

**APPLICATION NO.** [P14/V0494/FUL](#)  
**APPLICATION TYPE** FULL APPLICATION  
**REGISTERED** 11.3.2014  
**PARISH** MARCHAM  
**WARD MEMBER** Catherine Webber  
**APPLICANT** Mrs King-Thompson and Shorthouse  
**SITE** King's Field, Sheepstead Road, Marcham, OX136QA  
**PROPOSAL** Variation of Conditions 2 and 3 of Outline planning permission P13/V0575/O - "Erection of 43 dwellings with associated means of access, car parking, new footpath links, amenity space and landscaping"

Condition Two to read "Within 10 months of this approval, details of the appearance of the development, its layout, its scale and the landscaping of the site (the reserved matters) shall be submitted to the Local Planning Authority. No development shall be commenced prior to the approval of all of the reserved matters, and the development shall be carried out in accordance with all of the reserved matters and the subsequent discharge of all necessary planning conditions."

Condition Three to read "That the development hereby approved shall be carried out in accordance with the details shown on the following approved plans, 3497\_002, 3497\_SK001b, 3428-D-1 Sheet 1 of 2, 3428-D-1 Sheet 1 of 2 Revision A, 13025-T03 Revision B and 3497\_SK, except as controlled or modified by conditions of this permission or by details submitted as part of a reserved matters application.

**AMENDMENTS** None  
**GRID REFERENCE** 445513/197256  
**OFFICER** Mr Peter Brampton

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## 1.0 INTRODUCTION

- 1.1 King's Field is situated on the northern side of Marcham and is approximately two hectares in size. There is an existing access from Sheepstead Road in the northwestern corner. Hedging and trees define the western and eastern boundary of the site, trees and low-level fencing sit along the northern boundary, whilst the southern boundary is largely defined by fencing as it is shared with the properties of Kings Avenue.
- 1.2 The site itself is largely flat and featureless. The access road is informal and currently serves storage buildings located on land to the north, which does not form part of the application site.
- 1.3 A footpath runs along the eastern boundary of the site, which runs to the allotments to the north and links to the existing low-density development to the south. The main facilities of the village are located to the south.
- 1.4 The application comes to committee due to the number of letters of objection that

have been received.

1.5 A location plan is **attached** as Appendix 1

## 2.0 PROPOSAL

2.1 In September 2013, the applicants received outline planning permission for the erection of 43 dwellings with associated means of access, parking, new footpath links, amenity space and landscaping.

2.2 As with many housing developments in the area, the council only supported the application as it made a contribution to the shortfall in the district's lack of a 5-year housing supply. On these particular housing schemes, the council has been imposing a shortened time frame for the commencement of works to ensure the sites are delivered in a timely manner. This ensures they make the proposed contribution to the housing shortfall and is necessary for a relatively short period of time.

2.3 The shortened time frame the council imposed on this particular outline consent was the submission and approval of the reserved matters application within 6 months of the date of the consent, with work commencing on site within 12 months.

2.4 As the applicant is not a housing developer, they have marketed the site since obtaining outline planning permission. A number of developers have expressed an interest in the site, but, at the time of writing, no contract has been signed. The applicants now apply for a variation of the time limit condition imposed on the original outline (condition 2). They propose to change the wording so that it requires the submission (not approval) of the reserved matters application within 10 months of the date of the outline consent being granted.

2.5 The applicant also proposes to vary the wording of condition 3, which lists the approved plans, to correct some typographical errors.

2.6 The approved plans are **attached** as Appendix 2. An associated deed of variation to the Section 106 agreement completed prior to the grant of outline planning permission is necessary to tie this new application into the requirements of that agreement.

## 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 **Marcham Parish Council** – No response received at time of writing. A verbal update of their views will be provided to the planning committee.

3.2 **Neighbour Representations** – Nineteen letters of objection have been received at the time of writing. The main points can be summarised thus:

- Applicants have failed to adhere to the timescales required of them to deliver quick housing development and the permission should now be withdrawn
- Overall housing situation in Marcham has changed given subsequent applications on the southern side of the village
- Those applications on the southern side of the village are preferable to this site
- The council should uphold the conditions it places on the consent
- This winter has shown an increase in flooding within the site and adjacent area

A number of objections reiterate concerns submitted and assessed as part of the determination of the outline application. These are not relevant to the assessment of this application but are summarised below:

- The proposal will increase flooding of properties in King's Avenue and surrounding area

- The sewage system cannot cope with the additional housing
- Development would compromise the village identity, shape, living standards and safe environment
- Road network is inadequate for the proposed increase in traffic
- Disruption to local wildlife and their habitats
- Increased strain on local facilities

#### 4.0 RELEVANT PLANNING HISTORY

##### 4.1 [P13/V0575/O](#) - Approved (26/09/2013)

Erection of 43 dwellings with associated means of access, car parking, new footpath links, amenity space and landscaping (as amended by Drawing Nos: 3947\_SK and 13025-T03 Revision B accompanying agent's letter of 22 May 2013 and email of 13 June 2013 and clarified by Drawing C13025-C001A accompanying agent's email of 25 June 2013)

#### 5.0 POLICY & GUIDANCE

##### 5.1 Vale of White Horse Local Plan 2011 policies;

GS2 - Development in the Countryside  
DC1 - Design  
DC5 - Access  
DC7 - Waste Collection and Recycling  
DC8 - The Provision of Infrastructure and Services  
DC9 - The Impact of Development on Neighbouring Uses  
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  
NE9 - The Lowland Vale

#### 6.0 PLANNING CONSIDERATIONS

##### 6.1 *Extended time limit*

The council cannot currently demonstrate a deliverable 5 year housing supply, and has persistently under-delivered against its housing requirements. There is also a pressing need for additional affordable housing in the district. Consequently, the current Local Plan has been found inconsistent with the NPPF. In line with the definition of sustainable development within the NPPF, the council has had to support the release of suitable greenfield sites on the edge of the district's larger settlements to meet the shortfall. This has led to a number of speculative housing proposals being supported by the council, of which this is one.

6.2 Currently, the council intends to adopt the emerging Local Plan Part One in spring 2015. This document will have provisions that enable the council to demonstrate a deliverable five-year housing land supply. The condition attached to this consent was mindful of this timetable. If the site cannot be delivered before the adoption of the new Local Plan, it will not make the contribution to the housing shortfall on which the scheme has been justified. .

6.3 The applicants accept this need for a shortened time period to implement the scheme, but now contend the six months to submit and have approved the reserved matters application is unrealistic. They contend that, as they are not house builders, there has been a need to promote and market the site in order to attract a developer. Once this house builder is in place, they will need to design, prepare and submit a detailed

reserved matters application.

- 6.4 It is likely that the developer that purchases the site will want to enter into pre-application discussions with the district council, members of the public and other key stakeholders such as the Highways Authority. There are obviously time implications for this that, in the applicants' view, makes the requirements imposed by the council unrealistic.
- 6.5 The second aspect of this is that the original condition requires the council to approve the reserved matters within the 6 month period. The applicant argues that this aspect of the condition is unreasonable, as the timing of the determination of a reserved matters application is outside the applicants control.
- 6.6 This is not the first five-year housing scheme that has challenged the standard wording of this condition. The council has recently lost an appeal on a scheme in Barnett Road, Steventon (Appeal Reference: APP: 3120/A/13/2192205, Planning Reference: P12/V1980/O). Here, the appellant challenged both the time allowed for submitting the reserved matters application and the time allowed to commence works on site. The Inspector supported the arguments put forward in support of the appellants' case, which were similar to those in this instance, and allowed the applicant a year to submit the reserved matters application and then six months after approval of the last reserved matter to commence works on site.
- 6.7 Thus, in this case, the applicant has been granted 18 months from the grant of outline planning permission to commence works on site. This is shorter than the normal three years granted to most planning consents, and so reflects the need for a shorter timetable for implementing this type of housing proposal. The Inspector also removed all reference to the approval of the reserved matters application from the condition as compliance with this was outside the applicant's control.
- 6.8 Given this clear stance from the Inspector, it would be unreasonable to insist on strict adherence to the time table previously requested by the council. It is noteworthy this proposal would not extend the length of time the applicant has to start works on site, which remains 26 September 2014.
- 6.9 Therefore, the variation of condition can be supported. The new wording will allow the applicant ten months to submit the reserved matters application (until 26 July 2014). Officers understand it is likely to be submitted sooner than that and there will be no reference to the need to secure the approval of that application.
- 6.10 A number of objecting neighbours have highlighted that additional sites for new housing in Marcham have come forward since the original grant of planning permission. They contend these sites are preferable to this one in terms of the impact of the village. This may be the case, but it is important to highlight those applications were assessed in light of the outline consent of this site, previous housing schemes in the village and the associated cumulative impact on local services. As such, they are additional housing sites in the village, submitted in answer to the five year supply shortfall, and cannot be considered as substitutes for this application.
- 6.11 The council is aware of the flooding experienced within the site and within the gardens of properties along King's Avenue over the winter, since the outline consent was granted. The applicants will need to demonstrate a solution to this problem in response to the pre-commencement conditions attached to that consent. It is not a matter than can influence the outcome of this application.

*Approved Plans*

- 6.12 The second element of this application is to correct typographical errors in the list of approved plans (Condition 3 of the outline consent). Clearly, this is a mistake on the council's part, and should be rectified to avoid further confusion over what has been approved. All of the other conditions on the initial consent will not change and, for clarity, are carried across unaltered to this new outline consent.

**7.0 CONCLUSION**

- 7.1 Given the need for the applicant to market the site to housing developers, and the desire of that developer to enter into pre-application discussions with the council over the reserved matters application, the time limit initially imposed on the outline planning permission is unrealistic. Therefore, the proposal to extend the time limit to submit the reserved matters application from six to ten months is reasonable and will help to ensure the delivery of a housing scheme that will make a significant contribution to the shortfall in the district's housing supply. Furthermore, it is important to correct the typographical errors on the outline consent for clarity. The proposal complies with relevant local and national planning policy and should be approved.

**8.0 RECOMMENDATION**

- 8.1 **Grant Planning Permission subject to:**

**The completion of a deed of variation to tie this application into the requirements of the Section 106 agreements signed in respect of planning application P13/V0575/O and the following conditions:**

- 1 : Time limit – Commencement within 1 year**
- 2 : Time limit - Reserved Matters submitted in 10 months**
- 3 : Approved plans**
- 4 : Sample materials to be agreed**
- 5 : Visibility Splays to be agreed**
- 6 : Access, Park. & Turning to be agreed**
- 7 : No Drainage to Highway**
- 8 : Submission of Landscaping Scheme**
- 9 : Implementation of Landscaping Scheme**
- 10 : Boundary Details to be agreed**
- 11 : Drainage Details (Surface and Foul) to be agreed**
- 12 : Sustainable Drainage Scheme to be agreed**
- 13 : Details of sewer connections to be agreed**
- 14 : Construction traffic management plan to be agreed**
- 15 : Works in accordance with Flood Risk Assessment**
- 16 : Tree Protection to be agreed**
- 17 : Wildlife Protection as per submitted statements**

**Author:** Peter Brampton  
**Contact Number:** 01491 823751  
**Email:** [peter.brampton@southandvale.gov.uk](mailto:peter.brampton@southandvale.gov.uk)