintain at low cost and designed to provide a comfortable and accessible environment for elderly residents whose home is too large or with restricted mobility, but who wish to remain in the village.

Bringing these two needs together on one site provides the opportunity for them to be addressed through a single scheme, and the opportunity for generating cross funding to support their delivery. However, there are two obstacles to achieving this; finding a body that will be responsible for taking the project forward, delivering it and then managing it over the long term, and; finding land that is available on terms that will allow for a viable scheme.

Community Land Trust: A Community Land Trust (CLT's) is being set up by the parish council as the body that will deliver and manage the project. There are a number of successful CLT's already in existence that have been set up to deliver and manage these kinds of projects and the articles of a CLT provide guarantees that the land will remain in trust for the benefit of the community in perpetuity whilst giving everyone in the community the opportunity to become a member of and help manage the Trust. In this way the assets and their management remain owned and controlled by the local community.

1.5 Selecting a site

Availability of land is often the greatest hurdle in bringing schemes of this type forward as it usually requires a discounted land value to make them viable. In this case the provision of a significant area of land for the village green, which will essentially need to be 'gifted' will significantly reduce the commercial value of land that is available on suitable terms.

Discussion during the formulation of the neighbourhood plan identified a parcel of land on the western side of the village owned by the Shilton Welfare Trust which was likely to be available on terms that would make the project viable.

A 'Pre-Feasibility Study' was then undertaken to develop scheme proposals, test viability and to allow the Parish Council to test the technical and political credibility of the emerging proposals before committing to the second stage of making the Order. As part of this Pre-Feasibility Study, and having agreed an outline brief for the scheme to establish a site area, a call for sites was carried out. No alternative sites were put forward that were either suitable or on terms that would make the project viable.

An agreement has been put in place between the Community Land Trust and the Shilton Welfare Trust which will give the Community Land Trust the required legal benefits over the land to prepare this Order and deliver the scheme.

2_planning context

2.1 The West Oxfordshire Local Plan 2011 was adopted in 2006 and the majority of its policies have been saved for development management purposes as being in general conformity with the National Planning Policy Framework of 2012. The District Council is in the process of replacing the Local Plan 2011 with the Local Plan 2011 – 2031, which has reached its examination stage.

2.2 The examination has reopened and further hearings will take place in spring 2018 to examine the proposed modifications published by the District Council in November 2017. Its policies are considered to be material considerations for development management purposes and it is likely the new plan will be adopted before the end of 2018.

2.3 It is likely, therefore, that the Order will be examined after the adoption of the new Local Plan. Although this cannot be guaranteed, it is best to consider these proposed policies to establish the planning context for the Order. The equivalent saved policies are included in Appendix A. A review of the policies indicates that the following are those that are most relevant to the Order.

Policy OS2 – Locating Development in the Right Places *(Small Villages, Hamlets and Open Countryside)*

2.4 This policy sets out the key development principles that the Order scheme must be able to demonstrate it can adhere to in due course. There is no specific locational matter arising from the relationship of the site to the village or the wider area that is problematic. The land lies outside the Cotswold AONB and outside the setting of the Shilton Conservation Area or any listed buildings. Further, there is no risk of a scheme leading to the coalescence of Shilton with any neighbouring settlement.

2.5 Although the site does not adjoin the observed edge of the village, the location (including those buildings on its edges) forms part of the functioning village, rather than being remote from it.

Policy OS3 – Prudent Use of Natural Resources

2.6 Complementing Policy OS2, this policy makes requirements in terms of the environmental performance of development proposals. The Order will need to demonstrate that the scheme will be able to deliver on or exceed the base level of performance.

2.7 There are no site-specific or locational matters that will make any of these requirements especially challenging. The land is not subject to flood risk and the public space will be close enough to the main village to encourage non-car trips. Conversely, the homes will be within walking distance of the Rose & Crown Inn, as the only social facility in the village. The site offers the opportunity to orientate the buildings for optimum passive heating performance.

Policy OS4 – High Quality Design

2.8 This policy provides the core design guidance for the scheme and cross refers to the adopted West Oxfordshire Design Guide. The Order brief expects these same standards to be met, as it is anticipated that the local community will demand as much, if they are to support the Order. This report includes a design strategy as the first stage in showing how the provisions of this policy can be complied with.

Policy H1 – Amount and Distribution of Housing

2.9 This policy, along with Policy H2 below, are important in enabling the Order to be justified as part of the provisions of the Neighbourhood Plan. Shilton is defined as a 'small village' and, as the Order is not being justified as a 'rural exception site' (though it shares many characteristics with that provision – see below), the ability of the Plan to identify such land for housing development that would not otherwise comply with Policy H2, is important.

Policy H2 – Delivery of New Homes *(Small Villages, Hamlets and Open Countryside)*

2.10 As noted above, the provisions of Policy H1 and the final bullet of this policy enable the Neighbourhood Plan to allocate the site for development, which will be implemented by the Order.

Policy H3 – Affordable Housing

2.11 This policy establishes the basis for rural affordable housing schemes such as that proposed by this Order. Technically, its provisions do not extend to 'smaller villages' like Shilton, given their scarcity of local services and relative remoteness. It will be for the Neighbourhood Plan, using the opportunity provided by policies H1 and H2, to justify an allocation policy for this type of scheme.

2_planning context

Policy T1 – Sustainable Transport

2.12 The village is not well served by public transport and therefore car ownership and use of the scheme will be expected to match those of existing local households. The Concept Plan shows that safe vehicular and pedestrian access can be achieved, and the site is only a short walking distance from the main village. It may be possible to extend the current footpath from the village to the site and, along with securing access to broadband infrastructure, this will be investigated further during the Order making stage.

Policy T3 – Public Transport, Walking and Cycling

2.13 As noted in §4.12 above, there are public transport limitations in this rural area so the focus of the Order will be on ensuring walking between the site and the main village can be done safely. Should a satisfactory scheme require the delivery of an extended footpath (assuming there is sufficient highway land available to make that practical) then its cost will need to be factored in to the business model.

Policy EH1 - Landscape Character

2.14 The Parish lies within the 'Shilton Downs' Landscape Character Area defined in the 1998 West Oxfordshire Landscape Character Assessment report. The report describes the Character Area thus: *"An area of limestone landscape which forms the divide between the low-lying clay vale to the south and the Windrush Valley and limestone uplands to the north. A line of settlements lie along its southern boundary, occupying the spring line between the limestone and clay (eg. Filkins, Kencott, Broadwell, Alvescot and Carterton). The area has a typically large-scale field pattern bounded by dry-stone walls with the sparse and characteristic vegetation cover typical of the other limestone areas, apart from extensive woodlands around the Cotswold Wildlife Park and estate farmland to the west."*

2.15 It goes on to note that: *"Much of this rolling limestone country is sparsely settled, with the small villages of Westwell, Holwell, Signet and Shilton forming the only settlements lying to the north and west of Carterton. All of these avoid the highest, most exposed areas, taking advantage of the shelter provided by minor valleys (eg. the Shill Brook) and hillsides ... (the smaller settlements) ... have a fairly compact form, some reminiscent of the Victorian 'closed' villages and others originally contained by a tight valley site (eg. Shilton)."*

2.16 The report identifies that "the upper, more open valley-sides are (therefore) particularly visually sensitive and development would be highly prominent and exposed". In which case, the location of the housing scheme within the overall site will be crucial to the ability of the Order to show that it accords with Policy EH1. Although a full Landscape & Visual Impact Assessment should not be necessary, the making of the Order should include a landscape appraisal of the scheme to evidence its compliance with this policy.

Policy EH6 - Environmental Protection (Artificial light & Noise)

2.17 The site lies in a rural location where the risk of harmful impacts from artificial light and noise pollution are potentially greater. The scheme will be small but larger than the small number of homes that face on to the site. The orientation of buildings and their car parking arrangements, and the detailing of external spaces (including the open space), will need to show how this potential has been avoided or can be satisfactorily mitigated.

Community Infrastructure Levy

2.18 The District Council consulted on a Revised Draft Charging Schedule for its proposed Community Infrastructure Levy scheme in January 2017. The proposals may be an important consideration for the Order, as they set out the types of housing developments that will be exemption from paying the levy.

2.19 At present, the District Council only proposes to extend relief from paying the levy to mandatory and not discretionary types of scheme. Mandatory relief includes a charitable institution that owns a material interest in the land (a charity landowner), which will get full relief from their share of the liability where the chargeable development will be used 'wholly, or mainly, for charitable purposes' and they meet the requirements of Regulation 43 of the CIL Regulations. Conventional affordable housing schemes are only considered mandatory where the homes will be provided by a local authority or Private Registered Provider.

2.20 The proposed charging rate is £200 per sq.m. of gross internal floor area. This may mean a total charge of £150,000 for the size of scheme being considered here, which may be more than 10% of the total project cost. Assuming the adopted charge proposals (in 2018) will remain more or less in line with those currently set out, it will therefore be important to consider the two main ways in which the charge can be avoided.

2.21 Firstly, there is the option of the Community Land Trust being registered with the Homes & Communities Agency as a Private Registered Provider. Secondly, there is the option of the Trust being incorporated as a 'Company Limited by Guarantee and Charitable Trust' (though this may not be necessary if the Welfare Trust is to retain its freehold interest in the land). These options are not mutually exclusive. However, given the unusual nature of the project, and its community benefit objectives, it is possible that the District Council will extend full relief on application.

3_the order

description of development

Shilton Parish Council's Community Right to Build Order proposes development on land on the western side of the village, south west of the junction between Hen N Chick Lane and The Alvescot Road, Shilton, West Oxfordshire OX18 4AH on a site area of 2.23 hectares.

The proposals are for; provision of a mix of 2, 3 and 4 bedroom affordable and open market houses, up to 12 No. in total, with a gross internal floor area of up to 1,200 m² in total; two new accesses off Hen N Chick Lane to serve the housing; provision of up to 20 car parking spaces within a walled courtyard to serve the affordable housing; a village green of approximately 1.0 hectare with an associated parking area for 15 vehicles served by a new vehicle access off The Alvescot Road; a pedestrian entrance/gateway to the green on the junction incorporating the existing bus stop; a surface water attenuation pond; new hard and soft landscape works within the site including:

- Perimeter planting to the village green along the Hen N Chick and The Alvescot Road boundaries
- A high quality hard landscaped frontage to the development boundary with the village green
- Planting on the boundary between the development and the village green to provide a setting and residential amenity
- Feature planting to the village green
- Landscaping of incidental spaces to provide amenity and a setting for the village green

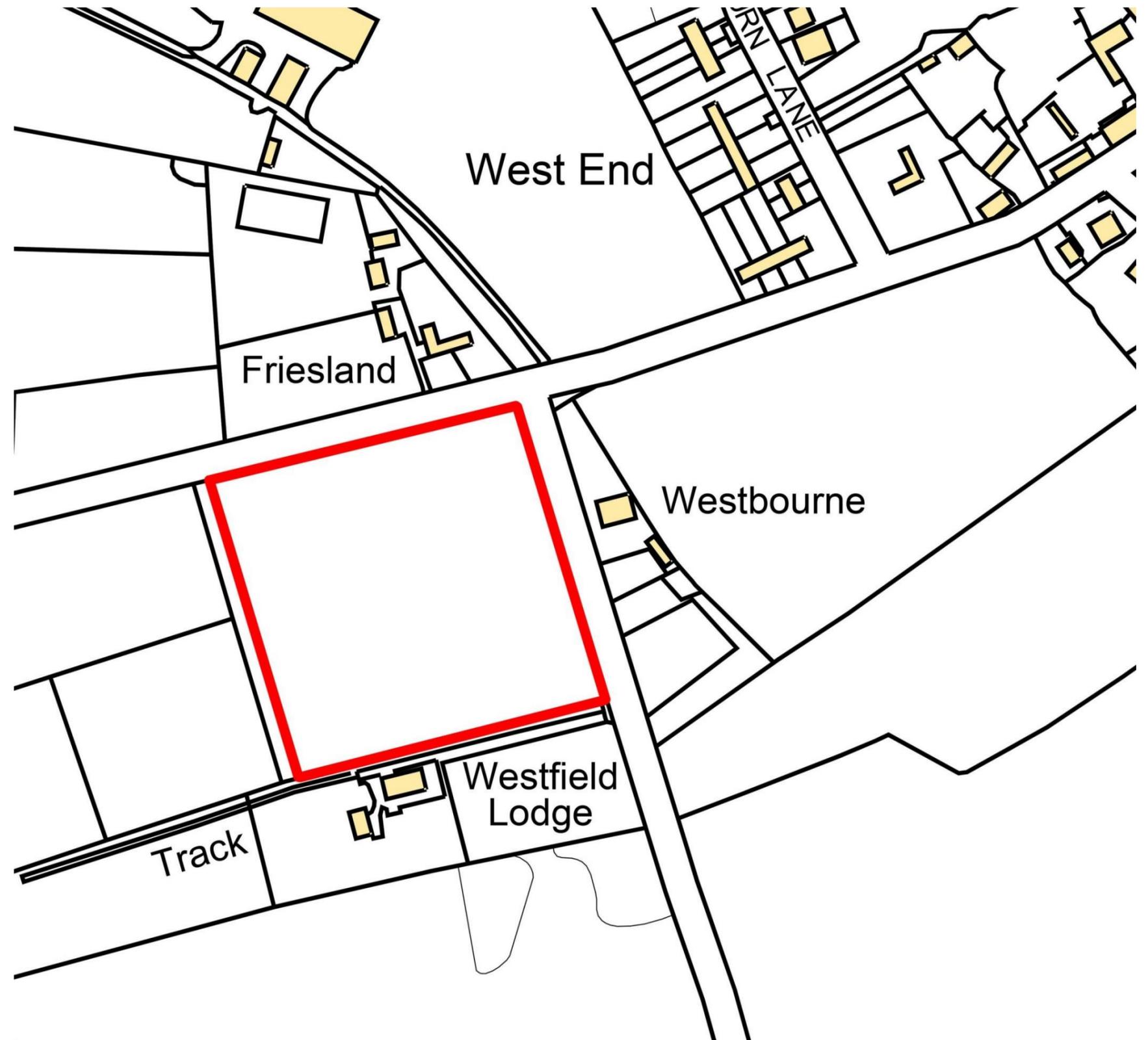


fig 1: site location plan

3.1_order conditions

3.1.1 Time Limit

The development hereby permitted shall begin before the expiration of ten years from the date of approval of the Order. *Reason: in order to achieve a balance between allowing a reasonable time period for the details and any delivery mechanism to be agreed and set up and the community to participate with the need to achieve sustainable development.*

3.1.2 Construction Management

No development shall take place until a Construction Method and Management Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- traffic management within the site confines and delivery times and routes in and out of the site
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during Construction
- a scheme for recycling / disposing of waste resulting from demolition and construction works
- a restriction on any burning of materials on site

Reason: to safeguard the safety and amenity of local residents.

3.1.3 Scheme for Foul and Surface Water Drainage

No development hereby permitted shall take place until details of foul and surface water sewerage disposal have been submitted to and agreed in writing by the local planning authority. No buildings hereby permitted shall be occupied until foul and surface water sewerage disposal works have been implemented in accordance with the agreed details. *Reason: To ensure consideration is given to sustainable drainage in accordance with national and local policy and in the interests of achieving sustainable development.*

3.1.4 Landscape

That a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented as approved within 12 months of the commencement of the approved development or as otherwise agreed in writing by the Local Planning Authority and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained. *Reason: To ensure the safeguarding of the character and landscape of the area during and post development.*

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning

Authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved. *Reason: To safeguard the character and landscape of the area.*

No development (including site works and demolition) shall commence until all existing trees which are shown to be retained have been protected in accordance with a scheme which complies with BS 5837:2012: *Reason: To ensure the safeguard of features that contribute to the character and landscape of the area.*

Before the commencement of any site works or operations, an arboricultural method statement to ensure the satisfactory protection during the construction period of trees retained in accordance with Condition No. () shall be submitted to and approved in writing by the Local Planning Authority. *Reason: To ensure the continuity of amenity afforded by existing trees.*

3.1.5 Ecology

No development hereby permitted shall take place until ecological surveys have been carried out in accordance with Natural England Technical Information Notes to confirm the presence or absence of ecologically important fauna on the site and until a scheme for the protection and enhancement of the ecology of the site has been submitted to and approved in writing by the local planning authority and the scheme shall include mitigation measures such as may be required and shall be carried out as approved. *Reason: To protect and enhance the ecological value of the site in line with national planning policy.*

3.1_order conditions

3.1.6 Lighting

No development hereby permitted shall take place until a scheme assessed against ILE Guidance for external lighting has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

Reason: To control the residential amenities of the local environment

3.1.7 Highways and Access

Development shall not be commenced until details of the access for vehicles, cyclists and pedestrians have been submitted to and approved in writing by the local planning authority, and the development shall not be occupied until those works have been constructed in accordance with the approved details. See informative 3.2

Reason: To satisfactory standards of access into and within the proposed development in accordance with policy national and local plan policies.

3.1.8 Car and Cycle Parking

No part of the development shall be first occupied until car and cycle parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the local planning authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: to ensure timely provision of car and cycle parking space serving the development, and thus the amenity of local residents.

3.1.9 Layout, Scale, Design and External Appearance

Details of the layout, scale, design and external appearance of the buildings hereby permitted including details of the materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the local planning authority before the development begins and the development shall be carried out as approved.

Reason: to ensure sustainable development and having regard to national policy and the local plan.

3.2_order informatives

3.2.1 Highways Act

Prior to commencement on site, completion of a S278 Agreement with Oxfordshire County Council as the Highways Authority will be required under the 1980 Highways Act – Works within the Highway, to cover off-site highways works.

3.2.2 Highways

The developer will need to carry out detailed design works liaising with Oxfordshire County Council Highways Department to meet Conditions 3.1.8 & 3.1.9.

3.2.3 Stage One Road Safety Audit

A Stage One Road Safety Audit and Designers Response in accordance with the OCC Audit Policy, will need to be provided prior to any development commencing.

4_design statement

introduction

This section of the Order describes the project proposals and the design process that led to these proposals. It follows the format of a design statement that would normally accompany a planning application, considering first the context of the site and then carrying out an analysis of both the context and the site to establish the constraints as a basis for a design proposal.

From this analysis, a design concept was developed that responds to the constraints and opportunities and makes provision for the project as set out in the brief in section 4.1.

The design concept sets out a series of basic development parameters for the site that will control the massing, scale and form of the buildings, and the relationship to their surrounds. The design process as set out in section 4.2 involved the consideration of the technical issues and feedback from consultation with the local community and other parties. A public consultation event will be held to review these draft Order proposals prior to finalising the scheme and drawing up the Order.

Section 4.3 sets out the project proposals for which the Order will be made. It includes plans, elevations, three dimensional sketch studies and reference images to describe the physical scale, form and appearance of the buildings, along with the character of the proposals and their relationship to their setting.

After the Order is approved further work will be carried out to develop detailed design proposals that will form the basis for demonstrating technical compliance with statutory standards and for construction.

The Conditions proposed in this draft Order, as set out in section 3.1, specifying various constraints to ensure that the development will meet the basic conditions to pass examination.



fig 2: the proposals

4.1_the brief

A working group was set up by Shilton Parish Council to progress this Order, and meetings were held to develop a brief, review design issues and agree the project proposals that are set out in this section.

The ambition underlying the brief is for a small scale affordable residential scheme to serve local needs and to create a new public space to replace the loss of access to another space in the village in recent years.

The site at just over 2 hectares is far larger than is required for the housing scheme and the brief requires a new public open space in the form of a village green to occupy the majority of the available site.

There should be a pedestrian access to the village green on the north eastern corner of the site at its closest point to the village and provision for some incidental car parking to serve the village green.

The number and mix of dwellings is to include first time buyers, starter homes and elderly downsizers. The preferred option for how affordability will be achieved and the dwellings made available to local people is through the formation of a Community Land Trust to deliver and manage the scheme. The level of affordability will have an impact on land and development values, which in turn may affect the overall numbers and the proportion of open market to affordable dwellings required to make the scheme viable.

The scheme should therefore be capable of attracting an appropriate level of investment without any public subsidy or any capital from the Trust.

Through consultation a scale of development of around 10 affordable dwellings was considered likely to be acceptable to the community. In addition the scheme should be designed to accommodate up to two open market dwellings to provide cost subsidy for the affordable dwellings and for the creation of the village green.

The layout should create a positive relationship between the built development and the village green, with the dwellings providing a backdrop and active frontages to create a sense of overlooking.

The character of the buildings should be compatible with the local vernacular and reflect local materials whilst allowing for sustainable design to reduce environmental impacts and running costs.

The overall proposition must win the majority support of the local community. In addition, the scheme should seek through its design solution to avoid, or minimise to the satisfaction of those residential properties immediately adjoining the site, any harm to their amenities in respect of their outlook and traffic disturbance.



4.2_the design process

4.2.1 the setting

location

The site is located on the western side of the village approximately 100m from the developed area boundary proposed in the Shilton Neighbourhood Plan.

the village

Shilton village is centred around the Church Lane loop with the Hill/Bridge Street junction and village pond creating a spatial focus and the Rose & Crown inn just to the north on Bridge Street a social and community focus. This space as the centre of the village is reinforced by the topography with the ground rising either side up Bridge Street and The Hill.

Bridge Street has a denser pattern of development with gables, facades and boundary walls fronting onto the road and creating a sense of enclosure. This pattern and sense of enclosure becomes more intermittent becomes through the village with clusters of dwellings along Church Lane and The Hill separated by walled open spaces. Landscape plays an important role in defining the streetscape and curtilages.

At the western end of The Hill where it becomes Hen N Chick Lane, a group of more recent dwellings along Ladburn Lane define the developed edge of the village.

There is a strong and consistent shared palette of materials and detailing throughout the village using rough and dressed stone for buildings, roofs and boundary walls. This gives the village a strong and distinctive character.

Apart from the continuous pavement along the northern side of Bridge Street and The Hill, there is little in the way of footpaths along the roads with boundaries separated from the road edge by grass verges. There are also very few road markings or signs and very little street lighting which reinforces the rural character of the streetscapes.

setting

The landscape character is defined by the topography relating to the Shill Brook valley, the field patterns and boundaries and tree planting.

The pattern on the southern side of the village around Church Lane is an organic grouping around a central open space defined by a perimeter tree belt and backing onto the Brook and arable fields. The northern side has a more linear pattern with the houses backing onto small fields, paddocks and gardens before opening onto the into a larger scale pattern of arable fields and an agricultural landscape to the north.

There are two bridleways and two public footpaths connecting into the village centre, with another bridleway to the west of the site connecting onto Hen N Chick Lane. None of these pass the site.

conclusions

The development of site would have no Impact on the setting of any of the heritage assets within the village. However, given its location on the western approach to the village and the well-defined architectural character of the village its design, character and materials should be considerations in developing proposals.

The development of site would have no Impact on the wider landscape setting of the village, but given the role that landscape plays in defining the character of the village, landscape design should be an important consideration in developing proposals for this site.

4.2_the design process



fig 3: the setting

4.2_the design process



view 1: looking across the village pond from Bridge Street



view 2: facades and boundary walls fronting onto Bridge Street



view 3: landscape gaps along The Hill



view 4: Ladburn Lane on the western side of the village

4.2_the design process

4.2.2 site context

movement and connectivity

The site is around 100m from the village boundary (as proposed in the neighbourhood plan) and 500m or 5 minutes' walk from the centre of the village at the Church Lane Bridge Street junction

The roads that run alongside the site and through the village are rural in character with grass verges, very little street lighting and little in the way of road markings and signage. Pavements are intermittent with the last section stopping 100m to the east of the site.

A 30 mph speed limit is in place within the village which stops approximately 30m from the site just to the east of the Hen N Chick Lane/ Alvescot Road junction, beyond which the national speed limit applies. There are two bus stops either side of Hen N Chick Lane for the V25 Villager bus service which runs on Wednesdays. There are no parking restrictions or provision for cycling alongside or within the vicinity of the site.

There are existing vehicle access's off both Hen N Chick Lane and The Alvescot Road as shown on the plan; a farm track off Hen N Chick Lane just to the east of Alvescot Road junction serving a farm machinery business and a caravan storage park, an access off Hen N Chick Lane to Friesland Cottage and two accesses off Alvescot Road serving the Westfield Lodge and Westbourne properties.

landscape

The field pattern and landscape character in the more immediate site context is smaller scale with established groups of trees defining property boundaries and paddocks. Topographically the landscape around the site is relatively flat falling away to the east to the Shill Brook valley that runs through the centre of the village.

Views are more enclosed approaching the village centre along Bridge Street, contained by boundary planting, buildings and curtilages. The views become more open along Hen N Chick Lane and beyond the site. The site is fairly well contained visually in its wider setting with views into it being limited to its site boundaries from Hen N Chick Lane and the Alvescot Road. There are no longer views of the site from these roads or any public rights of way.

development pattern

Although there is a 100m gap between the site and the main body of the village, the three properties that face onto the site; Friesland Cottage, Westfield Lodge and Westbourne along with the smaller scale, more densely treed field pattern around the site create a sense of enclosure and a development pattern that links the site to the main body of the village and sets it apart from the wider setting of larger scale agricultural fields.

conclusions

The site is accessible by foot from village centre although consideration should be given to creating a link to the existing pavement. The proposals should retain the existing rural character of the roads that is part of the character of the village.

The 30mph speed limit should be extended to include the site to improve pedestrian safety and options for integrating the bus stop into the development should be considered.

The existing landscape and pattern of development around the site link it to the village and the three properties facing onto the site are considerations for how the site should be developed in terms of their amenity and the layout of built form.

Proposals should address the site's role and potential in defining the western approach to the village through built form and landscape.

4.2_the design process

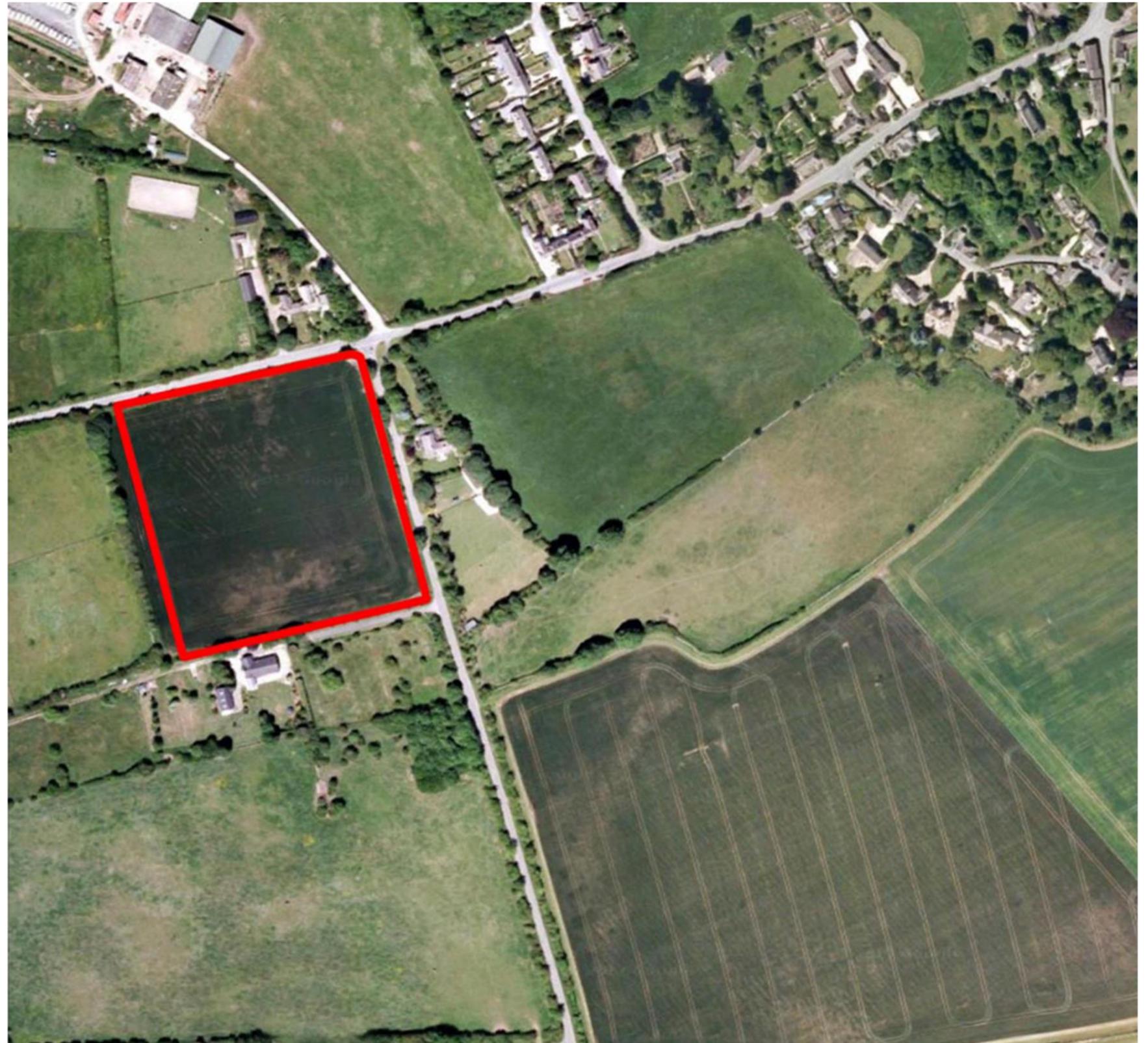


fig 4: site context

4.2_the design process



view 5: approaching the site along Hen N Chick Lane



view 6: end of 30mph zone and the site beyond



view 7: accesses off Hen N Chick Lane



view 8: access to Westbourne off Hen N Chick Lane

4.2_the design process

4.2.3 the site

characteristics

The site is square field of around 150m x 150m and oriented five degrees off a north south axis. The site excludes an 8m strip along the western boundary of the field which is in the ownership of third parties who intend to use it as an access to a property to the south of the site. The use of this strip of land is not part of this Order.

The site that the Order is being submitted for has a gross area of 2.23 hectares (5.5 acres) and lies within the red line shown on the plan opposite. Historic mapping shows that the site has been in agricultural use since the 1880's including its use as allotments gardens with no recorded structures or other uses on the site.

Topographically, the site is relatively flat and level with a fall of around 1m to the south from a highpoint at 115mAOD along the northern boundary.

boundary conditions

The northern boundary to Hen N Chick Lane is open with views across the site for most of its length. It is defined by a scrub edge with low level mixed vegetation, remnants of drystone walling and a few taller hawthorns. Opposite, along the eastern part, is a low drystone wall with a grass verge as the frontage to Friesland Cottage which continues to the west as high hedged field boundary.

The eastern boundary is stronger with some mature trees and higher unmanaged hedging. There are three extensive gaps with views across the site.

On the north eastern corner of the site' at the junction between Hen N Chick Lane two trees about 10m apart provide a framed view diagonally across the site on the approach from the east along Hen N Chick Lane.

The southern boundary runs alongside the entrance drive to Westfield Lodge which is defined by a timber fence line and a row of recently planted trees. The boundary alongside the property is a denser, mature tree screen.

There are no features defining the western boundary which sits around 8m inboard of an established tree line. The tree line screens the site from views from the west, although these are limited and intermittent through gaps in the landscape boundaries along Hen N Chick Lane.

In terms of its relationship to existing properties, the site is overlooked by Friesland Cottage along the eastern part of its northern boundary, by Westbourne (a detached house) on its eastern boundary and by Westfield Lodge along its southern boundary. The north western part of the site is the least overlooked.

technical

The following technical studies are in progress and this work will be completed for the Submission Order which will include the relevant technical reports and statements.

Access: A pre application review is being carried out by Oxfordshire County Highways to agree the principles of access including an access off Hen N Chick Lane to serve the residential development, an access off Alvescot Road to serve a parking area for the village green and an extension of the 30mph zone to include the site.

Water: Thames Water have confirmed that there is sufficient capacity to serve the propose development.

Drainage: Thames Water has confirmed that on site provision for surface water run-off will be required. Options for Thames Water foul drainage are being assessed.

Ecology: A Stage 1 ecology survey and report have been commissioned

Arboriculture: A Stage 1 arboricultural survey and report have been commissioned

conclusions

The land is with Flood Zone 1 making it acceptable for residential development. Provision will need to be made on site for surface water management. The site is greenfield and its historic use, topography and layout suggest there are no issues with contamination or development abnormalities relating to ground conditions.

There are no known environmental constraints with regard to ecology, arboriculture or landscape that would affect development on the site and this will be confirmed through the reports. Proposals should seek to retain perimeter landscape features and improve the biodiversity of the site.

4.2_the design process



fig 5: the site

4.2_the design process



view 9: looking westward along the northern boundary



view 10: looking northward along the eastern boundary



view 11: the southern boundary along the entrance to Westfield Lodge



view 12: the western boundary seen across the site from Hen N Chick Lane

4.2_the design process

4.2.4 constraints

The constraints plan opposite summarises the analysis of the site and its context and illustrates the matters that will need to be accommodated by any proposals for development on this site and highlights other matters that could be used to positively inform a concept, layout and design proposals. These include:

access: Vehicle access to the site from the highway is proposed from Hen N Chick Lane **(A)** and Alvescot Road **(B)**. It is believed that satisfactory visibility splays can be achieved without the need for the loss of hedgerow or other landscape features. This is being discussed with Oxfordshire County Highways along with the extension of the 30 mph zone to the west of the site which may have an impact on the visibility splays required.

connectivity: A pedestrian entrance **(C)** is proposed in the north western corner of the site. This will need to be an attractive and visible link providing access to the village green and the housing for pedestrians and cyclists. Provision should also be made for incorporating the existing bus stop.

views: The layout and design of the built development and the village green will have an impact on views along Hen N Chick Lane on the approach to the village **(D)** and on the approach from the village **(E)**.

neighbours: The layout and design of the built development and the village green will need to protect the amenity of the three existing properties **(F)** on the northern, eastern and southern boundaries

landscape: The layout and design of the built development and the village green should seek to protect and incorporate the existing perimeter landscape features **(G)** including trees and hedgerows. An arboricultural survey and report will identify and evaluate these.

services: The utility services, particularly water supply and foul drainage are being assessed in terms of location, capacity and connections with Thames Water with proposals for connections to be made onto Hen N Chick Lane **(H)**. There are no public surface water sewers in the area so the surface water flows have to be discharged via soakaways on site or to a water course. Provision by other statutory suppliers will be addressed through the consultation on the draft Order.

flood risk: The site lies within Flood Zone 1 (low risk, which is suitable for residential development) and has no known surface water issues. The Environment Agency Flood Map shows that the Shill Brook running through the Parish and to the east of the main village poses flood risk, but it is remote from the site and at a lower level. The Draft Order proposals will include a strategy for managing surface water run-off from the scheme.

ecology: Within Shilton there are four traditional orchards classed as priority habitat inventory. The western edge of the village contains parcels of deciduous woodland priority habitat. To the North West are lowland meadow priority habitats and good quality semi improved grassland classed as non-priority.

There are also a number of rare and declining farmland and/or woodland bird species in and around Shilton. There is no recorded ecology value of the site, but a Phase One Ecology Survey is being carried out to inform the design and any relevant conditions. Importantly, the scale of the proposal and its location are such that the proposals will not fall within the remit of the EIA Regulations nor the Habitats Directive.

heritage: There are 26 listed buildings in Shilton and a further four located elsewhere in the Parish. The site does not lie within the setting of any of these buildings. In addition, a large part of the village is within a Conservation Area, though the site does not lie within the western setting to the Area. The site has no known archaeological value (the Historic Environment Record only shows two finds 100m to the SW of the site), although a 'watching brief' condition may be appropriate.

design: The West Oxfordshire Design Guide 2016, adopted in April 2016 is a Supplementary Planning Document and material consideration in planning decisions. The document sets out a process for developing a design proposals and consulting on it. The making of the Order will comply with its relevant provisions.

4.2_the design process

KEY

- A. vehicle access from Hen N Chick Lane
- B. vehicle access from Alvescot Road
- C. pedestrian entrance to the village green incorporating the bus stop
- D. layout and design to consider views on the western approach to the village
- E. layout and design to consider views on the eastern approach from the village
- F. layout and design to protect the amenity
- G. layout and design to protect and incorporate existing perimeter landscape features
- H. utilities connections onto Hen N Chick Lane



fig 6: constraints plan

4.2_the design process

4.2.5 concept

Based on the analysis and these constraints a series of options for the general arrangement of the development and open space were considered and a concept plan agreed as a basis for a development framework for the site. This was carried out alongside the development of the brief including agreeing the number and type of dwellings and the preparation of a preliminary cost plan.

The concept plan opposite illustrates the key design principles for the development of the site which are:

- The eastern half of the site to be used to create a new village green and event space **(A)** which is a key objective that will be delivered through the development. In this location the village green will be more accessible.
- On the north eastern corner of the village green a 'gateway' **(B)** will be created as a visible point of arrival on the approach along The Hill which will help visually connect the green to the village. The existing bus stop will be integrated into the design of the village green as part of the gateway and to provide a sheltered and safer waiting area.
- A parking area **(C)** to serve the village green, with a capacity for around 15 vehicles will be provided at the southern edge of the green and accessed off Alvescot Road. This parking will help accommodate events and make the green more accessible to elderly, visitors, and mother with toddlers.
- Built development **(D)** will be located on the north-western part of the site fronting onto Hen N Chick Lane. The layout will be designed to create a positive frontage to Hen N Chick Lane and to contribute to the approach and entrance to village.

- The layout will include an internal landscaped courtyard **(E)** to contain the parking for the development and to minimise visual impact of vehicles on the village green
- The layout will create active frontages **(F)** that are appropriate to the setting of the village green
- The site perimeter **(G)** will be a margin of managed, semi-formal grassland integrating the existing boundary features, trees and hedgelines as setting for both the development and the open space.
- The remaining open area of the site **(H)** will be designed as a landscape to create ecological benefit and a setting and amenity for the village green and the housing.
- The scheme will include a surface water attenuation pond to manage surface water flows from the development
- The scheme will include 10 affordable dwellings for a range of different needs
- The scheme will include up to 2 dwellings to provide cross subsidy for the development
- The cross subsidy dwellings will be located on the northern boundary fronting onto Hen N Chick Lane
- The design will be in keeping with the character of the village

The cross subsidy element of the scheme is required to balance the development costs and risk to the CLT so there will need to be some flexibility to allow this to be refined post Order as a detailed cost plan is developed by the CLT alongside the detailed design (which will be subject to a Reserved Matters application).

The two cross subsidy variables are the amount of land and the number of units. The layout allows these to be adjusted without affecting the principles of the development. It is proposed that up to two cross subsidy dwellings are allowed for in the Order.

4.2_the design process

KEY

- A. village green and event space
- B. 'gateway' to village green
- C. parking area to serve village green
- D. built development with active frontage to Hen N Chick Lane
- E. internal landscaped courtyard
- F. active frontages to village green
- G. site perimeter integrating existing boundary features
- H. ecology and landscape amenity



fig 7: concept plan

4.3_project proposals

4.3.1 the masterplan

The illustrative masterplan demonstrates how the concept could translate into a development. This illustrative layout is intended to provide a set of design principles to guide agreement on the detailed design, and assess the reserved matters, whilst allowing the flexibility for the detailed design process to respond to the detailed technical matters and explore the architectural and landscape potential of the scheme.

- Village green (1) located on the eastern side of the site
- Entrance to the village green (2) in the north eastern corner. Hard and soft landscape to create a focal point on the approach from The Hill. Retain the existing trees and provide a shelter for the bus stop. Lighting to be low level and at the entrance only.
- Northern and eastern perimeter edges to village green (3) to provide stand off between the green and the roads incorporating existing landscape features. Perimeter to be reinforced with soft landscape such as hedge and ditch to provide enclosure and a boundary to the road where appropriate.
- Parking area (4) for around 15 vehicles with access off Alvescot Road to be provided as part of the southern perimeter to the village green. Surface finish, markings and edge treatments to be low key. Lighting if required to be minimal and ground level.
- Attenuation pond (5) to be incorporated into the layout of the village green to provide a feature to the green, and as part of the surface water management for the development.
- Western boundary between the village green and the development (6) to be integrated with design of the housing layout to create a clear and attractive public/private boundary.
- Residential development to be on the north western area of the site planned around a shared landscaped courtyard (7) to provide an amenity and focus to the scheme, an area for parking and to reduce the impact of vehicle on the village green.
- The northern part of the residential development site with a frontage onto Hen N Chick Lane (8) to allow for the inclusion of cross subsidy/open market plot(s).
- Layout to create active frontages (9) to Hen N Chick Lane and the village green and an appropriate architectural response as a part of the entrance to the village.
- The remaining open area of the site to the south of the development (10) to be landscaped as part of the setting and to provide an amenity with ecological value for the development and the village green.

4.3_project proposals

KEY

- 1. village green
- 2. entrance to the village green
- 3. landscape perimeter
- 4. village green parking area
- 5. attenuation pond
- 6. village green boundary to residential development
- 7. residential development planned around a courtyard
- 8. cross subsidy/open market plot(s)
- 9. active frontage
- 10. amenity landscape of ecological value



fig 8: the masterplan

4.3_project proposals

4.3.2 housing layout

purpose

The illustrative housing layout is based on the schedule of accommodation below and shows the layout of the dwellings and their relationship to village green in more detail and provides a basis for the elevation studies that follow.

description

The development is fronted by two cross subsidy plots (1) with access off Hen N Chick Lane designed with active frontages to the road and the village green. These could be brought forward independently of the main body of the development to assist in project funding and cashflow.

Access to ten affordable dwellings off Hen N Chick Lane (2) leading to a landscaped courtyard (3) with a parking area (4) to serve the dwellings.

A two storey building of four Downsizer Apartments (5) has its entrance off the courtyard and private outdoor spaces (a terrace and balconies) overlooking the village green.

A pair of Family Houses (6) also front onto the courtyard with a wide plan south facing layouts and gardens

A terrace of four Starter Homes (7) with a pedestrian link to the courtyard and frontages overlooking the village green

The three building blocks around the courtyard are linked by 'garden walls' which complete the enclosure of the courtyard making it a private internal space with defined openings for pedestrians and vehicles.

This is similar to the architectural character of the village where boundary walls play a strong role in defining boundaries and providing enclosure to entrance spaces.

An attenuation pond (8) as a feature in the south western corner of the village green and to provide surface water attenuation for the development.

Landscape (9) extending along the western boundary of the village green as a boundary defining the public/private threshold between the village green and the housing

A pedestrian/cycle link between the development and the village green (10)

The remaining open area to the south of the development (11) would be an amenity and setting for both the development and the village green providing a landscape with ecological value such as a meadow or orchard.

schedule of accommodation

Type A 4 x 2 bed downsizer apartments	@ 75 m2 NIA
Type B 4 x 3 bed starter homes	@ 84 m2 NIA
Type C 2 x 3 bed family homes	@ 93 m2 NIA
Cross Subsidy 2 x 4 bed detached homes	@ 150 m2 NIA

4.3_project proposals

key

- 1. cross subsidy plots
- 2. access
- 3. landscaped courtyard
- 4. parking
- 5. downsizer apartments
- 6. family Houses
- 7. starter Homes
- 8. attenuation pond
- 9. landscape boundary
- 10. pedestrian/cycle link
- 11. landscape amenity and ecology



fig 9: housing layout plan

4.3_project proposals

4.3.3 detail studies

The following detailed studies are based on the housing layout and masterplan. They include two elevation studies intended to convey a sense of the character and scale of the scheme that is proposed through the design principles. As with the masterplan and housing layout plan these are illustrative and not intended to fix the detailed design proposals.

A series of images are included along the bottom of each study to illustrate the potential character of the elements in the drawing above.

east elevation: sketch study

The east elevation sketch study is a view onto the development looking west from the village green. It shows the affordable dwellings up to the start of the cross subsidy plot(s) on the right, and the attenuation pond on the left.

The 'garden walls' which tie the scheme together and help provide enclosure to the courtyard link across to the apartments with a vehicle/pedestrian opening through to the courtyard.

The family home behind has its garden enclosed by a boundary wall along the access road as a continuation of the garden walls.

The downsizer apartments which sit forward of the other buildings include a terrace at ground level and balconies at the upper level overlooking the village green.

Set back from the apartments a terrace of four starter homes on the left with their entrances and frontages overlooking the village green have a pedestrian connection through to the courtyard and parking area.

The boundary between the development and the village green will need to be defined and this could be achieved by raising the development above the general level of the village green, say 450 – 600mm to create clear public/private boundary without compromising the open feel and character. This would also allow excavations for foundations, site levelling and so on to be kept on site, reducing costs and construction traffic movements.

A line of trees is shown in front of the downsizer apartments and starter homes providing a screen and further definition to the boundary between the village green and the housing.

south elevation: sketch study

The south elevation sketch study is a view onto the development looking north from the 'meadow' area on the masterplan. It shows the attenuation pond on the right and continues up to the western site boundary on the left and on the left. The layout would be designed to avoid impacts on the existing tree belt alongside the site boundary.

The 'garden walls' which tie the scheme together link the apartments and the starter homes with a pedestrian opening through to the courtyard and parking area. The walls extend around the garden of the end starter home providing a boundary to the meadow area.

Beyond the starter homes and apartments, the outline of the two family homes on the northern side of the courtyard is shown.

Internal layouts and windows to the apartments and starter homes should be arranged to provide overlooking and architectural interest to the meadow. And roofs designed with south facing aspects for solar thermal /pv as illustrated on the apartments. On the right of the study, the ground level terrace and balconies to the downsizer apartments are shown overlooking the village green, screened by a line of trees and separated from the village green by the pond.

On-site surface water attenuation will be required to store run offs from roofs and hard surfaces from the scheme and as the land is available, an attenuation pond could be an economic design solution. It could also provide an attractive and ecologically rich feature to the village green.

4.3_project proposals

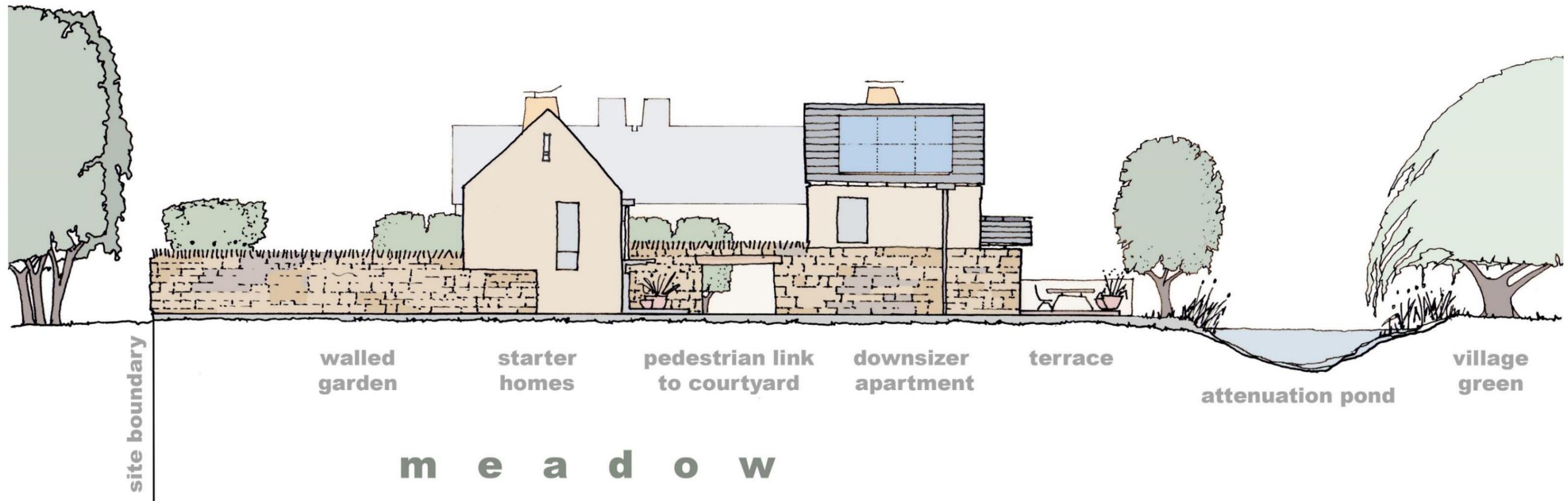


east elevation: sketch study



fig 10: east elevation sketch study

4.3_project proposals



south elevation: sketch study

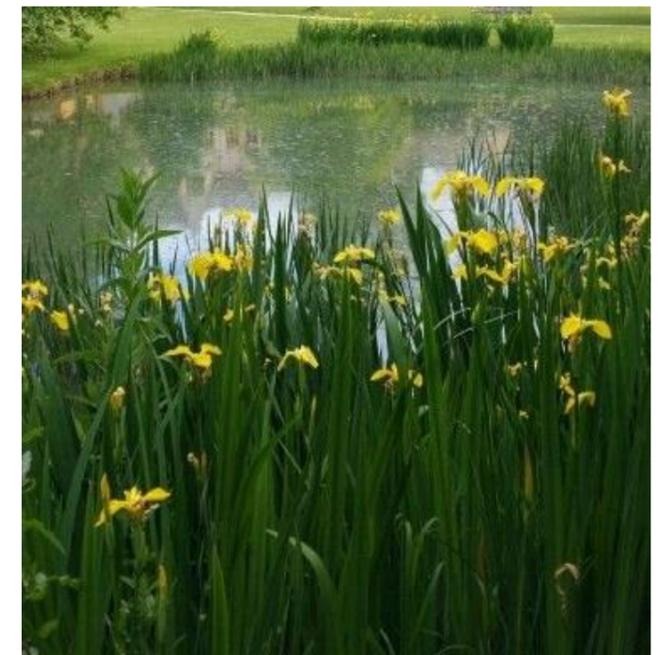


fig 10: south elevation sketch study

5_archaeology

The Oxfordshire Historic Environment Record (HER) has been reviewed and the map shows the location of findings, structures and artefacts in addition to the Listed buildings within the parish.

There have been two finds both around 200m to the west of the site at grid reference SP 26 08; HER 1401 Medieval Pottery fragments, and 16862 an Anglo Saxon spearhead, both classified as Marginal.

There have been no findings on the site which is in arable agricultural use. The Oxfordshire County Council Archaeology team will review these proposals as part of the draft Order consultation and make recommendations including the need for Conditions on the development.

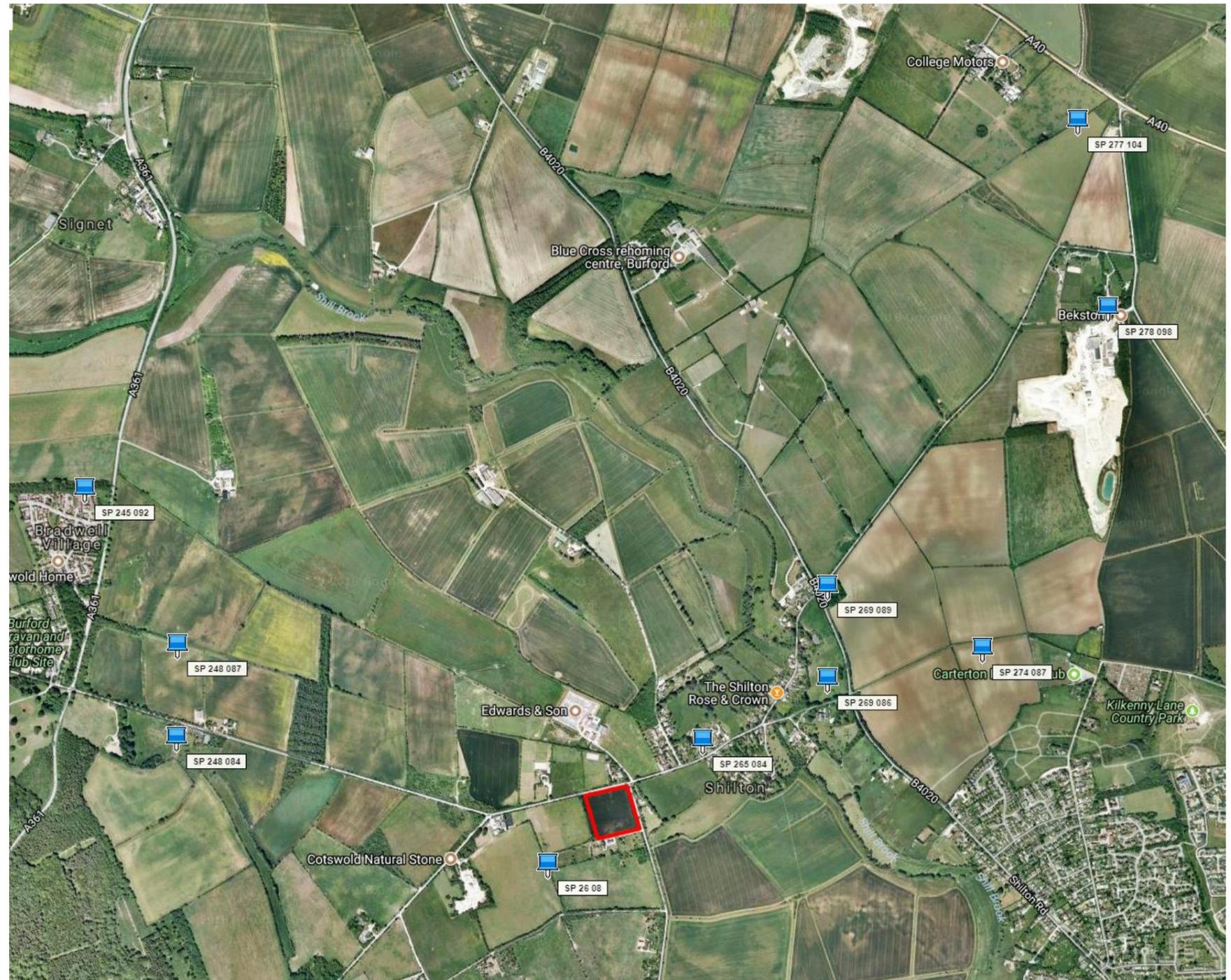


fig 1: archaeology findings map

6_heritage statement

There are 26 listed buildings in Shilton and a further four located elsewhere in the Parish. The site does not lie within the setting of any of these buildings. In addition, a large part of the village is within a Conservation Area, though the site does not lie within the western setting to the Area. The proposals site is therefore neither within nor proximate to a conservation area, does not include any listed structures or monuments, and is not within sight of any listed structures or monuments. Accordingly the proposals do not take into consideration heritage matters.

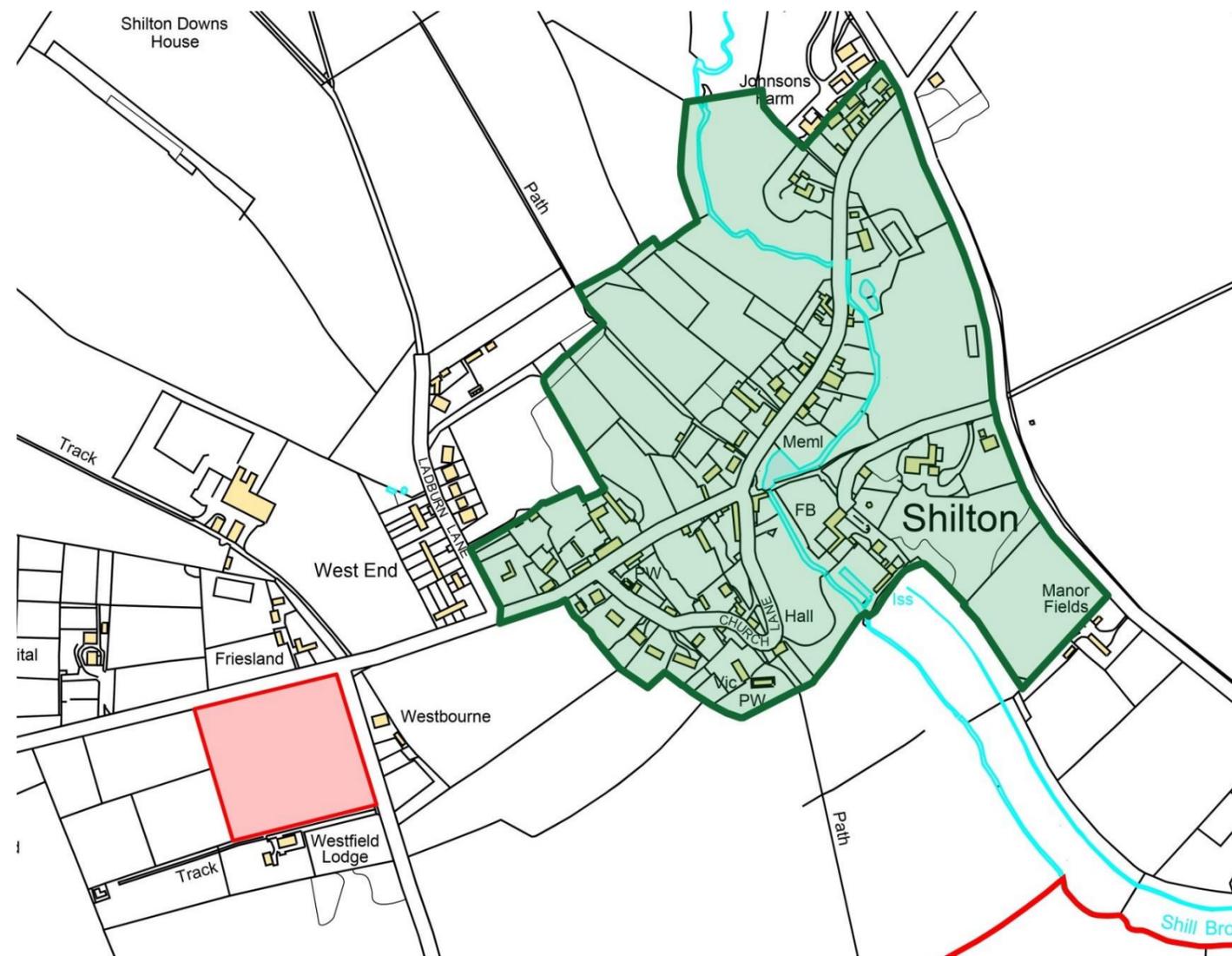
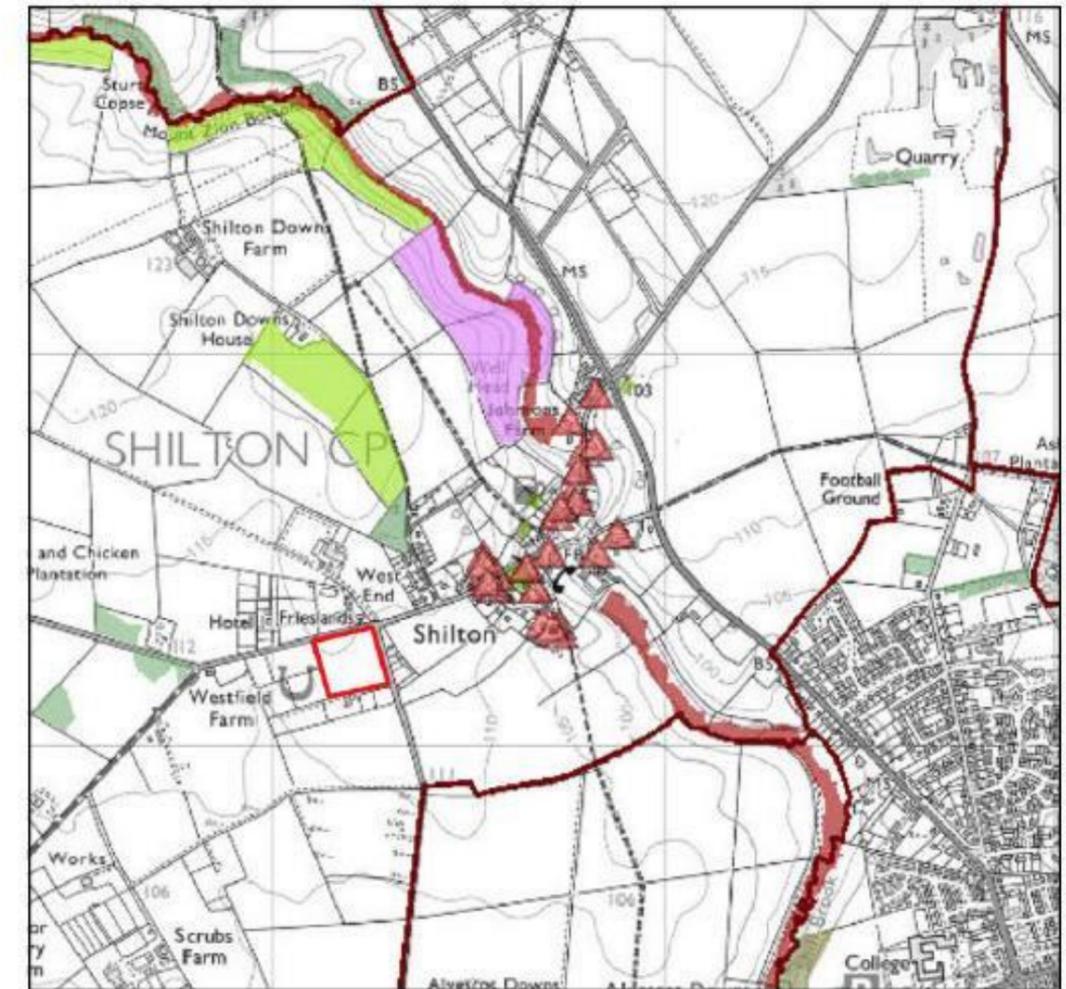


fig 1: Shilton conservation area



Legend

- Parishes (GB)
- Woodland - Flood Risk (England)**
 - High Spatial Priority
 - Lower Spatial Priority
- Scheduled Monuments (England)**
- World Heritage Sites (England)**
 - Buffer Zone
 - World Heritage Site
- Listed Buildings (England)**
- Priority Habitat Inventory - Good quality semi-improved grassland (Non Priority) (England)**
- Priority Habitat Inventory - Lowland Calcareous Grassland (England)**
- Priority Habitat Inventory - Lowland Meadows (England)**
- Ancient Woodland (England)**
 - Ancient and Semi-Natural Woodland
 - Ancient Replanted Woodland
- Priority Habitat Inventory - Deciduous Woodland (England)**
- Forestry Commission Legal Boundary (England)**
- Priority Habitat Inventory - Traditional Orchards (England)**
- Woodpasture and Parkland BAP Priority Habitat (England)**

fig 1: environmental constraints and Listed buildings

7_consultation statement

7.1 The Parish Council consulted the local community in February/March 2017 on a number of issues to inform both its Neighbourhood Plan and this feasibility report. A 'Village Survey' questionnaire was circulated to every household in the Parish, including Bradwell Village. The survey was designed to test initial opinions on the desire for change in terms of population profile and how this may be effected by the Plan.

7.2 The survey achieved a very good response rate, especially from those living in the main village. The important topics identified included the desire to see the surrounding countryside preserved, the Conservation Area maintained, the Rose & Crown P.H. kept, local transport services improved, new local employment opportunities created and affordable housing delivered.

7.3 Around half of local people expressed the view that the village population is too old and getting older, with a small majority in favour of the Plan being used to bring about some change, primarily through an affordable housing scheme. Of the 82 responses, 20 indicated that there may be a family member or relative that wants or will need access to affordable housing in the village. Of those in favour of the Plan looking at housing issues, a majority favoured an affordable housing scheme of 5 – 10 homes, focusing on family homes and starter homes over which the community had control of ownership and management of the homes. Conversely, there appeared to be little appetite for the Plan to allocate land for conventional open market homes.

7.4 The survey itself indicated no specific sites in the village but the Parish Council and Welfare Trust have discussed in open meetings the idea of using the Trust land at Hen N Chick Lane for an affordable scheme. In this very small village, it can safely be assumed that many people will have been aware of that possibility when answering the survey. No other land to date has been put forward by a land owner willing to deliver an exclusively affordable housing scheme with the Parish Council.

7.5 Although there are many in the village that do not appear to support the Plan promoting any form of development, the fact that half of local people seem interested in an affordable scheme should be considered a positive sign. However, such interest is likely to be contingent on the provision of a high quality scheme of the right size and tenure mix and delivered in a way that enables the local community to control the scheme thereafter.

7.6 The project brief from the Parish Council has made clear its preference for the scheme to be financed, delivered and managed through a bespoke, community land trust type body, rather than follow a more conventional, housing association partnership route. The community consultations indicate that local people place some importance on the degree of local control over the scheme over the long term as an important and distinctive source of meeting local housing needs.

8_enfranchisement

The Neighbourhood Planning (General) Regulations 2012 Regulation 22(1)(f) requires that the Parish Council, as qualifying body, provides detail of the enfranchisement rights, as defined in paragraph 11 of Schedule 4C to the 1990 Act, which, if any, are not exercisable in relation to the proposals; there are none which the Parish Council proposes are not exercisable.

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Shilton Parish Council Community Right to Build Order

Draft Order _ Published under Regulation 21 of the neighbourhood planning (general) regulations 2012 (as amended)

February 2018_v3