
APPLICATION NO.	P14/V1964/FUL
APPLICATION TYPE	Major
REGISTERED	27 August 2014
PARISH	East Hendred
WARD MEMBER(S)	Cllr Bill Jones Cllr Michael Murray
APPLICANT	Pye Homes
SITE	Land North of Portway Villas, East Hendred
PROPOSAL	Proposed residential development comprising 26 dwellings and off-site highway works.
AMENDMENTS	Received 5.01.15 – layout amended to accommodate unallocated parking and show tracking.
GRID REFERENCE	445930/189422
OFFICER	Laura Hudson

Summary

- This application has been submitted to address the Councils five year housing supply deficit.
- The application comes to Committee as the Parish Council objects and more than 4 letters of objection have been received.
- The proposal is adjacent to a previously permitted scheme allowed on appeal and would be seen in the same context.
- The design, layout and impact on the character of the area are considered acceptable.
- The proposal would have no harmful impact on the amenity of adjacent residential dwellings.
- The proposal would deliver a signalised crossing on the A417 linking the overall development to the rest of the village.
- The proposal is considered to constitute sustainable development within the terms of the NPPF.
- A S106 package to mitigate the impact of additional dwellings on local infrastructure is proposed.
- The recommendation is for approval subject to the S106 to secure contributions and 40% affordable housing.

1.0 INTRODUCTION

- 1.1 This application relates to land to the north of the A417 in East Hendred. Planning permission was granted on appeal in December 2013 for the erection of 21 dwellings on land immediately to the south of this current site adjoining the A417. This development, which will be referred to in the report as phase 1, is currently under construction. A copy of the appeal decision is **attached** at Appendix 1.
- 1.2 This current application is for a second phase of residential development to the north of the appeal site but with access through the adjacent site from the A417.
- 1.3 The site lies adjacent to the AONB but within the locally designated Lowland Vale as defined on the adopted Local Plan proposals map.

- 1.4 The site currently consists of 1.5 ha of relatively flat agricultural land bounded to the west by Woods Farm Road, a single track lane serving a number of sporadic properties, to the east by a farm track which is also a public right of way, and partially to the north by the residential curtilage to Ashfield House house. Phase 1 of the development lies to the south and open agricultural land adjoins the remaining northern boundary.
- 1.5 The majority of the village lies to the south of the main road with a number of more sporadic properties north of the road and in close proximity to the site.
- 1.6 The application comes to Committee as the Parish Council objects and more than 4 letters of objection have been received.

2.0 PROPOSAL

- 2.1 The application has been submitted to address the Councils five-year supply deficit. This remains, notwithstanding the emerging local plan which is at the pre-examination stage and therefore still holds limited weight given the level of objections received to the housing allocation policies.
- 2.2 The application seeks full planning permission for the erection of 26 dwellings with access taken from the A417 through the adjacent development.
- 2.3 The scheme includes an area of open space at the centre of the development with an equipped area of play, which would serve both developments. Part of the proposed open space is proposed as a community orchard. A landscaped buffer is proposed along the northern edge of the site and the previous outer buffer in phase 1 now serves as a green lung through the centre of the development.
- 2.4 The application proposes 40% affordable housing as required by adopted policy H17 equating to 10 units, consisting of 8 rented and 2 shared ownership.
- 2.5 The proposed dwellings are all two storey in a mix of detached, semi-detached and terraced and constructed of brick, render, timber boarding and tile hanging, all features found locally.
- 2.6 26 dwellings on this site of 1.5 hectares equates to a density of 17 dwellings per hectare.
- 2.7 Phase 1 to the south of the site proposed a simple dropped curb crossing with island to link the development to the village to the south of the A417. This current application proposes upgrading the crossing to a signal controlled crossing. The layout has been amended to include 13 visitor parking spaces and showing bin lorry tracking details.
- 2.8 Extracts from the application drawings are **attached** at Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 **East Hendred Parish Council** – Object. Concerns over extending the village into the open countryside, the proposal not relating well to the existing built up area, and the lack of green buffer at the outer edge of the development. If approved the council would wish to see the inclusion of a controlled crossing on the A417, the inclusion of a play area on the site, affordable housing to be available to local people, parish control over the open space and community orchard, and improvements to the local bus services and school classrooms. A full copy of their comments is **attached** at Appendix

3. S106 request for the parish as follows: Contributions towards village leisure facilities captured as part of the leisure contributions in addition to maintenance sum for the on site public open space; new controlled pedestrian crossing secured as part of the proposal, provision of bus stops on the A417 and contribution to local bus services.

Oxfordshire County Council (OCC) Highways – Initial concerns over the use of the existing access to phase 1 and lack of visitor parking for the proposal. Further discussions have taken place in relation to this and the proposed controlled pedestrian crossing. An update will be provided at the meeting or pre-meeting addendum. Conditions recommended in relation to the details, drainage and the need for a travel plan. Contributions requested in relation to the following: **Strategic transport infrastructure - £61,656; bus service improvements - £22,035; bus stop infrastructure - £20,000; and provision of a controlled pedestrian crossing.**

OCC Education – No objections subject to contributions towards the following: **Secondary school - £205,942; and special education needs (SEN) - £5,826.** No primary school contributions requested as capacity within the village to accommodate additional places.

OCC Property – No objections subject to **contributions to local facilities of £6,831.45 (Library), £5,143.68 (Waste Management), £401.85 (Museums), and £5,478 (Adult).**

OCC Archaeology – There are no archaeological constraints on the site.

Thames Water Development Control – No objections in relation to sewage infrastructure capacity or supply.

Drainage Engineer (Vale of White Horse District Council) – Initial holding objection pending the submission of further information. This has now been submitted and no objections are raised subject to conditions in relation to the drainage details and the submitted flood risk assessment.

Landscape Architect - Vale of White Horse DC – Concerns over the impact of the development on the lowland vale and setting of the AONB when viewed from the footpath adjacent to the sites eastern boundary given the agricultural nature of the landscape. The appeal scheme was located between existing development whereas this proposal extends northwards. The proposed landscape buffer will take some time to establish and does not relate well to existing features. Concern over the lack of landscape and visual assessment. This has now been submitted which has addressed some of the areas of concern. Updated landscape comments as follows: “The Landscape Appraisal of the site clarifies, some of the issues. While the proposed development extends the build form northwards into the rural interface between the Lowland Vale and the AONB the permitted site to the south has already changed the landscape character of this area. With regard to visual impact, NE9 relates to impact on the long and open views within or across the area. Again the permitted development means that residential development will be present in views from the public footpath to the east of the site and the public rights of way around Steventon Hill. The proposed development will mean that the development edge of East Hendred will extend further northwards and be slightly closer to the viewer. However due to the vegetation to the west and east of the site there would be limited adverse effect on long open views across the Vale”.

Natural England – No objections.

Waste Management Officer (District Council) – No objections subject to details of bin storage. **Contributions towards bin provision of £170 per unit (£5,950)**

Leisure Department (Vale of White Horse DC) – No objections subject to the following contributions:

Football Pitch - £4,422 (Mill Lane recreation ground, East Hendred)

Cricket Pitch - £1,622 (Mill Lane recreation ground, East Hendred)

Rugby Pitch - £1,035 (off site)

All Weather Pitch - £1,569 (Wantage)

Tennis - £1,334 (Mill Lane recreation ground, East Hendred)

Multi use games area MUGA - £6,682 (New equipment at existing recreation ground)

Pavilion/changing rooms - £5,171 (Mill Lane recreation ground, East Hendred)

Indoor sports hall - £10,869 (Wantage)

Swimming pool - £9,356 (Wantage)

General health and fitness - £5,299 (Wantage)

On site open space maintenance commuted sum - £59,782.50 (Parish Council to adopt open space, play area and community orchard)

Health & Housing - Contamination - No objections.

Health & Housing - Env. Protection Team – No objections.

Housing Development (South Oxfordshire & Vale of White Horse DC) - No objections as the proposal provides 40% affordable housing. The mix and distribution is acceptable.

Letters of objection have been received from 17 local residents raising the following concerns:

- The A417 is already at capacity.
- The site regularly floods and the proposal will lead to flooding elsewhere.
- Objections to the previous scheme remain the same.
- The proposal represents further creeping urbanisation of the countryside.
- This is not a suitable location for housing development.
- The proposal is inconsistent with the appeal decision which stipulated a defined northern boundary to the previous phase.
- The proposal will lead to more development further north.
- The access will be dangerous to vehicles and pedestrians.
- The proposed crossing is unsafe.
- The proposal will change the character of the area.
- The village has a lack of services for future residents.
- The proposal will place pressure on road infrastructure.
- The roads within the site are too narrow with insufficient parking.
- Additional play equipment should be provided.
- The community space should be owned by the Parish Council.
- The impact of the existing 21 homes should be assessed first before considering more.
- There is currently no public transport on this part of the A417.
- The needs of the village in terms of affordable housing should be considered first.

4.0 RELEVANT PLANNING HISTORY

- 4.1 P12/V1878/FUL – Development of 21 dwellings on land to the north of Portway Villas, East Hendred. This application was refused by the planning committee contrary to officer recommendation, on 10 December 2012 and was allowed on appeal on 27th December 2013. The development lies to the south of the current application site and is currently under construction.

5.0 POLICY & GUIDANCE

Adopted Vale of White Horse Local Plan (2011)

- 5.1 Policy H11 lists East Hendred as one of the larger villages in the District with a reasonable range of services and facilities. Development is permitted within the built up area of the village on sites capable of accommodating up to 15 dwellings subject to criteria including the impact of the proposal on the character of the area.

Policy GS2 indicates that outside the built-up areas of settlements new building will not be permitted unless it is on land identified for development or is in accordance with other specific policies.

Policy DC1 requires new development to be of a high design quality in terms of layout, scale, mass, height, detailing, materials to be used, and its relationship with adjoining buildings.

Policy DC5 requires safe and convenient access and parking and suitable access from the public highway.

Policy DC6 requires hard and soft landscaping to protect and enhance the visual amenities of the site and surroundings and to maximise nature conservation and wildlife habitat creation.

Policy DC9 seeks to ensure development will not unacceptably harm the amenities of neighbouring properties and the wider environment.

Policy H17 requires 40% provision of affordable housing in schemes of more than 15 dwellings in the larger settlements.

Policy NE9 refers to development in the Lowland Vale as defined on the local plan proposals map.

Emerging Local Plan Part One (2031)

- 5.2 The draft local plan part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing local plan. The following core policies are relevant to this proposal:
- 1 – Presumption in favour of sustainable development
 - 3 – Settlement hierarchy
 - 4 – Meeting our housing need
 - 7 – Providing supporting infrastructure and services
 - 15 – Spatial strategy for the South East Vale Sub-Area
 - 17 – Delivery of strategic highway improvements within South East Vale Sub-Area
 - 22 – Housing mix

- 23 – Housing density
- 24 – Affordable housing
- 26 – Accommodating current and future needs of the ageing population
- 33 – Promoting sustainable transport and accessibility
- 35 – Promoting public transport, cycling and walking
- 36 – Electronic communications
- 37 – Design and local distinctiveness
- 38 – Design strategies for strategic and major development sites
- 39 – The historic environment
- 40 – Sustainable design and construction
- 41 – Renewable energy
- 42 – Flood risk
- 43 – Natural resources
- 44 – Landscape
- 45 – Green Infrastructure
- 46 – Conservation and improvement of biodiversity
- 47 – Delivery and contingency

Supplementary Planning Documents/Guidance (SPD/SPG)

- 5.3 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

National Planning Policy Framework (NPPF)

- 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

Planning Practice Guidance (NPPG) – March 2014

In particular guidance on:

- ‘Determining an a planning application’
- ‘Air Quality’
- ‘Design’
- ‘Conserving and enhancing the historic environment’
- ‘Noise’
- ‘Transport assessments in decision taking’
- ‘Natural environment’
- ‘Planning obligations’
- ‘Water supply, waste water and water quality’
- ‘Use of planning conditions’

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to consider in determining this application are: i) The principle of the proposed development in this location in relation to planning policy; ii) five year housing supply and sustainability; iii) landscape and visual impact; iv) layout and design; v) access and highway considerations; vi) impact on neighbouring properties; vii) drainage; and viii) contributions and delivery.

6.2 ***Policy Context***

The current Vale of White Horse Local Plan is the adopted development plan under which this proposal should first be considered. Although the Council have an emerging local plan being formulated in accordance with up to date Government guidance this holds limited weight in the consideration of the current proposal given its early stage and the number of objections received in relation to housing allocations.

6.3 The site currently consists of undeveloped paddock land located beyond the main built-up area of the village. Although the site lies immediately adjacent to a previously approved development, the land clearly falls beyond the existing built up area of the village and is considered to form part of the open countryside in planning terms. The proposal is therefore considered contrary to adopted policies H11, GS1 and GS2 of the adopted local plan.

Housing Land Supply and Sustainability

6.4 As has been well documented, the council does not currently have a five year supply of housing land, as required by paragraphs 47 – 49 of the NPPF. Where the council does not have a five year supply of housing land, the relevant local plan housing policies, including policies H11, GS1 and GS2, are not wholly consistent with the NPPF and, therefore, hold limited weight. The NPPF makes clear that, where the development plan is absent, silent or the relevant policies out of date, planning permission should be granted unless any adverse impacts would demonstrably outweigh the benefits of the proposal. The proposed development, therefore, must be considered on its specific merits and, in particular, whether it constitutes a sustainable form of development as defined in the NPPF.

6.5 The NPPF sets out the three dimensions of sustainability consisting of environmental, economic and social factors. Environmentally, the site is located immediately adjacent to the existing built up area of the village and extends an existing development that was considered acceptable on appeal. The proposal links into this development and ensures the delivery of a signalised crossing thereby ensuring that the overall development is integrated with the rest of the village.

6.6 The proposal for 26 dwellings in addition to the previous permitted scheme would result in a total increase for East Hendred, one of the larger villages in the District, by 47 dwellings. Given that there have been no other significant developments in the village in recent years, it is considered an acceptable and proportionate increase. East Hendred has a reasonable range of facilities including 3 public houses, two primary schools, and a village shop. In addition the developers are contributing towards improvements to local services and facilities to mitigate the impact of the development.

6.7 It is therefore considered that, in principle, the proposal represents a sustainable form of development within the terms of the NPPF and given the current five year supply

deficit.

Visual and Landscape Impact

- 6.8 The site currently forms part of a larger area of agricultural land to the north of the main built up area of the village. There is some existing sporadic development to the east and west of the site, and the previously approved scheme of 21 units is currently under construction to the south of the application site. Given this changing context and the fact that the appeal inspector considered that the appeal proposal would not affect the long open views across the lowland vale given the existing dwellings and planting along the roadside, it would be difficult to justify refusal on landscape grounds. The Inspector also noted the strong planting buffer proposed along the northern edge of the site to provide a clear separation from the remaining agricultural land beyond. This current application seeks to create a further buffer.
- 6.9 From the surrounding area the proposal would be viewed in the context of the existing development and the built up area of the village beyond. A strong landscape buffer is again proposed on the outer northern edge to soften the impact from the wider landscape. Whilst the AONB lies to the south of the A417, phase 1 of the development forms the immediate setting. The main built up area of the village extends right up to the road to the south therefore the AONB in vicinity of the site is more suburban in character.
- 6.10 The Landscape officer has raised concern over the lack of landscape and visual assessment in the application submission. This has now been submitted and updated landscape comments will be provided closer to the meeting.

6.11 Layout and Design

The application plans propose the retention of the previously approved landscape buffer which now acts as a green lung through the development, and a further northern buffer is proposed to provide separation from the countryside beyond and soften the edge of the development. Within the layout there is an area of public open space part of which will be planted as a community orchard.

- 6.12 Although the development is separated from phase 1 by a landscaped belt, the public open space breaches this so that it provides some integration between the two developments. The site layout includes two cul de sac areas as the road splits within the site. The open space lies at the heart with houses overlooking the area.
- 6.13 The proposed dwellings are all two storey in a mix of materials including render, timber boarding, brick and tile hanging. The design incorporates features found in the local area including dormer windows and gables with tile hanging. Dark brown or black timber boarding is also common in the area.
- 6.14 The scheme is relatively low density and the market housing mix consists of mainly larger detached units, however in this edge of village location, this is considered acceptable. The proposal is similar to the previous appeal scheme which was accepted by the Inspector.
- 6.15 The framework is explicit in seeking a high quality outcome for good design in terms of layout and building form as a key aspect of sustainable development. Overall the design and layout of the proposal is considered acceptable and appropriate for this edge of village rural location.

Access and Highway Considerations

- 6.16 The application proposes access from the A417 through phase 1 of the development. The County Highway Authority initially raised some concerns over the capacity of this junction to cope with the additional traffic from phase 2, however further negotiations have taken place and additional information submitted to satisfy the concerns. Whilst the additional information has been agreed with the County, formal comments on the application are awaited and an update will be provided.
- 6.17 In addition to the junction, the site layout plans have been amended to include 13 visitor parking spaces within the site to address concerns raised by the County. The plans also include 76 parking spaces for the proposed dwellings which meets county standards.
- 6.18 Phase 1 of the development proposed a simple island crossing for pedestrians to link the development to the village footpath network. Given the increase number of dwellings, and in response to local concerns over the safety of the island crossing, it is now proposed to upgrade this to a signalised puffin crossing. This has the support of the County Highway Authority and would be secured as part of the County's S106 and S278 Agreements.
- 6.19 There is significant concern locally over highway safety aspects of the proposed development and the capacity of the A417 given other developments in the wider local area, however, the County Highway Authority have raised no objections to the principle of the development and therefore refusal on highway safety grounds could not be justified.

Impact on Neighbouring Properties

- 6.20 The proposed residential development would not have any harmful impact on residential amenity. The scheme accords with the council's residential design guide in terms of distances to neighbouring dwellings. Brightwell House lies to the west of the site however the distances and orientation of the proposed dwellings are such that there would be no harmful impact. The curtilage to Ashfield House lies to the north of the site, however the house itself is over 60 metres away with a strong landscaped buffer in between.
- 6.21 Planning permission was recently granted for four dwellings on land to the south east of the site, however, again the site is separated by a robust landscape buffer therefore the relationship between the two development is considered acceptable.

Drainage

- 6.22 A number of concerns have been raised locally regarding surface water drainage at the site. Whilst the field may currently be subject to standing water, the proposed development includes a sustainable urban drainage system to ensure water is effectively drained without affecting the proposed dwellings or the surrounding area.
- 6.23 Thames Water have raised no objections to the proposal in terms of foul drainage capacity or water supply in the area. In addition the council drainage engineer has raised no objections subject to conditions.

Contributions and Delivery

- 6.24 The application includes 40% affordable housing in accordance with policy H17 the

requested infrastructure contributions are set out in the report. The site is deliverable and, therefore, would help contribute to the current housing land supply shortfall. A one year permission from the date of the committee resolution is recommended to ensure the development is delivered quickly and therefore contribute to addressing the deficit.

7.0 CONCLUSION

7.1 It is accepted that the application does not accord with the development plan, however in light of the current housing land shortfall the proposal has to be assessed against the NPPF. The proposed development fronts the A417 adjacent to one of the larger villages in the district and has been designed to have a limited impact on the character of the area. The layout and design reflect the local vernacular and the proposal includes a bus stop in each direction and a controlled pedestrian crossing linking the development to the village.

7.2 It is considered that the proposal constitutes a sustainable form of development within the definition of the NPPF, and the housing can be delivered quickly to help address the current housing land shortfall.

8.0 RECOMMENDATION

It is recommended that planning permission is granted subject to a section 106 agreement with both the county council and the district council in order to secure contributions towards local infrastructure and to secure the affordable housing, and also subject to the following conditions:

1. TL1 – Time limit – Implementation within one year.
2. Condition listing approved plan numbers.
3. MC2 – Material samples – (panels on site).
4. MC9 – Building details – windows, doors, rainwater goods, etc.
5. MC24 – Drainage details to be submitted (foul and surface).
6. MC29 – Sustainable drainage details to be submitted.
7. The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment.
8. LS1 – Landscaping scheme (submission).
9. LS2 – Landscaping scheme (implementation).
10. Provision of equipped area of play prior to occupation in accordance with plan to be agreed.
11. RE6 – Submission of boundary details.
12. RE17 – Slab levels.
13. HY7 – Car parking in accordance with approved plan.
14. HY11 – Turning space in accordance with approved plan.

- 15. HY12 – New estate roads (works in accordance with county specification).**
- 16. Submission of construction traffic management plan.**
- 17. Submission of Travel Information Pack to OCC travel plan team.**
- 18. Pedestrian crossing details to be submitted.**
- 19. Submission of bin storage/collection area details.**
- 20. Removal of Permitted Development Rights – plots 1-6 and 23-26.**
- 21. Removal of Permitted Development Rights for garage conversions.**

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