APPLICATION NO. <u>P15/V0154/O</u>

APPLICATION TYPE Major outline residential

REGISTERED 15.1.2015

PARISH GREAT COXWELL

WARD MEMBER(S) Roger Cox, Mohinder Kainth, Alison Thomson

APPLICANT Builders Ede Ltd

SITE Land adjacent to Fernham Gate, Faringdon

PROPOSAL Outline application for erection for a development of

10 dwellings and associated parking and

landscaping, new access onto Fernham Road (as amended by revised site layout plan Ref. FA2/P/03

Rev A dated 26 March 2015)

AMENDMENTS As above
GRID REFERENCE 428470/194173
OFFICER Lisa Kamali

SUMMARY

This application is referred to planning committee as Great Coxwell Parish Council objects, and letters of objection from six residents have been received at the time of writing this report.

The proposal is for outline planning permission for the erection of 10 dwellings on land adjacent to Fernham Gate in Faringdon. All maters except access are reserved for a future reserved matters application.

The main issues are:

- Whether the principle of development is acceptable given the location of the site outside the built up limits of Faringdon.
- Whether the site is a suitable location for new housing that can contribute to the five-year housing supply shortfall.
- The cumulative impact of this proposal alongside other approved and proposed residential developments in Faringdon.
- The impact of the proposal on the Important Open Land and North Vale Corallian Ridge landscape designations.
- Whether the illustrative layout plan takes account of site constraints and proposes an appropriate and neighbourly form of development.
- o Whether the proposal will impact on highway safety.
- Implications for foul and surface water drainage.
- The impact of the proposal on wildlife habitats within the site.

This report seeks to assess the planning application details against the national and local planning policy framework where relevant and all other material planning considerations.

The application proposes the redevelopment of previously developed land, and will also help to address the council's current lack of a 5-year housing supply. The landscape and visual impact is acceptable in the context of the mitigation proposed, and given the site would be viewed against the backdrop of Faringdon. The illustrative layout plan presents a satisfactory design, and there are no unreasonably

undue impacts on neighbouring properties. The technical issues relating to highway impact, noise, drainage, sewage and ecology are acceptable subject to conditions.

Overall, the proposal is considered to amount to sustainable development, and whilst there will be some minor and temporary adverse effects, these do not significantly and demonstrably outweigh the benefits. Consequently, the application is recommended for approval subjection to conditions.

1.0 **INTRODUCTION**

- 1.1 This outline application relates to a 0.42 hectare site, which is located approximately 1.6 kilometres (1.0 mile) to the southwest of Faringdon town centre, at the southern end of Fernham Road.
- 1.2 The adopted local plan (2011) identifies this site as being located outside the development boundary of Faringdon (local plan policies GS1, H10, H19, and E9). The site is also identified as Important Open Land (Local Plan Policy NE10), and North Vale Corallian Ridge (Local Plan Policy NE7).
- 1.3 Land owned by the applicant to the immediate east of the site is identified as a Site of Specific Scientific Interest (SSSI), designated as such in 2001 under the following criteria: scientific, historic, and education value.
- 1.4 The site comprises a former quarry which was filled with non-domestic waste in the mid-20th century. The Ground Investigation Report submitted with the planning application confirms that the site has been filled with up to 4.6 metres of a mixture of demolition waste (rubble, steel, timber, plastic piping and polythene), sand and gravel.
- 1.5 The site is covered in patches of grassland interspersed with bare ground, tall shrubs and trees. The western boundary of the site comprises a mature hedgerow, which forms part of a longer hedge line that extends as far as the footpath crossing of the A420. The southern boundary is immediately adjacent to a raised earth bund and trees.
- 1.6 The site immediately adjoins the southern edge of Fernham Gate, a residential development accessed via a cul de sac from Fernham Road. In all other directions, and beyond Fernham Road, is open countryside.
- 1.7 The site is generally flat, although there is a significant fall in levels towards the north in the central northern part of the site. The eastern part of the site is at a significantly higher level than the adjoining properties to the north at Fernham Gate.
- 1.8 The A420 is located in very close proximity to the south of the site at a distance of approximately 50 metres at its closest point.
- 1.9 Although the site is situated on the outskirts of Faringdon, it is important to note that falls within the parish of Great Coxwell.

2.0 PROPOSAL

2.1 The application has been amended to alter the illustrative layout and reduce the number of dwellings from 12 to 10. Neighbours and other consultees were consulted on these changes on 2 April 2015.

- 2.2 The application as amended seeks outline consent for the erection of 10 houses, which represents a residential density of 24 dwellings per hectare. All matters except for access are reserved for future reserved matters applications; however the applicant has provided an illustrative site layout plan to demonstrate that this quantum of development can be accommodated within the site.
- 2.3 The application proposes one road access into the development from Fernham Road in the same position as the existing vehicular access to the site. 20 car parking spaces are provided within the site, two for each of the dwellings, and there is space for at least two cycle parking spaces within each property.
- 2.4 The illustrative layout plan shows a mix of terraced, semi-detached and detached houses and bungalows. The illustrative housing mix is as follows:-

2 bedrooms: 3 units 3 bedrooms: 5 units 4 bedrooms: 2 units TOTAL: 10 units

- 2.5 The application does not provide for any affordable housing; however it is noted that affordable housing is not required as the development provides for fewer than 15 dwellings (local plan policy H17).
- 2.6 The application proposes the removal of the existing hedge along the western boundary of the site, and replacement of this with a new hedge.
- 2.7 The proposal will not have any direct impact on the SSSI.
- 2.8 The application states that 0.11 hectares of land to the north and east of the site is to be transferred to the Faringdon Fossil Trust to be used as informal open space as well as to provide access to the SSSI. It is however understood that the Trust have decided not to take on responsibility for this, and therefore responsibility for protection and management will remain with the applicant.
- 2.9 The illustrative site layout plan is **attached** at Appendix 1.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 In addition to the initial consultation on the planning application when it was received in January 2015, there has been one further round of consultation following the receipt of amended information as follows:
 - 1. Consultation letters sent on 2 April 2015:
 - Design amendments to illustrative layout to address concerns raised by objectors, Council's Environmental Protection team and the planning officer.

3.2 Consultations

Neighbours	Object
	Revised Plans No responses received at the time of writing this report.
	Original Plans Six letters of objection were received, and the issues raised are summarised as follows:-

- Concerned that initial consultation from the council was inadequate.
- Applicant has failed to consult with those affected.
- Noise from the A420, creating a poor environment for future occupiers.
- Noise impact assessment is flawed.
- Site falls outside the development plan area for both Faringdon and Great Coxwell neighbourhood plans.
- Development is outside the local plan town boundary and is not needed as there have been a number of developments already allowed in Faringdon.
- Fernham Road has traffic issues, which will only be exacerbated.
- Insuficient parking within the site.
- Reduction in units compared with last application (P14/V0539/O) is welcomed.
- Serious concern regarding level changes between the site and Fernham Gate, and loss of privacy that would be likely due to this.
 Overdominance and loss of light would also result
- Proposed density is too high and not in keeping with the surroundings.
- Retention of the existing hedge along the west boundary should be conditioned.
- There is a lack of school capacity in the area.
- The application has not addressed Thames Water requirements and should show the position of a pump on site.
- The proposal will exacerbate existing drainage problems.
- Applicant has not provided an up to date environmental report or land contamination report.
- The SSSI situated to the north-east of the site (owned by the applicant) has not been passed to the Faringdon Town Council despite promises it would be.
- Application does not provide a coherent plan for protection of the SSSI.
- Site should be retained as a haven for wildlife.
- Adverse impacts on badger sett to the east of the site.
- Infrastructure in Faringdon is already at breaking point.
- Proposal would harm the landscape character of the site, contrary to local plan policy NE7. Site also lies in important open land (local plan policy NE10) and would destroy open character of this.
- Could the developer provide a small play park

	within the site?
Local Member – Councillor Judith Heathcoat	Huge reservations about more development in Faringdon. Faringdon is expected to take over 1000 new homes, and Great Coxwell is expected to take 400 houses. Cumulative impacts are alrerady having a detriental impact on Faringdon. Traffic is a serious problem. Facilities such as medical, library, schools are all already working to capacity. The sewage treatment plant is already working to capacity.
Great Coxwel Parish Council	 Object Revised Plans No response received at the time of writing this report. Original Plans • The application does not state that the site is within the parish of Great Coxwell. • Consultation too narrow. • Application contrary to Great Coxwell neighbourhood plan appendix NDS8 – "Building to plot ratio should be considered in each sector's relation to neighbouring properties". • Application also contrary to Policy NDS3 – "Where new development is proposed, landscape schemes should include appropriate native tree and shrub species. Very fast-growing non-native species (eg Leylandii) should not be grown on small sites or in the proximity of a property boundary as they will quickly block out neighbours light and outlook and spoil vistas." • Density of the development is too high and does not relate to Fernham Gate. • Houses closer to road with only token front gardens. • Some houses have very little outdoor ameniuty space. • Too lotle scope within the site for green spaces and verges. • Most houses are in an undesirably regimented row. Their full comments are attached at Appendix 2.

Faringdon Parish Council	Object		
	 Revised Plans No response received at the time of writing this report. Original Plans Neighbouring residents have not been consulted (this has been rectified). Design and Access statement does not identify that the site is in the parish of Great Coxwell. Landscaped bund along souther boundary of the site is degraded and should be rebuilt. Noted that Faringdon Town Council has resolved not to continue with the transfer of the SSSI. Maintenance and responsibility should therefore remain with the applicant. The Transpport Statement is flawed. Concern regarding disturbance to badger sett to the east of the site. Concerns regarding noise levels for future residents. A new ground investigation should be carried out. Properties in Fernham Gate would be overlooked and would suffer a loss of light. 		
Oxfordshire County Council One Voice	No objection Revised Plans		
	No response received at the time of writing this report. Original Plans Transport No objection subject to conditions and informatives as follows: • S106 agreement to secure financial contributions towards enhancement of the Swindon-Faringdon-Oxford bus service of £12,000. • S278 agreement required for off-site works. • S38 agreement required to adopt new roads. • Conditions for visibility splays, car and cycle storage spaces to be as propose, travel pack for each household, standard highways conditions. Archaeology No objection, no conditiomns recommended. Education No objection subject to a S106 agreement to secure £188,633 towards primary, secondary and special needs education in the area.		

	Property No objection subject to a condition regarding fire hydrants, and S106 agreement to secure £9,480.65 towards library facilities, waste management, museum and adult day centre.		
Drainage Engineer	No objection subject to a condition for a detailed foul and surface water drainage scheme.		
Environmental Protection Team – Contaminated Land	No objection, subject to a condition for a contaminated land risk assessment.		
Environmental Protection Team - Noise	Object		
	Revised Plans No comments received at the time of writing this report.		
	Original Plans Objected to the proposed development due to excessive noise for future residents. Recommended the proposal be redesigned to address this.		
Landscape Architect	No objection		
	Revised Plans No comments received at the time of writing this report.		
	 Original Plans Pleased to see a reduction in units compared with previous planning application. Concerned about noise levels. 		
	 Recommended more evergreens in planting mix along southern boundary to screen the site. Concern that garden areas to southern dwellings are alongside a 2.5m high fence. 		
Countryside officer	No objection		
	Revised Plans No comments received at the time of writing this report.		
	Noted the scheme has been amended to address both badger setts and the SSSI. Recommended a condition requriring the development to accord with the recommendations set out in the ecology report.		
Thames Water	No objection, subject to a Grampian condition for a drainage strategy. Noted that the Faringdon Sewage Treatment Works is currently at capacity, and no discharge will be accepted into the public sewers until the works has been upgraded. Stated these works are		

	currently scheduled for completion by April 2017.
Natural England	No objection subject to conditions for a SSSI management plan and to prohibit access to the SSSI during construction.
Waste Team	No comments received at the time of writing this report.

4.0 RELEVANT PLANNING HISTORY

4.1 P14/V0539/O - Withdrawn (09/12/2014)

Outline application for erection of 21 houses with associated parking, open space and landscaping (as amended by drawings accompanying letter from Agent dated 6 May 2014 and by drawings and information accompanying letter from agent dated 7 August 2014).

- 4.2 P01/V0047/FUL Approved (15/04/2002)
 Formation of the 88 metre long landscaped earth mound along the southern boundary.
- 4.3 P83/V0568 Refused (17/10/1983)
 Use of part of existing scrap yard for the re-location of transport and warehousing business carried on by Cadel Bros. at Park Road.
- 4.4 It is also noted that the council has resolved to grant outline planning permission for the following two developments, which are located in close proximity to the site. These two developments are located to the east and west of the site, and will extend the built-up edge of Faringdon towards the A420.
 - P13/V0139/O 200 houses on land to the west of Fernham Road and accessed off Coxwell Road, known as Fernham Fields.
 - P13/V0709/O 380 houses and extra care units, employment development and a primary school on land south of Park Road.

5.0 **POLICY & GUIDANCE**

5.1 Vale of White Horse District Council Local Plan 2011

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The local plan policies relevant to this application as listed below were 'saved' by direction on 1 July 2009.

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

H13: Development Elsewhere

H15: Housing Densities

H16: Size of Dwelling and Lifetime Homes

H17: Affordable Housing

NE7: North Vale Corallian Ridge NE10: Important Open Gaps

HE10: Archaeology

5.2 Emerging Local Plan 2031 - Part 1

The draft local plan part 1 is not currently adopted policy. The relevant policies are as follows:-

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

Cope 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

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.

5.3 Great Coxwell and Faringdon Neighbourhood plans

The Great Coxwell and Faringdon neighbourhood plans are both relevant to this application, because whilst the site is situated on the edge of Faringdon, it falls within the Great Coxwell Parish boundary.

The Great Coxwell neighbourhood plan has been to referendum, and therefore it carries significant weight. The relevant policies of the Great Coxwell neighbourhood plan are as follows:-

Policy EDQ1: Establish a green buffer to protect the village from coalescence

Policy NDS3: Wooded areas and trees and St Giles Churchyard

Policy NDS5: Roads and Traffic Policy NDS6: Positioning/plots

Policy NDS7: Driveways, garages and parking plot size

Policy NDS8: Plot size

Policy NDS9: Bulk of buildings

Policy NDS13: Gardens and Landscaping

Policy NDS14: Drainage

The Faringdon neighbourhood plan has been to examination, but not yet referendum, therefore its policies can only be afforded limited weight. The relevant policies of the Faringdon neighbourhood plan are as follows:-

Policy 4.2D: Planning Gain

Policy 4.3A: Connections

Policy 4.3E: Footpaths and Cycleways

Policy 4.6A: Housing Balance

Policy 4.7A: Materials and Roofscape

Policy 4.7B: Resource Consumption

Policy 4.7D: Housing Design

Policy 4.7E: Secured by Design

Policy 4.7F: Visual Impact

Policy 4.8A: Improving the Infrastructure

5.4 Supplementary Planning Guidance

Design Guide - March 2015

The following sections of the design guide are particularly relevant to this application:Responding to Site and Setting

• Character Study (DG6) and Site appraisal (DG9)

Establishing the Framework

- Existing natural resources, sustainability and heritage(DG10-13, 15, 19)
- Landscape and SUDS (DG14, 16-18, 20)
- Movement Framework and street hierarchy (DG21-24)
- Density (DG26)
- Urban Structure (blocks, frontages, nodes etc) DG27-30

Layout

- Streets and Spaces (DG31-43)
- Parking (DG44-50)

Built Form

- Scale, form, massing and position (DG51-54)
- Boundary treatments (DG55)
- Building Design (DG56-62)
- Amenity, privacy and overlooking (DG63-64)
- Refuse and services (DG67-68)

Sustainable Design and Construction – December 2009

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 Practise Guidance 2014 (NPPG)

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'

5.7 Written Statement made by the Minister of State for Housing and Planning (Brandon Lewis) on 28 November 2014

States that due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 sq.m, affordable housing and tariff style contributions should not be sought.

As this development is shown to have a maximum floor space of under 1,000 sq.m, Section 106 contributions will not be sought.

5.8 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).

5.9 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.

5.10 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.

6.0 PLANNING CONSIDERATIONS Current policy position

- 6.1 This is an unallocated site within the adopted local plan, therefore this application is contrary to Policies GS2 and H10 of the local plan, which restrict development on unallocated sites.
- 6.2 However, the adopted local plan is based on the now revoked structure plan housing numbers, which means that the adopted local plan is not addressing the most recent and robust 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, in so far as they restrict housing development. Furthermore, these policies are also out of date in that the

council cannot demonstrate a five year supply of deliverable housing sites.

6.3 Given the current policy context as set out above, the council must assess this application on its own merits.

The Principle of Development

- 6.4 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless materials 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 the 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).
- 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.
- 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.
- 6.7 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.
- 6.8 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. The site is not allocated for housing and is beyond the built up edge of Faringdon.
- 6.9 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.

Use of land

6.10 Paragraph 17 of the NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. The site has previously been used as a quarry then filled with non-domestic waste. Neighbours have objected stating that the site should be left undeveloped due to its ecological value, however the council's countryside officer has not objected and officers do not consider the site to be of such high environmental value as to override allowing development of the site.

Accessibility Credentials

- 6.11 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34). In terms of facilities, Faringdon is a large town which is well served in terms of services and public transport links. Therefore, the emerging local plan identifies Faringdon as a sustainable location for further development.
- 6.12 The site is located immediately adjacent to the existing built-up edge of Faringdon and is around 1600 metres from the town centre. The site is located approximately 500 metres from the westbound and eastbound bus stops on Coxwell Road for the Faringdon-Oxford-Swindon bus route, which operates every 30 minutes during week days and every 30-60 minutes on weekends.
- 6.13 The council has resolved to grant planning permission for other housing developments to the east and west of this site, which are located at comparable distances from Faringdon Town Centre. See Section 4.4 above for full details of these applications.
- 6.14 In terms of the site's location and its relationship to the existing settlement pattern the proposal is considered a sustainable form of development under the terms of the NPPF.

Cumulative Impact

- 6.15 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.
- 6.16 Core Policy 20 of the emerging local plan 2031 provides the spatial strategy for the Western Vale Sub-Area. 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 plan makes it clear that Faringdon is a strategic growth area.
- 6.17 It is noted that the council has either permitted or resolved to permit a number of large housing developments in Faringdon, which if all implemented would increase the population of Faringdon by approximately 20%. This overall population rise and the resulting impacts, particularly on the highway network, is a key concern of the Great Coxwell Parish Council, Faringdon Town Council as well as local residents.
- 6.18 Based on the SHMA average household size of 2.52 for 2011, this development will increase the population of Faringdon by approximately 25 people against the Council's

2011 census summary that put the population of Faringdon at 7,121 people. This represents an insignificant increase in population of 0.35 of a percent, and officers consider that any additional impact on transport and local services would be negligible. As the impacts of this additional 0.35% increase to the population would be negligible, it the cumulative impact is not considered unreasonable.

Landscape and Visual Impact

- 6.19 The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109).
- 6.20 The site is identified in the adopted local plan as North Vale Corallian Ridge (policy NE7), and Important Open Land (policy NE10). Policy NE7 seeks to prevent development which would harm the prevailing character and appearance of the North Vale Corallian Ridge. Policy NE10 seeks to prevent development that would harm the rural or open character of the important open gaps between settlements. Policy EDQ1 of the Great Coxwell neighbourhood plan seeks to stablish a green buffer to protect the village from coalescence.
- 6.21 A number of objectors have raised concerns regarding landscape impact.
- 6.22 It is relevant to note that the council has granted outline consent for a residential development for up to 200 homes to the west of the site, and resolved to grant permission for up to 380 homes to the east of the site, see Section 4.4 above for full details. Both of these developments will extend the built edge of Faringdon to the south in the same way this proposal would, albeit on a much larger scale. Any development of the subject site will be viewed in this context between two other larger residential schemes.
- 6.23 The above proposals and the subject site are indicated on Map 5 within the Great Coxwell neighbourhood plan as areas where development is likely to come forward. The neighbourhood plan states that in the event that planning permission is granted for development on this land, the green buffer will be redrawn in accordance with the compliance statement in the neighbourhood plan. Given this, the application does not conflict with policy EDQ1 of the neighbourhood plan.
- 6.24 Part of the site is at a higher level than the adjacent development at Fernham Gate to the north and any development therefore has the potential to be more visible from the A420 to the immediate south. In terms of mitigation, the applicant proposes to extend the existing bund along the southern edge to the west and also to construct a spur adjacent to the development. This would be planted with trees, offering additional screening to the development, and containing it visually so it does not result in demonstrable harm to the prevailing character and appearance of the North Vale Corallian Ridge, or the rural and open character of the landscape. The proposal therefore accords with the objectives of local plan policies NE7 and NE10.
- 6.25 The development proposes the removal of an existing hedge along the western boundary of the site, which will open up views of the site from the west to a certain extent. However, as there is another hedge on the opposite side of Fernham Road, any increase in visibility will be limited, and furthermore the application proposes a replacement hedge along this boundary, which will provide continuity to the established hedgerow.
- 6.26 It is accepted that there would be more local views of the development particularly from the village and access road to the site, however the development would be seen in the

context of the existing built form of Faringdon and is not therefore considered harmful. 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.

- 6.27 This application is in outline, and landscaping detail will be dealt with at reserved matters stage. A well designed landscaping scheme incorporating an element of semi mature tree planting will also provide screening. Officers are satisfied that the illustrative layout provides sufficient space for such structural planting.
- 6.28 Overall the proposed development as shown in outline in this application would not appear prominent in landscape terms and would be set against the existing built up limits of Faringdon. The application therefore accords with local plan policies NE7 and NE10, policy EDQ1 of the Great Coxwell neighbourhood plan and the NPPF.

Design, layout and residential amenity

- 6.29 The NPPF provides that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 60). It gives considerable weight to good design and acknowledges it is a key component of sustainable development. A number of local plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, DC9). In March 2015 the council adopted its design guide.
- 6.30 Although the application is at outline stage and layout is a reserved matter, it is important the indicative plan shows a layout that demonstrates this quantum of development can be satisfactorily accommodated on the site.

Site. Setting and Framework

- 6.31 A number of objectors, Great Coxwell Parish Council, and Faringdon Town Council have raised concern that the density of the proposal is too high. Great Coxwell Parish Council consider the application to be contrary to appendix NDS8 of their neighbourhood plan, which states: "Building to plot ratio should be considered in each sector's relation to neighbouring properties...".
- 6.32 Principle DG26 of the design guide states that density should be appropriate to the location. Policy H15 of the adopted local plan requires densities of at least 30 dwellings per hectare.
- 6.33 The application proposes a density of 24 dwellings per hectare. This is reasonably low compared with the expectation of local plan policy H15, however when compared to the pattern of existing development in the immediate locality and due to the fact the site is adjacent to open land to the south, the provision of 10 dwellings is considered to be the right design response for this site. The development is slightly denser than its neighbours but officers consider it makes the best use of the land. The building to plot ratio is considered to fit satisfactorily with existing development in the locality in accordance with policy NDS8 of the Great Coxwell neighbourhood plan.

Spatial Layout

6.34 The indicative layout proposes three dwellings which front Fernham Road, ensuring the development successfully addresses the street in accordance with design principle DG27 of the design guide. The existing hedge along Fernham Road is to be removed to allow for this arrangement, and in this case officers consider that having buildings addressing Fernham Road is of higher importance than retention of the hedge. The

- indicative layout provides for a new hedge along the western boundary and this planting will give the proposed dwellings defensible space and a sense of enclosure.
- 6.35 The majority of the remaining dwellings are located along an access road to the south of the site. These dwellings have a consistent setback and enclose the street in accordance with design principle DG28.
- 6.36 The application generally avoids back fences abutting the countryside, as expected by design guide principle DG29. The layout also avoids awkward front to back relationships, except in the case of Plot 4, which faces the back of the dwelling on Plot 3, however it is considered this relationship can work with careful boundary treatment reserved matters stage.
- 6.37 The illustrative layout provides space for tree planting and soft landscaping including along both the roads within the development, which accords with design guide principle DG33. It provides green landscaping at the front of all the plots and near the roadside, consistent with the objectives of policy NDS13 of the Great Coxwell Neighbourhood Plan. Landscaping will be assessed in detail at reserved matters stage; however officers are satisfied the illustrative layout makes sufficient space provision for a good quality landscaping scheme.
- 6.38 Proposed parking is located behind the buildings which front Fernham Road, ensuring the street frontage is not dominated by parking. This accords with Policy NDS7 of the Great Coxwell Neighbourhood Plan.
- 6.39 Built form, building design, and boundary treatments will be assessed in detail as part of a future reserved matters application, however officers are satisfied from the illustrative layout plan that 10 dwellings can be accommodated on site in a manner which can comply with the relevant design guide design principles (DG51-54, DG55, and DG56-62) and the relevant design policies within the Great Coxwell neighbourhood plan.
- 6.40 Residential Amenity
 - 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. Design principles DG63-64 of the design guide pertain to amenity, privacy and overlooking.
- 6.41 A number of neighbours have raised concerns over the impact of the proposed development on their properties, particularly in terms of loss of privacy, loss of view, over-dominance and loss of light and sunlight.
- 6.42 Whilst it is accepted the proposed development will alter the view currently enjoyed by the neighbouring properties, 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.
- 6.43 The layout has been designed to minimise impact on neighbours. The two northernmost dwellings, which will adjoin Fernham Gate are shown to be single storey in scale. As such, these dwellings will not overlook the northern neighbours. It is accepted that there will be some additional shadowing to the adjacent neighbour at Fernham Gate given that the proposed bungalows on Plots 3 and 4 are located to the immediate south of that property, however the scale of the impact is not such that residential amenity would be unduly harmed.

- 6.44 The proposal complies with the 21 metres between first floor habitable rooms set out in Figure 5.59 of the design guide, and as such a reasonable level of privacy will be provided to existing and proposed dwellings.
- 6.45 Whilst it is accepted that the proposed development will alter the view currently enjoyed from the neighbouring properties, the likely scale and form of the new buildings is not considered over-dominant or visually intrusive and they would not cause an undue loss of daylight or sunlight, in accordance with local plan policy DC9 and the design guide.
- 6.46 In terms of amenity space for future occupiers of the site, the design guide recommends the following:-
 - Dwellings with 3 or more bedrooms 100 sq.m
 - Dwellings with 2 bedrooms 50 sq.m
 - Dwellings with 1 bedroom 35 sq.m
 - Apartments communal gardens should be provided, and ground floor units should have a well defined private area which can act as 'defensible space'.
- 6.47 The proposed dwellings have gardens ranging in size from 50 sq.m to over 200 sq.m, and whilst not all of the three bedroom dwellings meet the 100 sq.m recommendation, the smallest three bed garden is some 70 sq.m, which is considered adequate.
- 6.48 Overall, the indicative layout adequately demonstrates that ten dwellings can be accommodated on site in a satisfactory manner. The proposal is therefore consistent with the objectives of Policy DC1 of the local plan, the council's adopted design guide, and Paragraph 64 of the NPPF. Detailed design including the appearance of the dwellings will be assessed at reserved matters stage.

Housing Mix

6.49 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%	29.8%

6.50 The application proposes the following mix:-

1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
0%	30%	50%	20%

6.51 This represents an under-provision of smaller one bedroom units and larger 4+ bedroom units. The application would be expected at reserved matters stage to comply with the SHMA housing mix. A planning condition is recommended to ensure the mix provided at reserved matters stage meets SHMA requirements.

Noise from the A420

6.52 The NPPF states that 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 noise

- pollution (paragraph 109). The design guide states that noise disturbance can be reduced through careful design, including orientating buildings so habitable rooms do not face the noise source, and constructing barriers such as garages or walls between the noise source and the dwellings.
- 6.53 A Noise Report was submitted with the application, which proposes extension of the existing bund to the south of the site with 6-9m high trees planted on top, along with acoustic fencing, particularly along the southern boundary.
- 6.54 The council's environmental protection team objected to the application as originally submitted, as the noise levels to the southernmost dwellings was considered too high to enable a reasonable standard of residential amenity for future occupiers.
- 6.55 The application has been amended, and the two worst affected dwellings to the south of the site have been removed from the development. The dwellings along the southern boundary have also been pulled further into the site and their gardens are now to their north, away from the A420.
- 6.56 The council's environmental protection team are yet to formally respond to the revised layout however they have requested a statement from the applicants' acoustic consultant justifying why the revised site layout is acceptable. This report is to be provided to officers prior to committee.
- 6.57 Members will be updated on this issue at committee.

Highway Safety

- 6.58 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 NPPF (Paragraph 32) requires plans and decision to take account of whether:-
 - the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- 6.59 Paragraph 32 goes on to state: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."
- 6.60 Policy NDS5 of the Great Coxwell neighbourhood plan states that development should ensure that it does not endanger the safety of road users.
- 6.61 Local residents have raised concerns that the transport infrastructure will not cope, that parking and congestion is already a problem along Fernham Road, and that there is insufficient parking in the development which would cause overspill parking issues.
- 6.62 Access to the development as amended will be via the existing 'T' junction from Fernham Road, which is located at the southern end of the sites western frontage. There are two roads within the site.
- 6.63 The application proposes to extend southwards the existing footpath located on the eastern side of Fernham Road so as to tie in with the proposed vehicle access and in so doing, improve the pedestrian accessibility of the site.

- 6.64 Two car parking spaces and space for two cycles are provided for each dwelling.
- 6.65 The County Council transport team raised no objections to the application as originally proposed, subject to some widening of Fernham Road, adequate visibility splays, and internal access roads to be in conformity with their residential design guide. They consider the car parking to be adequate. They have recommended several conditions relating to visibility spays, car parking, sustainable drainage, travel information packs and other standard highways conditions. They are yet to comment on the amended site layout, however Members will be updated if a further response is received.
- 6.66 The proposed site layout plan indicates that a refuse vehicle should be able to enter the site and turn around to leave the site is forward gear. This is likely to be acceptable however it is noted that the council's waste team have not yet commented on the application as amended. Members will be updated on this issue at committee.
- 6.67 Whilst officers agree with objectors that Fernham Road is narrow and heavily parked at times, the County Council have not objected, and the indicative layout development does provide for sufficient parking according to the County Council's standards.
- 6.68 The County Council have requested contributions towards public transport, however it is not considered appropriate to require developer contributions in this instance in light of the Ministerial Statement dated 28 November 2014. This is discussed in more detail in Section 6.90-6.92 below.
- 6.69 Overall, it is considered that the proposal is acceptable in highways safety terms in respect of its access arrangements and indicative site layout. The application therefore accords with the expectations of local plan policy DC5, policy NDS5 of the Great Coxwell neighbourhood plan, and the NPPF.

Flood Risk and Surface/Foul Drainage

- 6.70 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103).
- 6.71 Adopted local plan policy DC8 requires that the necessary social and physical infrastructure be provided for new development. 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, 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.
- 6.72 Design principle DG14 of the design guide states that development proposals should incorporate the use of sustainable urban drainage as an integral part of the landscape structure.
- 6.73 Local residents have raised concerns that the development will exacerbate existing drainage issues and that it does not meet Thames Water's requirements.
- 6.74 The application is accompanied by a Flood Risk Statement that confirms the site is within Flood Zone 1, and as such fluvial flooding is not an issue that would prevent a development of this type.
- 6.75 The Flood Risk Statement states that sustainable infiltration systems would be utilised on site, and that this would be achieved using permeable paving or a porous sub-base

within the access road and car parking areas, or through rear garden soakaways. This is considered acceptable in principle, and the council's drainage engineers have no objection subject to a condition for a fully detailed sustainable drainage scheme for both foul and surface water.

- 6.76 Thames Water has no objection to the application in terms of water infrastructure capacity, however they have identified an inability of the existing waste water infrastructure to accommodate the needs of the application. As such they have requested a Grampian condition preventing the commencement of development until a drainage strategy has been submitted and approved.
- 6.77 Thames Water state that as the Faringdon sewage treatment works is at capacity, no discharge to public sewers will accepted until the works have been upgraded, which is likely to be by April 2017. Officers consider that this is soon enough to ensure that the site is deliverable within a reasonable timeframe, thus capable of addressing the council's 5 year housing shortage.
- 6.78 Overall, the application is acceptable in regards to flood risk and surface/foul drainage subject to the conditions identified above, and as such the application accords with the expectation of policies DC8, DC9 and DC12, and the NPPF.

Ecology

- 6.79 Paragraph 117 of the NPPF refers to the preservation, restoration and re-creation of priority habitats, whilst Paragraph 118 sets out the basis for determination of planning applications. Paragraph 118 states that "...if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused..."
- 6.80 The application proposes the removal of vegetation/habitats on site to construct the development, and as such there will be impacts on habitats and species.
- 6.81 Local residents have raised concern regarding impacts on ecology and biodiversity, and particular concern has been raised over impacts to the badger set to the east of the site.
- 6.82 The application is accompanied by an ecology report, which accepts that whilst there will be impacts on ecology within the site, impacts will be temporary subject to a range of mitigation/enhancement measures, including retention of as many boundary trees as possible, sowing of wildflower species, new landscape planting, erection of bird boxers, sensitive lighting strategy for bats, and possible closure of badger sett and reopening following construction of the bund. All of these works are to be overseen by a qualified ecologist.
- 6.83 If implemented effectively, the above mitigation measures will reduce the impact of the works on local wildlife and increase the nature conservation value of the site in the long term.
- 6.84 The council's countryside officer has raised no objection to the application, subject to a condition requiring the development to be implemented in accordance with the recommendations contained in the ecology report, and in particular the badger mitigation recommendations.

6.85 The proposal is considered to accord with the NPPF, subject to a condition requiring the development to be implemented in accordance with the recommendations set out in the Ecology Report.

Contaminated Land

- 6.86 Policy DC9 of the adopted local plan states that development will be not permitted if it would unacceptably harm the amenities or wider environment in terms of, amongst other things, pollution or contamination.
- 6.87 The application is accompanied by a ground investigation report, which concludes that whilst the site is contaminated, it is developable subject to remediation works. It is understood that the worst of the contamination is located to the north of the proposed development area and that the proposed layout has taken account of the location of the contamination.
- 6.88 The Ground Investigation Report is dated 1997 and objectors are concerned that it is outdated and should be updated.
- 6.89 The Council's Environmental Health Section has not objected subject to a condition requiring a phased contaminated land risk assessment followed by a comprehensive intrusive investigation, and (if necessary) a remediation and/or monitoring scheme to ensure the site is rendered suitable for its proposed use. Subject to this condition the development is considered acceptable and compliant with local plan policy DC9 in terms of ground and water contamination.

Other matters

Developer Contributions

- The Government's position set out in the Ministerial Statement dated 28 November 2014 is clear that on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 sq.m, affordable housing and tariff style contributions should not be sought.
- 6.91 This development does not trigger the requirement for adffordable housing, however developer contributions would normally be sought in line with policy DC8 of the adopted local plan. However, the Government advice which informs those policies has been superseded by the publication of the Ministerial Statement.
- 6.92 In light of this, Members are advised that the council should not request developer contributions for this development. It is recommended that a planning condition is attached to any approval to limit the floor space of the development to 1000 sq.m or less, to ensure that contributions are captured from further reserved matters applications, should these propose a floor space in excess of the threshold set out in the Ministerial Statement.

SSSI

- 6.93 As part of the adjacent Fernham Gate development, the applicant had entered into a contract with Faringdon Town Council to transfer ownership of the SSSI and provide a sum of £20,000 to carry out works to the land such as fencing and landscaping. This land transfer has not taken place.
- 6.94 The current application states that land to the north and east of the site is to be transferred to the Faringdon Fossil Trust to be used as informal open space as well as to provide access to the SSSI. It is however understood that the Trust have decided

not to take on responsibility for this. Therefore responsibility for protection and management will remain with the applicant.

6.95 Natural England have been consulted on the application, and have no objections subject to two conditions relating to management of the SSSI and prohibiting access during construction.

7.0 CONCLUSION

- 7.1 This application has been assessed against the National Planning Policy Framework (NPPF), relevant saved policies in the local plan and all other material planning considerations. The NPPF states that sustainable development should be permitted unless the adverse effects significantly and demonstrably outweigh the benefits. The NPPF also states that there are social, economic and environmental dimensions to sustainability and that conclusions must be reached taking into account the NPPF as a whole.
- 7.2 The application proposes the redevelopment of previously developed land, and will also help address the council's current lack of a 5-year housing supply. The landscape and visual impact is acceptable in the context of the mitigation proposed, and given the site would be viewed against the backdrop of Faringdon. The illustrative layout plan Is satisfactory in design terms, and impacts on neighbours are not unreasonable. Officers consider the technical issues relating to highway impact, noise, drainage, sewage and ecology are acceptable subject to conditions.
- 7.3 Overall, the proposal is considered to amount to sustainable development, and whilst there will be some minor and temporary adverse effects, these do not significantly and demonstrably outweigh the benefits. Consequently, the outline application is recommended for approval subjection to conditions.

8.0 **RECOMMENDATION**

It is recommended that authority to grant planning permission is delegated to the head of planning in consultation with the chairman, subject to conditions as follows-

- 1. Outline approval commencement three years.
- 2. Reserved matters submission two years.
- 3. Approved plans.
- 4. Sustainable Urban Drainage System (SUDS) compliant foul and surface drainage strategy to be agreed.
- 5. No surface water to be discharged onto the adjacent highway.
- 6. Drainage strategy (Thames Water).
- 7. No dwelling to be occupied until sewage treatment works upgrade completed.
- 8. No development to commence until a phased contaminated land risk assessment has been carried out.
- 9. Development to be designed and implemented in full accordance with the mitigation measures contained in the noise report.
- 10. Development to be designed and implemented in accordance with the recommendations contained in the ecology report.
- 11. Development not to exceed 1000 square metres total gross floorspace (otherwise developer contributions will be triggered).
- 12. Provision of residential accommodation across the site to accord with the

mix identified in the strategic housing market assessment (SHMA).

- 13. Detailed internal layout to accord with OCC manual for streets principles.
- 14. Visibility spays to be provided.
- 15. Car and cycle parking provision to be as proposed (20 cars, minimum 20 cycles).
- 16. Travel information packs to be developed for each dwelling.
- 17. SSSI management plan.
- 18. Access to SSSI to be prohibited during construction.

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