

APPLICATION NO.	P13/V0381/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	21.2.2013
PARISH	EAST HANNEY
WARD MEMBER(S)	Matthew Barber
APPLICANT	Greenland Henley Ltd
SITE	Land to east of A338 Crown Meadow East Hanney
PROPOSAL	Erection of 25 dwellings with associated access roads, garages/car ports and open space (As clarified by Hydrock surface water pumping drainage strategy, Focus Ecology letter dated 12 April 2013, Drawing No: P887/101B and Banners Gate letter dated 5 April 2013 accompanying agent's email of 18 April 2013 and Focus Ecology habitat survey accompanying agent's email of 10 May 2013).
AMENDMENTS	None
GRID REFERENCE	442144/193165
OFFICER	Mr Stuart Walker

1.0 INTRODUCTION

1.1 This application relates to an area of land totalling approximately 1 hectare in size, located on the outskirts of East Hanney. This greenfield agricultural site sits to the east of the A338, which is the main road through the village, linking to Grove and Wantage to the south. The site gently falls away from the road in an easterly direction, with an overall fall of around 1 metre.

1.2 There is loose knit development to the south of the site, comprised of three detached houses and the La Fontana restaurant. The neighbouring dwelling immediately south of the site is Pouncroft Barn. The more densely populated residential area of the village lies to the west, on the opposite side of the A338. To the north lies a small business estate. Beyond this, a development of 15 dwellings permitted in 2012 off Alfred's Place (Application P11/V2103), is currently being built.

1.3 The application comes to committee as the parish council objects and 13 letters of objection have been received.

1.4 A location plan is **attached** as Appendix 1.

2.0 PROPOSAL

2.1 The application seeks permission for the erection of 25 dwellings, with private gardens and access roads. There is a mixture of dwellings ranging from 2 to 5 bedrooms. The applicants propose a new access onto the A338.

2.2 The houses are arranged in a mix of terraces, semi-detached and detached dwellings. Ten of the units are affordable housing to provide 40% of the total in line with council policies.

2.3 The dwellings fronting the A338 are set back from the road frontage in a manner seen in the smaller Alfred's Place development to the north. The remaining dwellings have a looser arrangement. All dwellings are two storeys in height.

2.4 Car parking is within the curtilage of the property or in communal garaging /carports

located to the rear of the properties they serve. The main area of public open space is located in the southeastern corner, incorporating a pond that exists on the site.

- 2.5 During the processing of the application, the applicants have provided additional information relating to flooding, drainage, ecology and highway safety to address holding objections and local responses.
- 2.6 Financial contributions towards off-site services are required to mitigate the impact of the additional residents who will occupy the proposed development. As well as ensuring affordable housing and public open space is achieved on site, the applicants will provide financial contributions to a number of infrastructure requirements. These contributions will cover waste collection, street nameplates, public art, education (primary, secondary, sixth form and SEN) library and museums, social and healthcare, fire and rescue, highways and transport, police equipment and local recreational facilities. At the time of writing, discussions with the applicant over these contributions are ongoing, with particular focus on leisure and parish council contributions.
- 2.7 Extracts from the applications plans are attached as **Appendix 2**.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **East Hanney Parish Council** – Recommends refusal for the following reasons:

- Site is low permeability clay and is frequently waterlogged. The Flood Risk Assessment is inadequate
- Access is located close to a busy bend in the road
- Pedestrian access is not sufficient
- Scheme will increase traffic on busy A338
- Parish Council's Housing Needs Survey shows no need for this development

The full response of the parish council is attached as **Appendix 3**

3.2 **Neighbour Representations** – 13 letters of objection received. Main concerns can be summarised thus:

- Proposal is not consistent with NPPF definition of sustainable development
- Query over whether housing figures in district justify need for development
- Site is liable to flooding, causing surface water run off into neighbouring properties and onto A338
- Access point is dangerously positioned with poor visibility
- Additional traffic on local road network
- No need for further housing in East Hanney
- Proposal represents an overdevelopment of the site
- Design of houses is not suitable for East Hanney
- Site is adjacent to a site of natural beauty and will be harmful to this
- Additional strain on local infrastructure
- Additional pressure on local sewer network and power supplies
- Need for additional street lighting
- Light pollution
- Loss of views from adjacent properties
- Harm to wildlife habitats
- Increased risk to pedestrian safety
- Loss of agricultural land
- New dwellings should reach Level 4 of the Code for Sustainable Homes
- Overlooking of neighbouring properties

3.3 **Highways Liaison Officer** – Initial objection raised to inadequacy of speed survey, which has implications for visibility splays, and position of proposed pedestrian

crossing. No objections following receipt of amended speed survey.

- 3.4 **Housing Development Officer** – Requires 40% of units to be affordable, equating to 10 units. Of these, 8 should be rented and 2 shared ownership.
- 3.5 **Countryside Officer** – No objections following submission of additional habitat surveys
- 3.6 **Waste Management Officer** – Standard comments on refuse collection provided
- 3.7 **Environment Agency** – Standard comments on flood risk in low probability areas provided
- 3.8 **Drainage Officer** – Initial holding objection regarding effectiveness of proposed drainage strategy. Objection removed following submission of additional information
- 3.9 **Thames Water Development Control** – Information on foul and surface water drainage, and water pressure provided. Condition relating to sewer connections requested
- 3.10 **Crime Prevention Design Adviser** - No objections, requests condition relating to crime prevent design measures
- 3.11 **Landscape Architect** – No objections
- 3.12 **Equalities Officer** – No objections

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 None

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse Local Plan 2011**

- DC1 – Design
- DC3 – Design against crime
- DC4 – Public Art
- DC5 – Access
- DC6 – Landscaping
- DC7 – Waste Collection and Recycling
- DC8 – The provision of infrastructure and services
- DC9 – The impact of development on neighbouring uses
- GS1 – Developments in existing settlements
- GS2 – Developments in the countryside
- H11 – Development in the larger villages
- H13 – Development elsewhere
- H16 – Size of dwelling and lifetime homes
- H17 – Affordable Housing
- H23 – Open space in new housing development
- NE7 – North Vale Corallian Ridge

5.2 **Supplementary Planning Documents/Guidance (SPD/SPG)**

- Residential Design Guide – December 2009
- Sustainable Design and Construction – December 2009
- Open space, sport and recreation future provision – July 2008
- Affordable Housing – July 2006

Flood Maps and Flood Risk – July 2006
Planning and Public Art – July 2006

5.3 **National Planning Policy Framework (NPPF)** – March 2012

Paragraphs 14 and 29 – presumption in favour of sustainable development

Paragraphs 34 & 37 – encourage minimised journey length to work, shopping, leisure and education

Paragraph 47 – five year housing supply requirement

Paragraph 50 – create sustainable inclusive and mixed communities

Paragraphs 57, 60 & 61 – promote local distinctiveness and integrate development into the natural, built and historic environment

Paragraph 99 – Flood risk assessment

Paragraph 109 – contribution to and enhancement of the natural environment

Paragraph 111 – encourage the effective use of land

Paragraph 119 – presumption in favour of sustainable development does not override the needs of protected species and habitats

6.0 **PLANNING CONSIDERATIONS**

Policy position

- 6.1 Ideally, the council would consider the potential development of this site through the local plan process given the site's size and location and its potential to be part of a larger strategic housing land allocation. This process would ensure the planning for and management of the necessary combined infrastructure delivery. However, the council must assess this application on its own merits.

National advice

- 6.2 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is clear that council's should grant planning permission where the development plan is absent, silent or the relevant policies are out of date. This is unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies of the NPPF as a whole (Para 14 refers).
- 6.3 The current lack of a five-year supply of housing sites in the district is due to the lack of delivery of new housing by developers, rather than an under-supply of allocated housing land. This is primarily due to delays in progressing some major allocations due to the economic downturn and bringing forward the council's new local plan. This lack of a five-year housing land supply requires some flexibility in line with the NPPF when assessing applications that do not accord with local plan policy.
- 6.4 This approach is necessarily for a limited time, and is aimed at identifying sites suitable to address the housing shortfall whilst meeting the relevant sustainability and design criteria of the NPPF.
- 6.5 It is clear this application is contrary to local plan policies GS2 and H11. However, whilst the council does not have a five-year housing land supply, these two policies are inconsistent with the NPPF. Therefore, the council must assess the proposed application on its site-specific merits and whether, under the NPPF, it is a sustainable form of development.
- 6.6 This assessment needs to balance the desire of the council to assess the scheme through a strategic sites allocation process against the NPPF's tests, which primarily relate to location, design, landscape impact, drainage, and highway safety.

Use of land

- 6.7 Paragraph 111 of the NPPF states, “*planning decisions should contribute to and enhance the natural and local environment.*” The site is presently agricultural land, so it is not brownfield land. This greenfield site lies in the open countryside, albeit on the edge of East Hanney. Thus, the development of the site for housing is contrary to Policy H11. However, as indicated above, this is not a restricting factor given the shortfall in housing land. One neighbouring objection has highlighted the need to retain agricultural land. However, the need for additional housing land would override this desire.

Sustainability credentials

- 6.8 The site adjoins East Hanney, albeit separated from it by the busy A338. Subject to the provision of acceptable pedestrian links, discussed later in this report, the site is reasonably close to the facilities of East Hanney, which Policy H11 confirms is one of the larger villages in the district. The village benefits from a primary school, post office, public house and community shop, which are all important facilities for a village to be a sustainable settlement for new housing development.
- 6.9 The site’s proximity to the A338, which links directly to the large settlements of Grove and Wantage, and the associated public transport services, cannot be ignored.
- 6.10 Given the clear demand for additional housing in the district, the proximity of the site to the services and facilities of East Hanney and the permissive stance taken to the development just to the north, this site is a suitable location for housing development.

Cumulative impact considerations

- 6.11 Using the latest population figures available to the council, this development will increase the population of East Hanney by approximately 60 people. This represents an 8% increase in the population of the village, given the latest census data. These figures do not include the new development to the north, which would provide approximately a further 36 people. Combined together the two sites represent a 13% increase in population. Officers consider this is not a substantial addition to the population of the village. Nonetheless, the increase in properties will lead to additional pressure on existing services, hence the need to seek contributions from the applicant, as discussed in Para 2.6.
- Currently, the council has not received any other major applications for housing in East Hanney.
- 6.12 Currently, the council has not received any other major applications for housing in East Hanney

Affordable Housing

- 6.13 The applicant has indicated their acceptance to the requisite affordable housing provision on the site. This is 40% to accord with local plan policy. This provision will be secured through a legal agreement should the recommendation of approval be agreed.
- 6.14 The council’s housing development officer has raised concerns that the affordable housing should be “pepper-potted” around the site, rather than clustered in the northeastern corner as the applicants propose. However, the affordable housing will sit either side of the main access road, and so will integrate well into the development.

Impact on neighbours residential amenity

- 6.15 Poundcroft Barn is the neighbour most affected by this development. This is a substantial detached property in a generous plot, with its northern boundary abutting the development site for its entire width. The side wall of plot 14 would face this shared boundary at a distance of around 2 metres at the closest point. However, there are no

upper floor side facing windows that would allow overlooking of the rear garden of Poundcroft Barn.

- 6.16 Plots 15, 16 and 17 back onto this shared boundary. However, the distances involved are greater, and they are further removed from Poundcroft Barn itself. This, coupled with the intervening screening along the boundary, ensures no material impact on the amenity of this neighbour.

Visual impact – landscape, layout, design and appearance

- 6.17 The NPPF is explicit in seeking a high quality outcome for good design in terms of layout and building form, seeing as a key aspect of sustainable development. Paragraph 109 states, “*the planning system should contribute to and enhance the natural and local environment.*”
- 6.18 There is a wide range of house types and architectural styles in the village, as well as a good variety of materials. Thus, there is no overriding consistency to housing in the village for this development to follow. In terms of street frontage, this proposal takes a similar approach to that accepted on the development to the north. This is to set back the housing facing the A338, with landscaping in front to soften the impact from the public realm. This housing is two-storey, similar to that approved on the neighbouring site. Further into the site, the applicants propose a variety of house sizes, types, designs and materials to create an interesting mix. Buildings with similar materials are grouped together, giving each part of the site a degree of individuality. The orientation of the houses ensures a good degree of natural sunlight will reach each garden.
- 6.19 The existing boundaries of the site are heavily planted and much of this planting will remain to serve the new development and give the site a self-contained feel. Thus long or distant views into the site will not be possible. The site sits between the industrial estate to the north and housing to the south and east. This existing development provides an appropriate setting for this proposal.
- 6.20 The council’s landscape officer has confirmed there are no objections to the proposed layout, besides some minor concerns regarding hardstanding at Plot 14. Generally, the layout ensures adequate plot sizes, sufficient car parking and good opportunities for hard and soft landscaping within the site. The proposal does not represent an overdevelopment of the site. Following pre-application discussions, the applicant have ensured the pond and related open space is easily accessible and enjoys good natural surveillance.
- 6.21 To ensure the quality of the development, conditions relating to materials, boundary treatments, landscaping and tree protection are considered to be necessary.

Highway Safety

- 6.22 The issue of highway safety has been a key issue in the assessment of this application. There is no doubt the A338 is a busy road, and the need for safe vehicular and pedestrian accesses is paramount.
- 6.23 At the request of the county highways officer, the applicant has carried out a number of speed surveys to ascertain the typical speed on the A338 at the point of access. This information yields the requisite visibility splays at the access into the site.
- 6.24 As outlined in Para 6.8, the need for a safe pedestrian crossing is important to ensuring this site is a sustainable location for new housing. The position of this pedestrian crossing thus remains important; to ensure the visibility for its users is acceptable. The precise position of the crossing remains the subject of discussion between the applicant

and the Highways Authority and will be secured by a Grampian condition. Parking within the site accords with the county standards.

- 6.25 Thus, subject to agreeing the position of the pedestrian crossing, and a number of other conditions relating to traffic movements onto the A338 and within the site, this proposal will have an acceptable impact on highway safety. Financial contributions towards the Science Vale UK Transport Strategy are needed, and the applicant has agreed to these.

Drainage and Flooding Issues

- 6.26 The flooding within and surrounding this site has been the cause of strong local concern when assessing this application.
- 6.27 The council's drainage engineer initially objected to the application, as the submitted flood risk assessment (FRA) was, in his opinion, inadequate to properly address this flooding issue. The applicant has instructed further investigations and a revised FRA was submitted. This overcomes the initial concerns of the drainage engineer, subject to the conditions outlined below.
- 6.28 Thames Water has concerns about the capacity of the sewer network to accommodate the additional dwellings proposed here. Accordingly, a Grampian condition is necessary to ensure a drainage strategy for dealing with surface and foul water is agreed.

Ecology

- 6.29 Given the presence of the pond, the council's countryside officer requested the applicant do further surveys to ascertain the likelihood of protected species being present on site, in particular great crested newts. These surveys have been undertaken, and no significant activity has been found on the site. A number of mitigation measures are proposed in the report, and a standard condition will secure the implementation of these.

Other issues

- 6.30 In terms of sustainability, this proposal should achieve Level Four when measured against the Code for Sustainable Homes. A condition requiring a post-construction review to confirm the scheme achieves this is necessary.
- 6.31 A pre-commencement condition will require the applicant to demonstrate adequate provision of refuse and recycling storage. This is to meet the requirements of the council's waste contractor.
- 6.32 The public open space totals 15% of the site, as required by the council's Open space, sport and recreation future provision SPD. The applicant will be required to appoint a management company to maintain the land in a good order for 20 years.
- 6.33 The council has requested a financial contribution towards off-site sport and leisure facilities. This contribution was still under discussion at the time of writing the report and an update will be reported to committee. In addition discussions had been undertaken with East Hanney Parish Council to examine the potential for financial contributions towards local projects. An update on this issue will also be made to committee.
- 6.34 The application has a deadline for determination of 23 May 2013. The section 106 agreements with the Vale and with Oxfordshire County Council are well advanced, and officers are confident that planning permission can be granted by their deadline. However, if unforeseen problems arise, then officers will require authority, in

consultation with the chairman and vice-chairman of the committee, to refuse the application.

7.0 **CONCLUSION**

7.1 This proposal does not accord with the development plan and so the council has advertised it as a departure. However, in light of the current shortfall in the council's five year housing supply, the proposal is considered acceptable given the following:

- Character – The site is visually well-contained, lies between areas of existing development and will not have a materially harmful impact on the wider landscape
- Sustainability – The site is well located to access the facilities of East Hanney, one of the districts larger villages and so a sustainable location for new residential development.
- Technical concerns regarding highway safety, flood risk and drainage have been overcome through the provision of additional information.

7.2 The proposal would result in a sustainable development in terms of the relationship and proximity to local facilities and services. Thus, this proposal accords with the requirements of the NPPF in this regard.

7.3 In addition, the scheme can be delivered within one year, making a measurable contribution to help address the current housing land shortfall. A condition requiring the commencement of development within one year of the date of the grant of planning permission is recommended and is acceptable to the applicant.

8.0 **RECOMMENDATION**

It is recommended that authority to grant planning permission is delegated to the head of planning in consultation with the committee chairman and vice-chairman subject to:-

1. A S106 agreement with both the County Council and District Council in order to secure contributions towards local infrastructure and to secure the affordable housing.

2. Conditions as follows:-

- 1 : Time limit - 1 year
- 2 : Approved plans
- 3 : Sample materials to be agreed
- 4 : Position and visibility splays to be agreed for pedestrian crossing and vehicular access
- 5 : Access, Parking & Turning in accordance with plan
- 6 : New Estate Roads
- 7 : No Drainage to Highway
- 8 : Submission of Landscaping Scheme
- 9 : Implementation of Landscaping Scheme
- 10 : Drainage Details (Surface and Foul) to be agreed
- 11 : Sustainable Drainage Scheme to be agreed
- 12 : Details of sewer connections to be agreed and implemented prior to first occupation
- 13 : Boundary Details to be agreed
- 14 : Refuse Storage to be agreed
- 15 : Ecology mitigation to be implemented as per report
- 16 : Construction traffic management plan to be agreed

Vale of White Horse District Council – Committee Report – 22 May 2013

- 17 : Slab levels to be agreed
- 18 : Works in accordance with Flood Risk Assessment
- 19 : Crime prevention design measures to be agreed
- 20 : New dwellings to achieve Level 4 against Code for Sustainable Homes
- 21 : Tree protection to be agreed

3. If the required section 106 agreements are not completed, and planning permission cannot be granted by the determination deadline of 23 May 2013, it is recommended that authority to refuse planning permission is delegated to the head of planning in consultation with the chairman and vice-chairman.

Author: Stuart Walker
Contact number: 01235 540515
Email: stuart.walker@southandvale.gov.uk