

<b>APPLICATION NO.</b>	<a href="#">P13/V1514/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	8.7.2013
<b>PARISH</b>	SHRIVENHAM
<b>WARD MEMBERS</b>	Elaine Ware Simon Howell
<b>APPLICANT</b>	Taylor Wimpey UK Ltd
<b>SITE</b>	Land at Longcot Road, Shrivenham
<b>PROPOSAL</b>	Outline application for residential development comprising up to 59 dwellings with associated highways works, landscaping and infrastructure improvements (As amended)
<b>AMENDMENTS</b>	As referred to in the description of the proposal above
<b>GRID REFERENCE</b>	424335/188723
<b>OFFICER</b>	Mella McMahan/Adrian Butler

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### **SUMMARY**

This application is referred to planning committee as Shrivenham Parish Council recommends refusal, and letters of objection from 52 residents have been received. The application had been included on the agenda for the 4 March 2015 planning committee but was subsequently withdrawn by officers from that agenda in order to consult on amended plans that had been received. Consultation has been undertaken with observations due by 18 March 2015. An update summary of any observations received and not already included in this report will be provided at the meeting.

The proposal is for outline planning permission (all matters reserved apart from access) for the erection of 59 houses on land at Longcot Road, Shrivenham

The main issues are:

- Whether the principle of development is acceptable given the location of the site outside the built up limits of the village
- Whether the site is a suitable location for new housing that can contribute to the five-year housing supply shortfall
- Whether the proposal will impact on highway safety
- Implications for flood risk, foul and surface water drainage
- The cumulative impact of this proposal alongside other approved and proposed residential developments in the village, particularly on local services
- The impact of the proposal on wildlife habitats, particularly for Great Crested Newts and whether the mitigation proposals are appropriate
- Whether the submitted details take account of site constraints and illustrate an appropriate form of development
- The impact of the proposal on the Lowland Vale landscape designation

The application is recommended for approval.

## **1.0 INTRODUCTION**

- 1.1 The application site is located on the south eastern edge of Shrivenham, and has an area of approximately 3.5 hectares. The site is very roughly “L” shaped, with the easternmost part of the site being the deepest, with the site narrowing from around 40 metres off the eastern boundary. The north-eastern boundary is Longcot Road, from where access to the site will be taken. The north western boundary of the site

is the rear of properties along Vicarage Lane, which is the existing boundary of the village. The properties backing onto the site comprise detached dwellings in spacious plots. To the southeast lie open fields, separated from the site by a footpath that forms part of the Shrivenham Circular Walk. To the southwest, the site is adjoined by a field, with a recent affordable housing scheme, Glebe Close beyond.

- 1.2 The site is generally flat and featureless. There is some vegetation along the boundaries, particularly with Longcot Road. Running parallel to the south eastern boundary is a water main with a ten metre easement (5m either side of the pipe) owned by Thames Water. This easement represents a constraint to development. There is also an abandoned sewer pipe for which Thames Water seek a 6m easement (3m either side of the pipe), with this pipe running north/south through roughly the centre of the site.
- 1.3 Access from the site to the main facilities of the village can be achieved along Longcot Road. There is a possible alternative which some people may choose to use which is via the footpath which runs westwards from the site to link with Stainswick Lane to the west. The Conservation Area boundary is located approximately 50 metres to the north of the site boundary.
- 1.4 Shrivenham is one of the district's larger villages. The Town and Villages Facility Study Update 2014 confirms that it ranks seventh of all settlements in the district in terms of community facilities.
- 1.5 The application is presented to committee as Shrivenham Parish Council objects, and as objections from fifty-two residents have been received, with many objectors sending more than one letter of objection.
- 1.6 A location plan is **attached as Appendix 1**.

## 2.0 PROPOSAL

- 2.1 This application seeks outline consent for the erection of up to 59 dwellings on the site. All matters are reserved except for means of access. The proposed vehicular access would be off Longcot road, opposite Park Close. The amended access proposals include a pavement to link the vehicular access to Vicarage Lane and avoiding a strip of land outside the applicants control sand not highway land.
- 2.2 Although appearance, landscaping, layout and scale have been reserved for future consideration, illustrative details have been submitted to show how the site could be developed for up to 59 dwellings. These details include:
  - Concept Masterplan
  - Illustrative layout
  - Illustrative Street elevation

The following documents have also been submitted in support of the application

- Planning statement
- Design and access statement
- Transport statement
- Flood risk assessment
- Landscape and visual impact assessment
- Arboricultural constraints report
- Ecological report
- Statement of community involvement

Archaeological desk based assessment  
Geo-technical and geo-environmental site investigation report  
Topographical survey  
Parameters plans (for movement, landscape and massing)  
Great crested newt mitigation strategy  
Outline ecological management plan  
Sewer Impact Study

- 2.3 The illustrative layout shows a single road entering from Longcot Road, with the use of shared surfaces breaking up the main access road to create clearly defined residential zones within the scheme. A number of “key buildings” are indicated at important points of the site to assist legibility. Generally, buildings are shown to front onto roads and public open space.
- 2.4 The illustrative layout takes account of the Thames Water easement to the south of the site by providing a mainly linear area of open space along the south-eastern boundary. The open space includes 8 wildlife ponds to mitigate the impact of the proposals upon great crested newt. Footpath links are proposed into the existing public footpath along this boundary. A plan (drawing no. TWEDP01) has been submitted indicating how the north/south sewer could be repositioned beneath open spaces and roads. The massing parameter plan indicates predominantly two storey housing with ridge heights varying from 7.6m to 9.6m. A small element of bungalows is indicated to the rear of numbers 9-15 Vicarage Lane.
- 2.5 The plans as originally submitted have been amended to take account of technical objections on highway safety, flooding, drainage, ecology grounds and in response to concerns over the indicative layout. The illustrative layout is attached at **Appendix 2**.
- 2.6 The applicant has confirmed the provision of 40% affordable housing in a mix compliant with the requirements of the council’s housing team. The overall housing mix is indicative at this stage, but proposes 36% smaller units.
- 2.7 The applicants have been in discussion with officers and statutory consultees to secure on-site facilities such as open space and affordable housing and to agree financial contributions towards off-site infrastructure to mitigate the impact of the development. The following contributions based on 59 dwellings and the housing mix proposed have been agreed:
- 2.8 **District Council agreement**  
Sports and Recreation - £124,658  
On Site public open space maintenance - £141,087  
Waste Collection - £170 per dwelling  
Public Art - £17,700  
Police - £16,500  
Street Naming - £487  
Shrivenham Parish Council requests – Play/Recreation equipment and enhancements to Memorial Hall - £10,600
- 2.9 **County Council agreement**  
Public Transport Service Improvements: - £1,000 per dwelling  
Contribution towards the cost of relocating the 30mph speed limit - £5,000  
Improvement of public rights of way in the vicinity of the site- £5,000  
Primary School expansion - £254,804  
Secondary school expansion - £317,538  
SEN school expansion - £15,328

Library Infrastructure - £15,130  
Day Care - £12,100  
Waste Infrastructure - £11,392  
Museum Resource Centre - £890  
Adult Learning - £1,824  
Administration - £5,000

### 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

In addition to the initial consultation on the planning application when it was received in July 2013, there have been 4 further rounds of consultation following the receipt of additional and amended information as follows:

1. October 2013: Amendments to illustrative layout to address concerns raised through consultation. Included an updated ecology report but not a great crested newt (GCN) survey.
2. July 2014: GCN survey. Updated flood risk assessment and drainage strategy. Amended illustrative and parameter plans
3. November 2014: GCN mitigation strategy, updated illustrative plans to take account of GCN mitigation measures
4. March 2015: amended site access, potential sewer relocation. For the sake of clarity all the current plans have been listed in the amendments folder on the Council's web site for this reconsultation. Comments are due by 18 March 2015.

### 3.1 **Shrivenham Parish Council** – Has at the time of writing this report submitted 4 separate letters of representations supported by documentation and photos. Full details are available on the website. The Parish Council strongly objects to the proposal for the following main reasons:

This site is located in the South of Shrivenham and does not form part of the strategic site, to the North of the Village, included in the emerging Local Plan. North/south easement has not been resolved, proposed layout will result in the water pipe running under a number of properties

Not satisfied with the Great Crested Newt study, insist that another, fully independent, survey be undertaken

Mitigation includes seven ponds along the Southern boundary which are visually artificial

Concerns about contamination, soil analysis should be carried out prior to the application being decided.

Heavy planting along the Southern boundary will obliterate far reaching views across to the North Wessex Downs Area of Outstanding Natural Beauty.

Loss of an important area for recreation, tenant farmer allows unrestricted access

Current view from Longcot Road is low density, individually styled houses. Proposed modern housing estate which would visually detract from this beautiful setting.

Site has suffered subsidence

Concerns that buffer zone adjacent Vicarage lane and Stonefield Close properties could become a dumping ground and cause security issues.

Sewer Impact Study maps are out of date, there is a residential dwelling where it is proposed to locate a 470m<sup>3</sup> storage tank and spill weir

Concerns that sustainable urban drainage not appropriate and impact of increased impermeable area.

Local knowledge suggests that the soil conditions will not have a suitable permeability to enable infiltration. Therefore cannot ensure that the entire surface water runoff from the development for all storm events can be

discharged at source via infiltration to the ground.

Strip of land where the access is sited is not owned by the applicants

Cumulative impact of all residential proposals in Shrivenham

Landscape and visual impact, no natural boundary to the site

Agree with urban design officer concern's about distance from local facilities and single access, will limit physical and social integration with the existing village

An independent study of the A420 carried out on behalf of the Western Vale Villages Consortium, shows that there is insufficient capacity on the A420 to allow for further development in Shrivenham and the neighbouring villages

The overwhelming view from a recent Community Survey is that there should be no development to the south of the village

8 metre wide landscape buffer should be required for the north west boundary in line with the blue Cedar application permitted February 2013

Adjacent development, Glebe Close, was permitted as a rural exception site

Loss of grade 2 agricultural land

Land contamination was identified in the Glebe Close site

Query whether pedestrian access can be achieved via Longcot Road, more likely to use Vicarage Lane or drive.

Concern that Vicarage Lane which is narrow will be used a rat run.

Footpath access onto Stainswick Lane would not be suitable for those with impaired mobility

Impact of foul drainage network

Housing mix provides insufficient smaller properties. Policy H16 requires 50%

1 or 2 bed properties, proposal is for 23% 2 bed and no 1 bed properties.

2011 Parish survey indicates a need for smaller affordable homes.

Inaccuracies in the flood risk assessment

Poor drainage on site at times of heavy rainfall

Flooding from raw sewerage is an issue and Vicarage Lane is badly affected

Capacity of the sewer network to deal with further development

Insufficient infrastructure to support increase in the village population e.g. doctors surgery, schools

Primary school does not have sufficient space to expand beyond a single form intake

The full wording of the latest objection of the Parish Council is attached as **Appendix 3**.

Having read the officers report to the 4 March 2015 planning committee an email was sent to the Ward Members outlining a number of concerns about it. Officers have reviewed that email. The concerns expressed in that email may be summarised as follows:

- The report is rushed; question whether pressure has been exerted by the applicant; has an officer visited the site?
- The report is weighted in favour of the applicant
- Comments from statutory consultees are cherry picked
- Too much reliance on reserved matters and Grampian conditions e.g. addressing the sewer issue
- There is no mention of congestion on the A420
- The footpath to Stainswick Lane is a muddy track with a stile and unsuited to those with mobility problems or pushchairs. It is not an acceptable access to the village facilities
- The illustrative plan shows houses on top of the north/south sewer easement
- The report suggests scope for future extension on the southern edge of

Shrivenham

- A planting strip along the northern boundary could be made inaccessible but how? The landscape officer has requested additional information
- Paragraphs referencing the SHMA are contradictory and misleading. Are the OAN figures taking precedence over the South East Plan figures?
- The site was removed as a potential site allocation because it was accepted by the district that a total allocation of 600 homes for Shrivenham was excessive so the south was removed.
- The bus service is now 3 per hour
- The Parish Council has measured from the south western part of the site to village facilities and these distances are quite different to those from the centre of the site which the report refers to.
- Why hasn't a distance been included to the new school which is over 1200m distant?
- Application P13/V1810/0 is for 240 dwellings and not 220. The remaining 260 houses in the Local Plan have not been included. The cumulative impacts have been glossed over.
- Most of the s.106 monies will be of little benefit to Shrivenham. £10,600 will not negate the impact. Paragraph 6.31 sounds like something the applicant would have written.
- The village needs more smaller units
- A house flooded twice on two occasions 2007 and large parts of the site are under water in wet periods
- Ponds not included in the Great Crested Newt survey have newts in them. The report is misleading
- Will the primary school s.106 money go to the primary school or towards provision of a new school? This school will not be built for a number of years, so where will the children go until then? If the money is to be used to pay for an extension to be used for the interim, then surely this will mean less funding available to pay toward the new premises?
- Comments on the economic benefits are standard nonsense
- How can the proposal increase open space when an open site is lost?
- How can a change of use from open, grassy field to housing estate be considered a potential environmental benefit?

The Parish Council has also emailed to advise that the Natural England land classification map suggests the site is grade 2 agricultural land.

3.2 **Neighbour Representations** – Letters of objection from 52 local residents have been received, with many repeating their objections in response to amended and additional plans. The main objections may be summarised thus:

Shrivenham has already had its fair share of additional housing

There is no local demand for this additional housing or sufficient local jobs to support an increase in the population

Proposal would extend village into the countryside

Urbanisation, harm to rural setting of Shrivenham and to the Lowland Vale landscape

Existing infrastructure cannot cope with the additional demands of this proposal

Distance from site to village centre is too great – leading to reliance on private car when village has lack of parking – undermining sustainable credentials of scheme

Lack of footpath links from site into village

Increased flood risk

Existing sewer network cannot cope with additional foul water flows – it regularly floods already

Thames water easement incorrectly shown, it is to rear of 15 & 17 Vicarge Lane and will impact layout

Water pressure in the village is already low

Point of access is dangerous

Vicarage Lane will be used as a “rat-run”

Increase in traffic on local roads will endanger safety for all users

Increase in traffic pressure on A420

Concerns over impact of construction traffic

Loss of good quality grade 2 agricultural land

Loss of wildlife habitats, e.g. bats, foxes, pheasants,

Great Crested Newt survey and mitigation proposals are inadequate

Harm to views back towards village from Shrevenham Circular Walk and the enjoyment of this public right of way

Loss of light, privacy and outlook to properties on Vicarage Lane

Housing mix

Increased air and noise pollution

Soil contamination

Concerns about planting corridor proposed adjoining existing houses, security issues and potential maintenance problems

Previous application for a dwelling was refused

Third party land ownership concerns

A new comprehensive Great Crested Newts survey is required. The survey did not include all properties along Vicarage Lane that support great crested newts and was not over a sufficient period e.g. 13 Vicarage Lane.

Investigated sites appear to be predominantly to north of the development.

The Thames water lagoon and the canal were not surveyed. Prior to the protection of Great Crested Newts, a large number were released into the lagoon.

Mitigation proposals not sufficient. Ponds look artificial, on the opposite side of the site to where newts are located and the routes proposed are unsustainable with the amount of housing proposed.

The heavy planting along the Southern boundary will result in the far reaching views across to the North Wessex Downs Area of Outstanding Natural Beauty being completely obliterated.

Local knowledge suggests that the soil conditions will not have a suitable permeability to enable infiltration. With the Linden Homes development at Station Road/Townsend Road, the Parish Council warned of ground saturation problems and were ignored.

The proposal will reduce the ability of the vicinity to deal with not only extraordinary but ordinary levels of rainfall.

Concerns about what happens when infiltration storage is full, water naturally drains to the north.

Site is bordered by land with a significant likelihood of flooding, flood zones 2 and 3.

SFRA identifies high risks from groundwater emergence to the southeast of Shrevenham.

Concern about foul sewage proposals. Option 1 would involve a gigantic cesspit in the middle of housing. Option 2, enlarging the pipe is more robust and should be required before development starts.

Still confusion over north/south easement. The drains to no 15 Vicarage Lane appear to join this pipe line.

Amended plans do not indicate a footpath linking the site access to Vicarage Lane.

Pedestrian access to village facilities has not been addressed and no improved safer footpath measures are apparent in this latest amendment. Urban design officer's comments notes that facilities are beyond the 400 metre walkable neighbourhood and the no through road limits integration with the existing village.

The Vale Local Plan allocated 500 homes to the north, none on this site.

It is likely that there are unacceptable levels of arsenic and nickel on the site. Soil analysis should be carried out before any planning permission is granted

**3.3 Oxfordshire County Council Highways –**

Notes that the applicant has confirmed a visibility splay of 2.4 metres by 85 metres for the site access and has agreed the re-location of the 30 mph speed limit approximately 100m to the south east of its existing position. This will reduce speeds and therefore the proposed visibility splays are considered acceptable.

Applicant has agreed to carry out an independent Non-motorised Users (NMU) Audit at reserved matters and to fund any improvement works that are identified.

Additional street lighting will be provided from site access northwards to encourage use of new footway along west side of Longcot Road

Amended access plan indicates that the proposed footway along the west side of Longcot Road would extend beyond the site frontage northward to Vicarage Close to link in to the existing network.

No objections in relation to site access, visibility splays, off-site works. S.106 financial request to pump-prime enhancement to local bus services, in particular the 66 Swindon to Oxford bus route.

**3.4 Oxfordshire County Council Archaeologist –** No objections following completion of an archaeological field evaluation of the site that indicates no evidence of archaeological features of equivalent significance to a scheduled monument being present. Recommends conditions requiring a staged programme of archaeological investigation.

**3.5 Oxfordshire County Council Education –** Expansion of permanent primary, secondary and special educational needs (SEN) school capacity in the area would be necessary as a direct result of the proposed housing. No objections subject to financial contributions to primary, secondary and SEN education.

**3.6 Oxfordshire County Council Property –** No objections subject to financial contributions to libraries, day care, waste infrastructure, youth support, the museum resource centre and adult learning

**3.7 Oxfordshire County Council Rights of Way –** Public right of way no.8 is within the south west section of the application site. The application plans show the right of way outside the site and this needs to be corrected. S106 financial request to improve footpath network in area. No objections to scheme itself.

**3.8 Oxfordshire County Council Drainage –** No objections subject to pre-commencement condition relating to SUDS drainage scheme

**3.9 Oxfordshire County Council Minerals –** No objections

**3.10 Thames Water –** Insufficient capacity in the foul water network for the development



and requests Grampian condition requiring a drainage strategy to be agreed prior to work commencing and the works to be completed before any drainage into the public system.

In respect of surface water drainage recommends that storm flows are attenuated through on or off site storage.

Water supply infrastructure is inadequate and recommends condition requiring water impact study. Requests an informative that a Thames Water water main crosses the site which needs to be retained within the development or diverted at the developer's expense.

Seeks assurances that the proposed development will not affect easements and wayleaves that run through the development

3.11 **Environment Agency** – Confirms site is in Flood Zone 1, so have no objections, subject to adoption of SUDS techniques in construction, allowing for climate change.

3.12 **Drainage Engineer** –  
Note revised drainage scheme no longer proposes attenuation ponds although these are still shown on the masterplan. No objection on drainage grounds subject to conditions.

3.13 **Countryside Officer** –  
In view of the presence of great crested newt and the predicted impacts of the development a European Protected Species Licence will be required.

The mitigation strategy has been developed following extensive discussions between the Council, Natural England and the applicant's ecological advisors. The implications of this application have been assessed against the EC Habitats Directive 1992 and the Conservation of Habitats and Species Regulations 2010. Subject to conditions, the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range.

3.14 **Forestry** –  
The amended plans enable the retention of the mature Ash tree but show an attenuation pond in the northeast corner of the site that may impact upon the root protection areas of adjacent trees. Any detailed scheme would need to comply British Standard 5837:2012 in terms of proximity to trees.

3.15 **Urban Design Officer** –  
Although the masterplan now provides links into the footpath adjacent to the southern boundary, all the existing services and facilities in Shrivenham are beyond the 400m walkable neighbourhood.  
This location with a single vehicular access point and no-through road, will restrict physical and social integration with the existing settlement.  
If residential development is accepted, the layout, as a minimum, should incorporate the potential for future extension to land to the southwest and the Longcot Road footpath should be extended to the site.  
The landscape buffer to the northern and western boundaries is outside garden boundaries. In the interests of security, it is advised that back gardens back onto existing rear gardens with no opportunity for access provided between the proposed and existing. The future management and maintenance of this area could also raise issues.

**Vale of White Horse District Council – Committee Report – 18 March 2015**

- 3.16 **Conservation Officer** – Recommends that the frontage of the site which is close to Shrivvenham Conservation Area should reflect its low density semi rural character.
- 3.17 **Landscape Architect** –  
Amended masterplan is an improvement. Concerns with the establishment and maintenance of the proposed 5 metre wide boundary along the western boundary. Access will be required and this could create a security problem. It would be helpful if the landscape parameter plan was consistent with the illustrative layout plan. Would be helpful to have details at this stage of how the green corridors along the site's northern and western boundaries would be designed, implemented and managed.
- 3.18 **Housing Team** – The revised proposals provide a policy compliant mix of affordable housing. The number of smaller open market units (just 4 units proposed) needs to be increased to meet the updated housing needs assessment.
- 3.19 **Leisure Team** – No objections subject to financial contributions outlined in Section 2.
- 3.20 **Waste Management Officer** – General comments about the council's waste contract provided. Financial contributions requested as per Section 2.
- 3.21 **Health and Housing – Environmental Protection Team** – No objections
- 3.22 **Health and Housing – Contaminated Land** – No objections subject to standard pre-commencement condition requiring investigation.
- 3.23 **Health and Housing – Air Quality** – No objections
- 3.24 **Equalities Officer** – General comments about need for open space and the development to be accessible to all.
- 3.25 **Police Funding** – Financial contributions requested for Remote IT Facilities, number plate recognition cameras and speed awareness kit

Any further representations received in respect of the reconsultation currently taking place will be provided in the update sheet and if necessary orally at the planning committee meeting.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P12/V2358/SCR](#) - Response (03/01/2013)  
Screening opinion for residential development

5.0 **POLICY & GUIDANCE**

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

- GS1 - Developments in Existing Settlements
- GS2 - Development in the Countryside
- DC1 - Design
- DC3 - Design against crime
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC8 - The Provision of Infrastructure and Services
- DC9 - The Impact of Development on Neighbouring Uses
- DC12 - Water quality and resources
- DC13 - Flood Risk and Water Run-off
- DC14 - Flood Risk and Water Run-off
- H11 - Development in the Larger Villages
- H13 - Development Elsewhere
- H15 - Housing Densities
- H16 - Size of Dwelling and Lifetime Homes
- H17 - Affordable Housing
- H23 - Open Space in New Housing Development
- NE9 - Lowland Vale
- HE1- Conservation Areas
- HE9 - Archaeology
- HE10 - Archaeology

5.2 **Emerging Vale of White Horse Local Plan 2029 Part One**

- Core Policy 1: Presumption in favour of sustainable development
- Core Policy 2: Co-operation on unmet housing need for Oxfordshire
- Core Policy 3: Settlement Hierarchy
- Core Policy 4: Meeting our Housing needs
- Core Policy 5: Housing supply ring-fence
- Core Policy 7: Providing supporting infrastructure and services
- Core Policy 20: Spatial strategy for Western Vale Sub-Area
- Core Policy 22: Housing mix
- Core Policy 23: Housing density
- Core Policy 24: Affordable housing
- Core Policy 33: Promoting sustainable transport and accessibility
- Core Policy 35: Promoting public transport, cycling and walking
- Core Policy 36: Electronic communications
- Core Policy 37: Design and local distinctiveness
- Core Policy 38: Design strategies for strategic and major development sites
- Core Policy 39: The historic environment
- Core Policy 42: Flood risk
- Core Policy 43: Natural resources
- Core Policy 44: Landscape
- Core Policy 45: Green infrastructure
- Core Policy 46: Conservation and improvement of biodiversity

- 5.3 Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and

the degree of consistency of the relevant emerging policies with the NPPF. At present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making.

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

Design Guide – March 2015

Open space, sport and recreation future provision – July 2008

Affordable Housing – July 2006

Flood Maps and Flood Risk – July 2006

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

Paragraphs 6 – 10 – Achieving sustainable development

Paragraphs 11- 14 and 29 – presumption in favour of sustainable development

Paragraph 17 – Core Principles

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

Paragraph 47 - 50 – housing

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 103 – Ensure flood risk is not increased

Section 11 - Conserving and enhancing the natural environment

Section 12 – Conserving & enhancing the historic environment

Paragraph 156 – Local Plans to set strategic priorities for infrastructure, including waste

Paragraphs 203, 204, 205 – Planning obligations and conditions

**5.6 National Planning Practice Guidance 2014 (NPPG)**

**5.7 Other Relevant Legislation**

Planning (Listed Buildings and Conservation Areas Act) 1990

Community & Infrastructure Levy Legislation

Human Rights Act 1998

Equality Act 2010

Section 17 of the Crime and Disorder Act 1998

Natural Environment and Rural Communities (NERC) Act 2006

The Conservation of Habitats and Species Regulations 2010

Localism Act (including New Homes Bonus)

**5.8 Human Rights Act**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

**5.9 Equalities**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010. The detailed design of the open space and the development at reserved matters will need to ensure accessibility for all.

6.0 **PLANNING CONSIDERATIONS**  
**The Principle of Development**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 6.2 Other material planning considerations include national planning guidance within the NPPF and NPPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies and its supporting evidence base.
- 6.3 Paragraph 47 of the NPPF expects local planning authorities to *"use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area"*... The authority has undertaken this assessment through the April 2014 SHMA which is the most up to date objectively assessed need for housing. In agreeing to submit the emerging Local Plan for examination, the Council has agreed a housing target of at least 20,560 dwellings for the plan period to 2031. Set against this target the Council does not have a five year housing land supply.
- 6.4 *Paragraph 49 of the NPPF states "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*. This means that the relevant housing policies in the adopted Local Plan are not considered up to date and the adverse impacts of a development would need to significantly and demonstrably outweigh the benefits if the proposal is refused. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles.
- 6.5 Policy GS1 of the adopted Local Plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that important areas of open land and their rural character are protected. In terms of a hierarchy for allocating development this strategy is consistent with the NPPF, as is the intention to protect the character of villages. The site is not allocated for housing and is clearly a greenfield site beyond the built up edge of insert settlement name.
- 6.6 The relevant housing policies of the adopted and emerging local plan hold very limited material planning weight in light of the lack of a 5 year housing supply. Consequently the proposal should be assessed under the NPPF where there is a presumption in favour of sustainable development. Sustainable development is seen as the golden thread running through the decision making process. Having a deliverable 5 year housing supply is considered sustainable under the 3 strands. Therefore, with the lack of a 5 year housing supply, the proposal is acceptable in principle unless any adverse impacts can be identified that would significantly and demonstrably outweigh the benefits of meeting this objective.

- 6.7 The NPPF requires applications to be considered in the context of sustainable development which has an economic, social and environmental dimension. Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and advises permission should be granted where the development plan is absent, silent or relevant policies are out-of-date unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
  - where specific policies in the Framework indicate development should be restricted.

Footnote 9 to paragraph 14 gives examples of where policies indicate that development should be restricted and none of these apply to the application site.

- 6.8 Policy GS2 which provides that new building will not be permitted on land outside the built up areas unless it has been identified for development. Policy H11 allows for limited housing development within the built up area of Shrivenham. The site is outside the built up area and is not identified for development in the adopted Local Plan. Therefore the proposal is contrary to Policies GS2 and H11.
- 6.9 However, the adopted Local Plan is based on the now revoked South East Plan housing numbers, which means that the adopted Local Plan is not addressing the most recent objectively assessed need for growth, which is a requirement of the NPPF. As such, these policies do not plan for the current or future housing needs of the District and therefore are out of date in the context of the NPPF.
- 6.10 The draft Vale of White Horse Local Plan 2031: Part 1 sets the spatial strategy and strategic policies for the district to deliver sustainable development. It will allocate large scale (referred to as strategic) development sites. The latest version is the “pre-submission” version which was approved by the council for publication on 15 October 2014.

The “Local Plan 2031 Part 2: Detailed Policies and Local Sites” is timetabled for preparation 2015-2017 and will allocate supplementary and predominantly smaller (referred to as non-strategic) development sites.

- 6.11 Core Policy 3 of the Local Plan 2031: Part 1 identifies Shrivenham as a “larger village”. Core Policy 4 allows for sustainable development within the existing built-up area of larger villages but provides that development outside of settlements will only be permitted where it has been allocated in Part 1 of the Local Plan, a neighbourhood plan or future parts of the Local Plan.
- 6.12 Land to the north of Shrivenham is identified as a strategic site allocation for 500 dwellings. The application site is within an area that was identified as a strategic allocation for 200 dwellings in the previous version of the plan. However this allocation is not included in the pre-submission plan due to consultation responses and community indicating a preference for development to be focussed in the north of the village.
- 6.13 Core Policy 20 provides the spatial strategy for the Western Vale Sub-Area within which Shrivenham is located. In terms of housing delivery, the Plan proposes that at least 3,173 new homes will be delivered between 2011 and 2031, 1650 homes to be delivered through strategic allocations, the remaining 656 homes will be allocated through the Local Plan Part 2, Neighbourhood Development Plans or through the development management process.

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 currently given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the adopted Local Plan

- 6.14. As set out above, Policies GS2 and H11 of the adopted Local Plan 2011 restrict new housing development outside the built-up areas as defined by the Local Plan but these policies are out of date. Furthermore, the draft Local Plan: Part 1, does not identify the site for development, as it is located outside the built-up area and is not identified as a strategic allocation but limited weight can be given to the emerging Local Plan.
- 6.15 Paragraph 47 of the NPPF expects local planning authorities to significantly boost the supply of housing and paragraph 49 of the NPPF requires local planning authorities to consider applications for housing in the context of the presumption in favour of sustainable development outlined at paragraph 14 of the NPPF. If a five year supply of deliverable housing sites cannot be demonstrated, housing policies contained within development plans are not to be considered up-to-date. Whilst the site lies outside the defined Shrivenham residential development boundary and thus is in conflict with policies GS2 and H11, these policies are considered to be out of date as they were based on the housing requirements of the previous South East Plan.
- 6.16 The Oxfordshire Strategic Housing Market Assessment 2014 (SHMA) is a material consideration and whilst untested at examination it identifies an objectively assessed need (OAN) for 1,028 homes per annum in the district for the period 2011-2031, including backlog and all appropriate adjustments. This is the most up to date OAN and based on this, the council has agreed that the District should at least accommodate this level of housing growth. Currently, the council cannot demonstrate a five-year supply of deliverable housing sites when measured against this most recent objective assessment of housing need.

*Use of land*

- 6.17 The NPPF identifies the need to protect the best and most versatile agricultural land from development (paragraph 112). Both the Parish Council and local residents consider this application site to be Grade 2 “Very Good” agricultural land, one of the highest classifications and their opinion is supported by the Natural England Agricultural Land Classification map of August 2010. The Parish Council point out that the proposed strategic site on the northern edge of the village is grade 3 agricultural land and is therefore, a preferable area for housing development as against the loss of better quality grade 2 agricultural land. The loss of this site from agricultural production, should be weighed against the lack of a housing supply in the district and the benefits of this housing proposal.

*Accessibility credentials*

- 6.18 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).
- 6.19 The site adjoins Vicarage Lane, which is the current edge of the village. In terms of facilities, Shrivenham is one of the largest and best served villages in the district. Shrivenham is also well served by buses that run between Swindon and Oxford, via Faringdon which is around 5 miles away. This allows reasonably easy and sustainable access to major service centres that provide other health care, sports

and recreation, retail and employment opportunities. Therefore, the emerging Local Plan identifies Shrivenham as larger village and a sustainable location for further development.

- 6.20 The County Council requests a financial contribution to this bus service, the “66” route, to increase the frequency of the buses through the village, from 2 to 4 buses per hour, with an interim target of 3 buses per hour. The Parish Council advises that the service is currently 3 per hour. The contribution can be used by the County Council in seeking to increase the service to four buses per hour. This will improve access to the nearby towns and opportunities for sustainable access to larger centres. The range of facilities available in Shrivenham and public transport links are a positive factor in the planning balance of this case.
- 6.21 In terms of the site’s accessibility distances to local facilities from the centre of the site using the Longcot Road entrance are approximately:  
Public House: 600 metres  
Restaurant: 650 metres  
Bus stop: 700 metres  
Takeaway: 700 metres  
Doctors surgery: 725 metres  
Shrivenham CofE School: 750 metres  
Post Office: 750 metres  
Church 800: metres
- 6.22 The following distances are from the centre of the site using the public footpath that leads to Stainswick Lane:  
Convenience store 800 metres (approximately 880m using Longcot Road)  
Village hall 1100 metres (approximately 1.1km using Longcot Road)
- 6.23 However, the footpath to Stainswick Lane is unmade and is likely to be unsuitable for people with impaired mobility or with pushchairs. Furthermore it would not be a suitable access at night. Although the County Highway Officer has requested that the footpath be improved with a crushed self-binding material, it is unlikely that this would be possible being beyond the site boundary to the west.
- 6.24 Therefore, it is more appropriate to consider distances to facilities via Longcot Road. Following a request from the County Highway Officer, the application includes provision for a footpath from the site entrance at Longcot Road to link with the existing footway at Vicarage Lane. This will improve pedestrian links between the proposed housing and facilities in the village although there will be a need to cross and re-cross Longcot Road.
- 6.25 While the County Highway Officer does not object to the proposal, it is noted that the walking distances to key facilities in the village are greater than 400m which is a desirable distance according to the Institution of Highways Transportation guidelines for providing for journeys on foot (2000) but which does also advise distances up to 800m are acceptable and up to 1200m are a preferred maximum. Taking this into account, walking distances to local services and facilities are reasonable. The County Highway Officer has recommended that an independent Non-motorised Users (NMU) Audit be carried out at the detailed stage to cover the route between the site and the town centre and other amenities and the bus stops. Any improvement works recommended by the Audit should be agreed to be undertaken as S.278 works.
- Cumulative Impact considerations*
- 6.26 Based on the SHMA average household size of 2.52 for 2011 the development will



increase the population of Shrivenham parish by approximately 149 people against the Councils 2011 census summary that put the population of Shrivenham at 2,347 people.

- 6.27 Planning applications have been submitted and in some cases approved for housing developments at Highworth Road (three separate planning applications for 240, 35 and 36 dwellings, Station Road (31 dwellings) and Colton Road (68 dwellings). If all these applications are approved plus the 260 dwellings remaining from the proposed strategic housing site allocation and this current proposal is added into this calculation, the total increase in the population of the parish could be some 1,837 people (2.52 x 729 dwellings). This overall rise is a key concern of the parish council as well as many local residents.
- 6.28 The NPPF does not suggest that populations of settlements should be limited in some way or not be expanded by any particular figure. It expects housing to be boosted significantly. The village is expected to expand by at least 500 dwellings with the proposed strategic housing site allocation (the figures above take this into account). There would be no planning grounds for reasonably justifying refusal of planning permission due to the potential expansion of the population of Shrivenham.
- 6.29 This proposal if permitted would be expected to contribute financially to the necessary facilities to ensure that the social and economic impact of this development on services and facilities is acceptable; the financial contributions required are provided at section 2.0 above. It is noted that paragraph 55 of the NPPF advises that housing should be located where it can help enhance or maintain the vitality of rural communities.

*Affordable housing and housing mix*

- 6.30 The application makes provision for 40% affordable housing which accords with Policy H17 of the adopted Vale of White Horse Local Plan 2011. Assuming a development of 59 dwellings, the application submission has been amended to provide the following affordable housing mix to accord with the most recent housing needs assessment:

	2 bed	3 bed	4 bed	Total
Rent	11	4	3	18
Shared ownership	5	1		6
Total	16	5	3	24

- 6.31 Policy H16 of the Adopted Local Plan requires that 50% of dwellings have 2 beds or less. However, as stipulated at paragraph 47 of the NPPF this policy is out of date as it is not based on recent assessments of housing need. The Oxfordshire Strategic Housing Market Assessment 2014 (SHMA) is the most recent assessment and estimates the following open market dwelling requirement by number of bedrooms (2011 to 2031) for the District:

1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
5.9%	21.7%	42.6%	29.9%

- 6.32 The application form states that open market dwellings would comprise: 2 x 2 bed, 12 x 3 bed and 21 x 4+ bedrooms.
- 6.33 This would be an under-provision of smaller units. However, as all matters apart from means of access have been reserved for future consideration, housing mix will be a

matter to be considered at the reserved matters stage and any reserved matters application would be expected to comply with the SHMA housing mix providing more smaller dwellings in terms of bedroom sizes.

*Visual impact – landscape, layout, design, appearance and conservation area*

- 6.34 The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109). Policy NE9 of the Adopted Local Plan seeks to protect the landscape quality of the Lowland Vale, particularly the long open views within or across the area within which the site is located. The supporting text identifies that the Lowland Vale is “*celebrated for the contribution it makes to distant views from the higher land.*” The higher land is the North Vale Corallian Ridge which defines much of the northern part of the district, and the North Wessex Downs Area of Outstanding Natural Beauty to the south. The text goes on to say “*The long views over the patchwork quilt of fields, farms and villages in the Vale are an essential part of the landscape quality of the district...Insensitively located or designed proposals could have an adverse impact on these open vistas and on the intrinsic qualities of the Lowland Vale. Particular account will be taken of the colour, texture, height and scale of development proposals and their impact on the local landscape.*”
- 6.35 The greatest landscape impact is likely to be experienced from the footpath along the southern boundary of the site, which is part of the Shrivenham Circular Walk. The impact on the views from this footpath back to Shrivenham will be significant, given the current open nature of this footpath, and its proximity to the site.
- 6.36 In mitigation, the illustrative masterplan indicates a “corridor” of public open space with planting along the sites southern boundary, adjacent to the footpath (which is required in part due to the easement and the adopted Local Plan policy (H23) that requires housing sites to provide public open space). This will soften the appearance of the development from the Circular Walk although the housing would still be very apparent. The rear boundaries of Vicarage Lane have evolved over time and present a slightly ad-hoc, but low-key edge to the village.
- 6.37 There are local concerns that the planting along the southern boundary will result in the loss of the far reaching views across to the North Wessex Downs Area of Outstanding Natural Beauty. The planting will be to the north of the footpath and the issue can be further addressed at reserved matters stage when the detailed landscaping scheme is submitted. Views towards the AONB (approximately 4km to the south) would be retained from the footpath. Views would be significantly eroded for the residents of dwellings backing on to the site but unfortunately in planning there is no right to a private view and the loss of private views holds little weight in the balance of planning considerations.
- 6.38 Beyond the Circular Walk, public footpaths and rights of way where clear views of the site will be possible are limited. From the south, near distance views of the site are possible from the adjacent roads. However, the site is not particularly prominent, and the housing will be seen in the context of existing housing on the southern edge of Shrivenham. This is the same for views from the east, north and west, where changes in land levels and intervening features such as hedgerows, trees and existing buildings prevent clear views. As such, it is considered that while the proposal would have a localised harmful impact on the landscape, it would not intrude significantly into the long open views that characterise the Lowland Vale.

- 6.39 A number of Local Plan policies seek to ensure high quality developments (Policies DC1, DC6, DC9). Layout of the development is a reserved matter and not for consideration at this stage. However, it is necessary for an applicant to demonstrate that up to 59 dwellings could be accommodated on this site. Consequently an illustrative layout is submitted. The urban design officer has identified that the movement network around the site is compromised by a number of dead-ends. The applicant considers that the relative narrow depth of the site (north to south) limits the opportunity to create a fully permeable scheme. However, officers consider that there is scope to improve movement around the site, e.g. the road could complete a loop in front of Plots 42 and 43. There are concerns about the amount of roadway (plot 32), and the potential confused mix of parking, road and pathways (plots 56 and 57) shown on the illustrative layout. Layout is a reserved matter, and the applicant does not seek to accommodate 59 dwellings on site specifically but up to 59 dwellings. An informative would be placed on any permission highlighting the need for the reserved matters application to improve the layout to create a more permeable scheme and should this result in fewer than 59 dwellings on site a reserved matters application would still be within the spirit of any outline planning permission granted.
- 6.40 As set out above there are two Thames Water pipes crossing the site which have easements either side of them. The illustrative layout accommodates the 10m wide easement along the southern boundary but did not take account of the north/south easement. However, it appears that Thames Water could allow the abandoned sewer pipe crossing north/south across the site to be relocated and the applicant has shown that this could then be accommodated beneath areas of open space and a road. The plans are illustrative but it does appear that a solution for this issue can be provided.
- 6.41 The net density of the site is 22.7 dwellings to the hectare. This is considered appropriate given the village edge location. The principle for single and two-storey housing using traditional materials is acceptable, but will be for the reserved matters application to consider.
- 6.42 While the proposed development will have a noticeable impact on the landscape, officers consider that this impact is largely localised. Furthermore, planting and other mitigation measures could assist with the creation of an appropriate new edge to the village. The illustrative layout demonstrates that up to 59 houses, with parking, public open space etc, can be provided on site, although further amendments will be required at reserved matters stage to address urban design concerns.
- 6.43 Policy HE1 of the Local Plan seeks to ensure that developments preserve and enhance the character and appearance of conservation areas, including the setting. The site is located just over 50 metres from the Conservation Area boundary (to the north at Longcot Road). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Officers have given significant importance and weight to this requirement. The site is physically and visually separated from the Conservation Area by modern property and the entrance into Vicarage Lane. This limits the impact of the proposed development on the setting of the Conservation Area even in giving significant importance and weight to the desirability of preserving or enhancing the character or appearance of the conservation area. The impact is less than substantial in NPPF terms and very much towards the lower end of a hypothetical scale of less than substantial harm and it is considered that the economic and social benefits of this scheme outweigh the limited harm. The very limited harm needs to be balanced against the benefits of the proposal. The Conservation Officer has recommended that the frontage of the site should reflect the low density character of the Shrivenham

Conservation Area and this is indicated on the illustrative plans. This should be addressed at reserved matters stage.

*Open Space*

- 6.44 The indicative layout demonstrates that at least 15% of the site will be provided as public open space in accordance with Policy H23 of the adopted Local Plan. However, concerns have been raised about the practicalities of the green corridor shown along the northern and western boundaries. Back gardens to existing and proposed houses would adjoin this green corridor and this could result in potential security issues if there was public access. Further information has been provided by the applicant clarifying that the intention is that this area would be maintained by a management company and that there would be no public access. Landscaping and layout are reserved matters and would be addressed in detail at that stage.
- 6.45 The applicant's Great Crested Newt Mitigation Strategy includes 8 wildlife ponds with depths of up to 2.5 metres. In response to officer concerns that these depths might be inappropriate for the main area of open space, the applicant has provided illustrative cross sections. These indicate shallow edges with a deeper central section which could be a safety issue. However, the countryside officer has advised that adequate mitigation could be provided with a fewer number of larger ponds, thereby enabling a gentler profile. Therefore this issue can be dealt with at the reserved matters stage.

*Flood Risk and Surface/Foul Drainage*

- 6.46 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). The planning system should contribute to and enhance the natural and local environment by, amongst other things, preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution (Paragraph 109). To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location (paragraph 120).
- 6.47 Adopted Local Plan Policy DC8 requires that the necessary social and physical infrastructure be provided for new development. Policy DC9 provides that new development will not be permitted if it would unacceptably harm the amenities of neighbouring properties or the wider environment in terms of, amongst other things, pollution and contamination. Policy DC12 provides that development will not be permitted if it would adversely affect the quality of water resources as a result of, amongst other things, waste water discharge. Policies DC13 and 14 are not considered to be consistent with the NPPF. This is because they do not comply with paragraphs 100 to 104 which require a sequential approach to locating development and provide that flood risk should not be increased elsewhere.
- 6.48 The application site falls within Flood Zone One, i.e. the lowest probability in terms of risk from river or sea flood risk events. The Flood Risk Assessment (FRA) submitted with the application sets out that the District Council's strategic flood risk assessment and the County Council's preliminary flood risk assessment identifies no historic or current issues in terms of flooding from all sources on the application site. Officers are aware of flooding events particularly those which occurred in 2007, including events 50m from the site, at the junction of Vicarage Lane and Longcot Road. The District and County risk assessments suggest this was a localised flooding issue most likely due to surface water runoff and blocked gullies or insufficient capacity in the highway drainage network.

- 6.49 Local residents have raised concerns about potential flood risks and the capacity of the drainage network to cope with further development. The application proposes the use of sustainable urban drainage (SUDs) to manage surface water on the site. The original submission included 3 attenuation ponds. However, a review of site conditions indicates that infiltration will be a suitable method of surface water disposal. The SUDs methods will comprise permeable block paving for driveways, parking courts and access roads and cellular soakaway cells for roof runoff from plots. The council's drainage engineer and Thames Water have no objections to this proposal in terms of surface water runoff, subject to pre-commencement conditions.
- 6.50 Local residents have raised concerns about the capacity of the sewer network to cope with further development as sewers regularly overflow, particularly in times of high rainfall. Thames Water identify that there is insufficient capacity in the existing foul water network to accommodate the development and requested a Sewer Impact Study. A Sewer Impact Study has been undertaken and it confirms that the existing foul sewer network does not have capacity to accommodate the development without the need for improvements. In particular, the addition of the development flow would increase the predicted volumes of flooding and surcharge on the immediate downstream sewer network without improvement.
- 6.51 The study identifies two indicative options to ensure the development does not exacerbate existing problems:
1. Off-site storage to manage the timing of flows into the existing system
  2. Upsize existing pipes from 225mm to 300mm diameter, for a total length of 559 metres.
- 6.52 Although the FRA does not indicate which of the 2 schemes would be implemented, the applicant advises a preference to implement option 2, i.e. upsize pipes offsite. Thames Water prefer this option as it avoids the need for pumping which has additional maintenance and energy costs.
- 6.53 Thames Water recommend that this issue be dealt with by a 'Grampian' type condition. However, it is important to ensure that there is a deliverable solution to address sewer capacity before the application is determined. This housing development outside the established residential boundary is submitted on the basis of contributing towards the Council's five year housing land supply shortfall. Footnote 11 to NPPF paragraph 47 (requirement to provide a five year housing land supply) provides that: *"to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable"*. Furthermore, footnote 12 provides *"To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged"*. Therefore it is important to clarify that there is a viable solution to the sewer capacity issue that is deliverable in sufficient time for the application proposal to contribute towards the five year housing land supply.
- 6.54 Thames Water advise that the indicative cost for upsizing the pipe could be in the region of £1.5million and a contribution for the network upgrade would be sought from the developer through the Water Industry Act regulations. As the sewer upgrade would be on MOD land, a formal agreement may be required with the MOD to access their land, if there is not an existing easement agreement. Thames Water experience

indicates that this agreement process takes 4 to 6 months.

6.55 Thames Water considers that as both options are technically viable and that there is sufficient prospect that they can be delivered ahead of occupation of the development, a Grampian drainage condition could be fairly and reasonably applied to the development.

6.56 The applicant advises that they have two other schemes in the district that require up-sizing of pipes to address sewer capacity issues and that this requirement does not impact upon the deliverability of the scheme. It is considered that subject to conditions the proposed development is acceptable in terms of its implications for flood risk and surface/foul drainage and that the measures necessary to address the sewer capacity issues should not prevent the development from contributing to the five year housing land supply shortfall.

*Highway Safety*

6.57 Adopted Local Plan Policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. The position of the proposed access, the increased traffic on local roads, construction traffic and the use of Vicarage Lane as a “rat-run” have all been local concerns. The applicants have provided a Transport Statement with the application. This has been reviewed by the Highways Authority.

6.58 In terms of the point of access, the applicant has confirmed that visibility splays of 85 metres in either direction can be achieved within the highway verge the applicant has demonstrated vision splays and the point of access do not affect land that a third party owns. This, coupled with the extension of the 30 mph speed limit by a further 100 metres away from the village to include the bend in the road, ensures that the visibility at the point of access will be acceptable.

6.59 The Transport Statement considers that the existing road network can accommodate the additional traffic from this development without any off-site improvements to the road network necessary, apart from additional street lighting and changes to the 30mph zone as outlined above. The Highways Authority has no objection to this finding. A non-motorised users audit has been requested by the Highways Authority to accompany the reserved matters application. This will identify improvement works to encourage walking and cycling journeys into the village centre and, crucially, to the local bus stops. This audit and a Green Travel Plan can be required by conditions.

6.60 In terms of construction traffic, the routing of HGVs etc can be covered by a typical pre-commencement condition.

6.61 Overall, it is considered that the proposal is acceptable in terms of its implications for highway safety.

*Ecology*

6.62 The NPPF seeks to conserve and enhance biodiversity and advises that if significant harm resulting from a development cannot be avoided/mitigated or compensated for, then planning permission should be refused (paragraph 118). Adopted Local Plan Policy NE4 seeks to avoid harm to sites of nature conservation importance.

6.63 Through the consultation process, local residents provided evidence of Great Crested Newt (GCN) in the vicinity of the application site including ponds in the gardens of dwellings in Vicarage Lane. Therefore the countryside officer raised concerns that the original illustrative masterplan had high potential to harm a species protected

under the habitats legislation and the Wildlife and Countryside Act due to fragmentation of habitats. Furthermore, insufficient surveys had been undertaken to establish the location of the GCN.

- 6.64 A GCN presence/absence survey was undertaken by the applicant's ecologists in April 2014 and May 2014, being an appropriate season for GCN surveys. Your countryside officer is satisfied with the survey effort. The applicant's survey established a GCN presence at 3 ponds within 500 metres of the site. Suitable GCN habitat is currently present on the site in the form of hedgerows and longer grassland. Subsequently, a GCN mitigation strategy has been submitted to support the application. The mitigation strategy has been developed in consultation with the countryside officer and Natural England.
- 6.65 The mitigation measures include:  
Protecting retained habitats and relocating the newts during construction  
Retention and enhancement of boundary hedging  
Amphibian friendly kerbs  
Provision of approximately 1 hectare of open space incorporating additional areas of planting  
Provision of 8 new wildlife ponds 5 x hibernacula (newt refuges)
- 6.66 The indicative layout has been amended to include these measures and a condition can be attached requiring the mitigation measures to be implemented. Although, as set out above, there are potential concerns about the safety implications of the 8 wildlife ponds up to 2.5 deep, this can be addressed at reserved matters by ensuring ponds of a more suitable design.
- 6.67 A number of local objectors have stated their belief that the surveys were not sufficiently comprehensive and did not survey all ponds known to support great crested newts. The applicant's surveys recorded GCN presence within 3 ponds within 500 metres of the application site. In addition, the presence of a population of GCN has been assumed within other suitable local water bodies including the Thames Water lagoon to the south of the site and potentially other suitable garden ponds to the North and West. Both the countryside officer and Natural England are satisfied that the survey effort was sufficient.
- 6.68 The council's countryside officer has confirmed no objections to the scheme subject to conditions requiring:  
Implementation of the measures set out in the GCN Mitigation Strategy  
A method statement for enhancing and managing the GCN mitigation area  
No site works to start until there is confirmation that a licence issued by Natural England or confirmation that a licence is not required.
- 6.69 In the absence of objections from the technical ecology consultees and subject to appropriate conditions, it is considered that the proposal is acceptable in terms of its ecological implications.
- Residential Amenity*
- 6.70 Adopted Local Plan Policy DC9 seeks to prevent development that would result in a loss of privacy, daylight or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Protecting amenity is a core principle of the NPPF.
- 6.71 Although layout is a reserved matter, the illustrative layout seeks to demonstrate how the site could accommodate the proposed development. Some neighbours along

Vicarage Lane that back onto the site have raised concerns about the loss of views to the open countryside beyond. However, there is no right to a private view, so the council can only consider what a reasonable amount of amenity is for these neighbours and seek to preserve it. The illustrative layout indicates the potential use of bungalows, and setting development off the northern boundary. It is considered that the illustrative layout indicates that the number of dwellings proposed could be accommodated while maintaining a reasonable level of amenity for the occupiers of Vicarage Lane. However, detailed consideration of this issue will need to be made at the reserved matters stage.

*Contamination*

- 6.72 Local objections have highlighted that previous developments such as Glebe Close have found high levels of contamination in the soil and consider that further soil analysis should be carried out before the application is determined. However, the Contaminated Land Officer considers that the Geotechnical and Geo-Environmental Site Investigation has adequately assessed the potential risk to end users of the site and has not identified the presence of any potential sources of contamination that would adversely affect the redevelopment of the site for a residential end use. Contamination issues can be dealt with by pre-commencement conditions requiring a contaminated land survey to be agreed prior to work commencing and remediation to be carried out if required.

*Social and Physical Infrastructure*

- 6.73 The NPPF advises that planning obligations should only be sought where they meet all of the following tests (paragraph 204):
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 6.74 Policy DC8 of the Adopted Local Plan provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured.
- 6.75 A number of local residents have raised concerns about the capacity of local schools to accommodate the proposed development. The County Education Authority have identified that the existing primary, secondary or special education facilities do not have capacity to accommodate the proposed development.
- 6.76 The County Council have also identified that the development will increase pressure upon existing community infrastructure. Therefore contributions have been requested towards educational facilities including expanding capacity at the existing primary school in Shrevenham, local and central library infrastructure, museum, waste infrastructure and day care.
- 6.77 Thames Water have identified this proposal will put undue strain on drinking water supplies. This can be dealt with by a Grampian condition requiring an impact study with proposed mitigation to ensure all new and existing houses have a consistent supply of clean water.

*Other Issues*

- 6.78 The applicant has undertaken an on-site archaeological evaluation as required by the County Archaeologist. This has uncovered some anomalies that are likely to be archaeological. However, these are not extensive, so typical pre-commencement conditions relating to a Watching Brief during construction is considered commensurate to the level of interest.



6.79 The provision of the new access and associated visibility splays will cause the removal of some trees along the eastern boundary. These are not considered of sufficient quality to insist on their retention, with the indicative layout ensuring space for the provision of replacement planting. This will be a reserved matter. The detailed layout will need to be supported by a detailed tree protection plan that shows compliance with the relevant British Standard. Associated with this is a detailed arboricultural method statement that will be sought by pre-commencement condition attached to this consent, at the request of the tree officer.

7.0 **CONCLUSION**

7.1 In view of the council's housing land supply shortfall, the presumption in favour of sustainable development applies and permission should be granted unless "*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole*" (NPPF paragraph 14). Paragraph 7 of NPPF identifies three mutually dependant dimensions to sustainable development; it should fulfil an economic role, a social role and an environmental role.

7.2 The proposed development would perform an economic role, at least in the short term, in that it would provide employment during the construction phase. Also, through increasing the housing stock, it would contribute to an expansion of the local housing market and could potentially improve the affordability of open market housing. In the Highworth Road, Faringdon appeal case (proposed up to 94 dwellings) it is noted that the Secretary of State considered that the "*benefits of the scheme would include the provision of much needed market and affordable housing to contribute towards acknowledged substantial shortfalls, and would generate considerable economic benefits of the type arising from housing development*" and that he gave these benefits significant weight (application no. P13/V1366/O, appeal reference APP/V3120/A/13/2210891).

7.3 The scheme would have a social role as it will provide affordable housing units and other social benefits will arise through the contributions to local infrastructure identified in paragraphs 2.8 and 2.9. However, the social benefits arising from local infrastructure provision will be limited as the primary purpose is to accommodate the increase in population arising from the proposed development. The proposal would also increase public open space provision which will be accessible from the existing public footpath to the south of the site

7.4 The proposal will have some adverse environmental implications resulting from localised landscape harm, impact on neighbouring dwellings and some potential car dependency given walking distances to local facilities. Subject to conditions, environmental implications arising from surface water drainage and ecology are considered to be neutral. There could be potential environmental benefits resulting from the landscaping proposals which are indicated to include the provision of additional trees. The proposed development could help bring forward sewer improvement works which could create a benefit for Shrivenham once completed.

7.5 In view of the emphasis in the NPPF to boost significantly the supply of housing (paragraph 47) officers consider that the limited environmental impacts including the localised landscape harm, limited impact on the conservation area and the loss of a relatively small area of grade 2 agricultural land would not be adverse and they would not significantly and demonstrably outweigh the benefits of this proposal which include a contribution to the Council's five year housing land supply. Therefore it is

recommended that planning permission be granted for the development.

8.0 **RECOMMENDATION**

It is recommended that provided no new material planning objections are received prior to the end of the re-consultation period (18 March 2015) authority to grant planning permission is delegated to the head of planning, in consultation with the chairman of the committee, subject to:

**1: A S106 agreement being entered into with both the county council and district council in order to secure contributions towards local infrastructure and to secure affordable housing.**

**2: Conditions as follows:**

- 1. Commencement – 18 months or 6 months after reserved matters approval.**
- 2. Reserved matters submitted within 9 months of outline consent.**
- 3. Approved plans.**
- 4. Landscaping scheme required.**
- 5. Implementation of landscaping.**
- 6. Tree Protection to be agreed.**
- 7. Sustainable Drainage Scheme to be agreed and provided.**
- 8. Foul water drainage strategy to be agreed and provided.**
- 9. Water Impact Study to be agreed and provided.**
- 10. Wildlife enhancement and mitigation measures to be agreed and provided.**
- 11. Archaeological Watching Brief.**
- 12. Implementation of Programme or Archaeological Work.**
- 13. Contamination Investigation to be agreed.**
- 14. Car Parking Spaces to be agreed.**
- 15. Construction Traffic Management Plan to be agreed.**
- 16. Green Travel Plans to be agreed.**
- 17. Non-Motorised Users Audit to accompany detailed application.**
- 18. Access including vision splays as approved.**
- 19. Roads to OCC specification prior to dwelling construction.**
- 20. No Drainage to Highway.**
- 21. Traffic audit required.**

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