

<b>APPLICATION NO.</b>	10/01422/RENWAL
<b>APPLICATION TYPE</b>	Small major
<b>REGISTERED</b>	3 August 2010
<b>PARISH</b>	Faringdon
<b>WARD MEMBER(S)</b>	Roger Cox, Alison Thompson, Mohinder Kainth
<b>APPLICANT</b>	Aurelian Property Finance Ltd.
<b>SITE</b>	Land adjoining Coxwell House and Winslow House, Coxwell Road, Faringdon
<b>PROPOSAL</b>	Application to extend the time limit of outline planning permission 06/01928/FUL for residential development with new access road.
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	428223 194408
<b>OFFICER</b>	Laura Hudson

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## 1.0 INTRODUCTION

- 1.1 This application seeks permission to extend the time limit for implementation of application ref: 06/01928/FUL to allow another 3 years for the submission of reserved matters.
- 1.2 The site is approximately 0.8 hectares in area and is located on the south western edge of Faringdon. The site forms part of an allocated housing site in the adopted Vale of White Horse Local Plan. It is currently an area of overgrown grassland. A smaller part of the allocated site to the rear of Winslow House has been developed for 11 affordable dwellings.
- 1.3 The application comes to committee as Faringdon Town Council objects.
- 1.4 A site plan is **attached** at appendix 1.

## 2.0 PROPOSAL

- 2.1 The application seeks to extend the time for implementing the outline permission granted in August 2007. That permission included access with all other matters reserved. The number of dwellings was not specified.
- 2.2 Access to the site is proposed between Winslow House and Coxwell House (shown as The Red House on the site plan).
- 2.3 The remaining reserved matters were approved in April 2008 for 35 dwellings in a mix of flats and houses, with an area of open space along the south west side of the site. The approved site layout is **attached** at appendix 2 along with the access plan and extracts from the elevations.
- 2.4 The original outline permission was accompanied by a S106 agreement relating to the provision of infrastructure contributions and the proposal included 40% affordable housing. However, the previously secured contributions now render the proposal unviable given the economic downturn, hence the delay in delivering the housing under the previous permission. The current application includes a re-negotiated S106 agreement which still secures 40% affordable housing in a different mix, but with a revised level of infrastructure contributions. The revised contributions still mitigate the impact of the development locally but ensure viability and so enable the scheme to be

delivered.

### 3.0 **CONSULTATIONS & REPRESENTATIONS**

#### 3.1 **Faringdon Town Council:** Object for the following reasons:

“Although the town council notes that outline permission has already been granted, town council still wishes for its objections to this planning application to stand, as originally submitted to the District Council in February and December 2007. Town council further notes that details on S106 contributions in respect of this development had still not been received from the District Council despite the fact that VWHDC has already agreed that town council would see sight of S106 agreements drawn up.”  
The town council’s previous objections referred to above can be summarised as follows: Overdevelopment of the site, out of character with surrounding houses, extra pressure caused by additional traffic, access/egress, car parking, and sewerage.

#### 3.2 **County Engineer:** No objections subject to the same conditions as before.

#### 3.3 **Thames Water:** No objections subject to conditions.

#### 3.4 **Environment Agency:** Application is considered to have a low environmental risk – no further comments provided.

#### 3.5 **Council Drainage Engineer:** No objections subject to conditions.

#### 3.6 **Neighbour comments:** Two letters of objection have been received from neighbouring properties raising the following concerns:

- The proposal is for mass homes to maximise profit. Higher quality homes should be provided.
- Request that the development does not extend right up to the east boundary of the site. A green buffer zone should be provided to protect the privacy of neighbouring houses.
- The proposal will result in overlooking and loss of privacy to neighbouring houses.
- There should be no three storey houses.

### 4.0 **RELEVANT PLANNING HISTORY**

#### 4.1 The site, together with an adjoining smaller site immediately behind Winslow House, are allocated for housing in the adopted local plan.

#### 4.2 Planning permission was granted in October 2006 for a new access to the site and associated highway works.

#### 4.3 Outline planning permission was granted in August 2007 for residential development with all matters reserved apart from access.

#### 4.4 The reserved matters for residential development were approved in April 2008.

### 5.0 **POLICY & GUIDANCE**

#### 5.1 Policy H4 of the adopted Vale of White Horse Local Plan confirms the allocation of the site for housing. Policy DC5 requires all new development to be safe in terms of access and parking considerations, while Policy DC9 refers to the impact of development on neighbouring properties and Policy DC1 refers to the design and layout of development. Policy DC8 states that new development will only be permitted where service and infrastructure provision is adequate or can be made adequate. Policy H17 requires 40% of proposed housing on sites of 15 dwellings or more in Faringdon to be affordable, while Policy H23 requires 15% of the site to be laid out as public open space.

6.0 **PLANNING CONSIDERATIONS**

6.1 **Principle**

The principle of residential development on this site is established by policy H4 of the adopted local plan and the planning permission and reserved matters approval previously granted for 35 dwellings.

6.2 **Access**

Access was approved under the previous outline permission and there has been no change in circumstances to justify any changes to the access layout or other improvements to the existing highway.

6.3 **S106 Contributions**

The main issue to consider in determining this application is the impact of the development on local services and infrastructure and the necessary contributions which help mitigate the impact of the development whilst ensuring the new housing can be delivered on this allocated site. Lengthy negotiations have been held with the applicants and Oxfordshire County Council to establish a viable level of contributions and affordable housing provision which would ensure that the new housing is delivered.

6.4 Recent government advice encourages local authorities to undertake such negotiations to enable development to proceed where there are viability issues and so ensure the delivery of housing in the current economic climate. The council's own supplementary guidance on S106 agreements allows for such agreements to be adjusted to take into account the essential issue of viability.

6.5 As part of the council's consideration of the scheme's viability, a consultant has been appointed to assess the financial figures. The consultant has confirmed the applicant's case that the previous S106 agreement now renders the development unviable.

6.6 By making some adjustments to the level of contributions and to the affordable housing mix a compromise has been reached. This retains the education and bus service contributions previously agreed with the county council (although the library contribution has been omitted), and improvements to off-site public open space in the vicinity of the site required by the Vale (albeit a reduced sum). Maintaining the on-site open space via a management company rather transferring ownership to the council also enables savings to be made. The revised agreement also secures a small contribution to public art, albeit less than would normally be sought.

6.7 The revised affordable housing scheme achieves exactly 40% but with a different mix of dwellings and tenure. The revised scheme has been agreed by the council's housing officer.

6.8 These adjustments in the levels of contributions and the affordable housing mix will enable an allocated housing site to be delivered.

6.9 **Reserved Matters**

Current guidance enables the previously approved reserved matters to be carried forward via this outline renewal. Given the previous permission and the fact that there have been no changes in circumstances which would justify taking a different view on the reserved matters scheme, your officers consider this is an acceptable approach. Whilst the adjacent part of the allocated site has now been developed, the previously approved layout was drawn up with the adjacent permitted scheme in mind so that the

entire site works as a cohesive development. A copy of the adjacent site layout is **attached** at appendix 3.

- 6.10 The conditions imposed on the previous reserved matters approval would also be imposed on this outline renewal permission.

## 7.0 CONCLUSION

- 7.1 The principle of the proposed development has been established through the site's allocation in the local plan and the previous outline planning permission.
- 7.2 The previously approved reserved matters scheme was policy compliant and the details were considered acceptable. As there has been no change to any material circumstances since April 2008, there is no need to require these to be re-submitted by a condition imposed on this permission. Nevertheless, this does not prevent the applicants submitting a revised reserved matters application at a later date if they wish to do so.

## 8.0 RECOMMENDATION

- 8.1 ***It is recommended that authority to grant an extension to the time limit on application ref: 06/01928/FUL is delegated to the head of planning in consultation with the chairman and vice chairman of the planning committee subject to the completion of a revised S106 agreement with the Vale of White Horse District Council and Oxfordshire County Council for financial contributions and the delivery of affordable housing and subject to the same conditions previously attached to both the outline permission and the reserved matters approval.***

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