

APPLICATION NO.	P14/V2822/O
APPLICATION TYPE	OUTLINE APPLICATION
REGISTERED	19.06.2014
PARISH	STANFORD-IN-THE-VALE
WARD MEMBER(S)	Robert Sharp
APPLICANT	Mr M Stoneham
SITE	Land at Bow Farm, Bow Road, Stanford-in-the-Vale, SN7 8JB
PROPOSAL	Outline application for the erection of 19 new dwellings
AMENDMENTS	
GRID REFERENCE	434469/194218
OFFICER	Martin Deans

SUMMARY

This is an outline application with all matters reserved apart from access and the application comes to committee because of an objection from Stanford Parish Council. The main issues are:

- The impact of the development on the wider landscape and the Lowland Vale is considered to cause intrinsic harm
- There will be no harm to the residential amenity of existing adjacent dwellings
- The use of the access from Bow Road permitted for the adjacent farmyard development is considered to be acceptable, but for this level of development only, and off-site improvements to the highway network can be secured
- Information regarding a surface water drainage strategy can be secured via condition
- The development will deliver affordable housing and an appropriate mix of housing
- Contributions can be secured for the expansion of local services and infrastructure, including the local bus service and schools, and the proposal also allows for securing land for the provision of a public footpath link to Horsecroft to help deliver a circular footpath route around the village.
- The benefits of the proposal are such that the harm identified does not amount to significant and demonstrable harm as required by paragraph 14 of the NPPF.

The application is recommended for approval subject to conditions and S106 Agreements.

1.0 INTRODUCTION

- 1.1 The application site is rectilinear in shape and lies immediately to the east of the farmyard at Bow Farm in Stanford. It forms part of a field. Immediately to the north is Bow House. To the south-west, lying partly between the site and the farmyard, is a pond, in a former quarry, surrounded by trees. A site location plan is **attached** at appendix 1.
- 1.2 In June 2014 and January 2015 committee considered an outline planning application to redevelop Bow Farm farmyard for 20 dwellings, including three dwellings from converted agricultural buildings (P13/V1949/O). On both occasions committee resolved to support the application. Outline planning permission was granted on 23 April 2015
- 1.3 The outline permission included details of access but reserved all other details. A new

access was approved between no.2 Bow Farm Cottages and no.28 Bow Road to serve 17 of the 20 dwellings, with the remainder to be served by the existing farmyard access. An illustrative layout plan was provided which showed the public open space located between the new dwellings and the existing houses in Bow Road. This plan is **attached** at appendix 2

1.4 The farmyard lies to the rear of nine dwellings that lie along Bow Road

2.0 PROPOSAL

2.1 The new application seeks outline permission to extend the new access road approved under permission P13/V1949/O into the application site and to build an additional 21 dwellings. All matters are reserved apart from access. An illustrative layout has been submitted to show how the dwellings could be laid out. This is **attached** at appendix 3

2.2 The illustrative layout has been amended during the consideration of the application to include a landscaped buffer on the east boundary of the site. This buffer would lie outside the curtilage of any dwelling and would be managed with the public open space. Its presence is intended to provide a suitable green boundary between the development and the remainder of the field.

2.3 Also included in the application is a clear commitment by the applicant to provide land within his ownership to allow for a public footpath to be provided between the site and Horsecroft. The approximate route of the path is shown on the plan **attached** at appendix 4. This would provide a significant part of the intended circular footpath around the village, a key ambition of the parish council. The provision of the land for the footpath would be secured as part of the section 106 agreement with the district council.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

Parish Council	Object for the reasons attached at appendix 5.
Neighbours	<p>12 letters of objection have been received. The concerns raised may be summarised as follows:</p> <p>Policy</p> <ul style="list-style-type: none"> • The development is outside the existing built limit of the village and in conflict with the adopted local plan and the emerging neighbourhood plan • The development is on a greenfield site unlike the approval on the adjacent farmyard <p>Design</p> <ul style="list-style-type: none"> • Housing mix does not provide enough smaller dwellings, in particular 2 bed units for market housing

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	<ul style="list-style-type: none"> • Discrepancies on drawings <p>Highways</p> <ul style="list-style-type: none"> • Traffic generation will add to problems on a busy village road. • The access is substandard and dangerous • The footway links to the village are substandard • The proposal is not sustainable and occupants will be car dependent. <p>Environment</p> <ul style="list-style-type: none"> • Loss of agricultural land. • Landscape impact on the setting of the village. <p>Infrastructure</p> <ul style="list-style-type: none"> • The proposal will add burdens to existing constrained infrastructure including the village school and local drains and sewers.
Oxfordshire County Council One Voice	<p>No overall objection</p> <p><i>Highways</i></p> <ul style="list-style-type: none"> • No objection, subject to conditions and contributions. <p><i>Archaeology</i></p> <ul style="list-style-type: none"> • No objection <p><i>Education</i></p> <ul style="list-style-type: none"> • No objection, subject to contributions. <p><i>Property</i></p> <ul style="list-style-type: none"> • No objection, subject to contributions.
Thames Water	No objection.
Environment Agency	No objection
Drainage Engineer	Holding objection subject to submission of drainage details
Landscape Officer	Landscape buffer is welcome but public open space is not well related
Environmental Health – Air Quality	No objection.
Environmental Health – Contamination	No objection subject to condition on contaminated land risk assessment
Environmental Health – Protection Team	No objection, subject to grain dryers ceasing operation prior to first

	occupation.
Countryside Officer	No objection subject to condition to minimise disturbance to great crested newt
Waste Management Team	No objection, subject to contributions.
Housing Development Team	No objection subject to an agreed mix for affordable housing
Waste Management Officer (Vale)	No objection subject to financial contribution of £170 per dwelling to recycling and waste bins.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P13/V1949/O – Demolition of existing farm buildings and development of 20 dwellings (17 new build and conversion of two farm buildings to three dwellings) - Permission 23/04/2015.

4.2 Also of relevance to this application are the recent allowed appeals for the development of 73 dwellings on land off Faringdon Road, Stanford (P13/V0146/FUL) and for the development of 18 dwellings on land at Penstones Farm, Horsecroft, Stanford (P14/V0080/FUL).

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 following local plan policies relevant to this application were ‘saved’ by direction on 1 July 2009.

- GS2 - Development in the Countryside
- DC1 - Design
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC8 - The Provision of Infrastructure and Services
- DC9 - The Impact of Development on Neighbouring Uses
- H11 - Development in the Larger Villages
- H13 - Development Elsewhere
- H17 - Affordable Housing
- H23 - Open Space in New Housing Development
- NE9 - The Lowland Vale

5.2 **The emerging Local Plan 2031, Part 1, Core Policies**

The draft local plan part 1 is not currently adopted policy. As per paragraph 216 of the NPPF, at present it is officers' opinion that the emerging Local Plan housing policies carry limited weight for decision making. The relevant policies are as follows:-

- 1 – Presumption in favour of sustainable development
- 3 – Settlement hierarchy
- 4 – Meeting our housing needs
- 7 – Providing supporting infrastructure and services
- 20 – Spatial strategy for the Western Vale Sub-Area

- 22 – Housing mix
- 23 – Housing density
- 24 – Affordable housing
- 33 – Promoting sustainable transport and accessibility
- 35 – Promoting public transport, cycling and walking
- 43 – Natural resources
- 44 – Landscape
- 47 – Delivery and contingency

5.3 Supplementary Planning Guidance (SPG)

Design Guide – March 2015

5.4 Emerging Neighbourhood Plan

The Stanford in the Vale Neighbourhood Plan area was designated on 4 April 2014. So far there has been local consultation on a number of options for potential sites for new development.

5.5 National Planning Policy Framework (NPPF) – March 2012

This has established the presumption in favour of sustainable development. Sustainable development comprises three dimensions, economic, social and environmental, which are mutually dependent. Sustainable development means achieving gains in all three (paragraphs 7,8 and 14)

5.6 Planning Practice Guidance (NPPG) – March 2014

5.7 Other Relevant Legislation

- Written statement by Secretary of State on sustainable drainage systems (18 Dec 2014)
- Written statement by the Secretary of State on car parking (25 March 2015)
- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- 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 local planning authority has paid due regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations in the determination of this application are:

1. The legal and national guidance context
2. Locational credentials
3. The landscape and visual impact on the surrounding area
4. The impact on neighbours' amenities
5. Highway safety
6. The amenity of future occupants
7. Housing mix

8. Drainage
9. Protected Species and Biodiversity
10. Developer contributions

6.2 The legal and national guidance context

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).

6.3 The local planning authority currently does not have a five year supply of housing land. By reason of paragraph 49 of the NPPF the relevant housing supply policies of the adopted local plan are deemed to have little weight and paragraph 14 of the NPPF is engaged. This states that, where relevant local plan policies are out-of-date, an application should be granted planning permission unless the adverse impacts would significantly and demonstrably outweigh the benefits, or the application contravenes specific policies for protection contained in the NPPF (eg the site is in an Area of Outstanding National Beauty (AONB) or green belt).

6.4 The emerging neighbourhood plan is still at a relatively early stage. Although there has been a local consultation on various possible options for potential development sites, there has been no formal consultation on specific proposals for specific sites. Consequently the neighbourhood plan has very little weight at this time.

6.5 Locational Credentials

The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).

6.6 Stanford is one of the larger villages in the Vale with a population of approximately 2,500. It has a primary school, pre-school, supermarket and pub. There is a bus service to Wantage and Faringdon. These services do provide some ability to reduce use of the car. The inspectors in both recent appeals concluded that, for the level of development under consideration, the opportunities in the village to use sustainable modes of transport was acceptable.

6.7 Objectors argue that the site is too remote from village facilities. However, the adjacent farmyard has outline permission for 20 dwellings. In granting this permission, officers did accept that the location of the site had sufficient locational credentials to be acceptable. Officers consider that the development of the application site, adjacent to the farmyard, is not sufficiently different to warrant refusal of the application

6.8 Landscape and visual impact

Stanford lies within the Lowland Vale local landscape area. Policy NE9 of the adopted local plan seeks to protect the character of the Lowland Vale, particularly the long distant views afforded by the relatively level topography of the area. The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109).

- 6.9 Objectors consider that, as the proposal lies outside the established boundary of the village it will be clearly visible in the landscape setting of the village and will harm the open character of the landscape. They also argue that the Planning Minister, Brandon Lewis, has recently emphasised the importance of protecting landscape when considering applications for new development and that recent appeal decisions elsewhere in the country give support for protection of the landscape.
- 6.10 The site lies to the east of Bow Road. There are no public footpaths in the immediate vicinity of the site from where clear views of the site in its landscape setting could be obtained. Views from Bow Road are likely to be screened by existing and proposed buildings. Unlike the appeals at Faringdon Road or Horsecroft, therefore, there are no direct views of the site from the public highway. Consequently officers consider the development will cause no harm to public views.
- 6.11 The proposed housing does encroach into the landscape surrounding the village. Although this landscape has a local designation, it does not benefit from a national designation recognised in the NPPF, such as Area of Outstanding Natural Beauty or Green Belt. Also, as noted by the inspector in the Horsecroft appeal, the development of a relatively limited number of dwellings on a site outside the built limit of the village does not in itself mean the village has lost its rural setting.
- 6.12 As noted in paragraph 14 of the NPPF, the relevant test for this proposal is whether “significant and demonstrable” harm is caused. Officers are fully aware of the recent statement by the Planning Minister regarding the importance of landscape in the assessment of applications for new housing. However, given the very limited impact on public views, and the fact that the rural setting of the village will be maintained (a factor highlighted in the recent appeal decision at Horsecroft), officers conclude that the landscape harm will be relatively limited.
- 6.13 **Impact on neighbours**
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. A minimum distance of 21 metres is required between windows to habitable rooms in neighbouring dwellings to ensure privacy.
- 6.14 The application is on outline with an illustrative layout plan. The nearest neighbouring dwelling to the site is Bow House. The layout plan shows that the closest of the new housing will be at least 30 metres from Bow House, in excess of the minimum distance of 21 metres. Officers therefore consider that the impact on neighbours will be acceptable.
- 6.15 **Highway safety**
Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. Paragraph 32 of the NPPF states: “*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*”
- 6.16 The application does seek detailed approval for the means of access. These details have been carefully assessed by the county highways officer. The outline planning permission on the farmyard established the new access point between no2 Bow Farm Cottages and no.28 Bow Road. It is proposed that this access point also serves the housing in the new application.

- 6.17 The proximity of the access point to the nearest bend in Bow Road to the south has been the subject of close scrutiny. In view of the presence of this bend, the county highways officer considers that the amount of housing proposed, and the traffic likely to use the access, is acceptable, but he would not support a proposal for any further housing served from the access. There is no other suitable access point available. This means no further housing could be developed on the site.
- 6.18 The site lies approximately 500m from the nearest bus stop, which is the currently unmarked bus stop at Upper Green used by service 67 that runs eight times a day between Wantage and Faringdon. This distance falls within the “acceptable” category of between 400m and 800m according to recognised national standards (Chartered Institute of Highways and Transport, 2000). The outline planning permission on the farmyard secured funds to provide improvements to the bus stops and it is recommended that this application, if approved, provide further funds. The planning permission on the farmyard also provided funds for off-site improvements to the footpath network and further improvements will be sought from this application.
- 6.19 **The amenity of future occupiers**
The illustrative layout plan shows that housing can be designed and distributed in a way that will provide adequate amenity space for future occupiers. The public open space will be retained at the southern part of the farmyard site, approved as part of that outline planning permission. This area is sufficient to provide 15% of the combined site area which accords with policy H23 of the adopted local plan.
- 6.20 The council’s landscape officer has expressed concern that there is no public open space as part of the current application. The area of public open space approved on the farmyard served the dual purpose of providing a buffer between the development and the existing housing on Bow Road. Officers consider that, in this context, the location of the public open space is satisfactory.
- 6.21 **Housing Mix**
The Oxfordshire Strategic Housing Market Area Assessment 2014 (SHMAA) is the most recent assessment of housing need. Objectors are concerned that the proposed mix of housing in the application is too heavily weighted towards larger dwellings. The applicants have responded to this concern by amending the proposed mix to the following:

	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
Proposal	15%	30%	40%	15%
SHMA expectation (Table 67)	15%	30%	40%	15%

The proposed mix now closely accords with the mix suggested in the SHMAA. Officers therefore consider that this element of the proposal is acceptable. The application makes provision for 40% affordable housing which accords with policy H17 of the adopted Vale of White Horse Local Plan 2011.

- 6.22 **Drainage**
The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). In this outline application, as with the outline application on the adjacent farmyard, the applicant’s submission is that full details of drainage should be reserved to be dealt with at the reserved matters stage. The council’s drainage engineer has issued a holding objection

to seek more details of drainage.

6.23 Officers are mindful that this is an outline application where the applicant is seeking to establish the principle of adding 19 dwellings to the 20 already permitted, and that drainage is a detail that can be subject to a condition and to further examination at reserved matters stage. If a suitable drainage strategy cannot be achieved, then reserved matters approval will not be forthcoming and the development cannot proceed. Consequently, officers do not consider that it is reasonable to require the applicant to provide drainage details at this stage.

6.24 Protected species and biodiversity

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. The application site is a maintained paddock and, as such, has a relatively limited biodiversity. The proposed development includes a significant landscaping buffer, and will include additional landscaping as part of any reserved matters application. In this regard the proposal is likely to yield a materially improvement to biodiversity.

6.25 The council's countryside officer has noted the potential presence of the pond in the former quarry adjacent to the site and its potential as a habitat for protected species, particularly great crested newt. The pond is in separate ownership. A condition requiring the agreement of measures to minimise any disturbance to any great crested newts is recommended to ensure that no protected species is harmed.

6.26 Delivery and Contributions

The NPPF advises that planning obligations should only be sought where they meet all of the following tests (paragraph 204):

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and
- iii) Fairly and reasonably related in scale and kind to the development.

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.

6.27 The County Council have identified that the development will increase pressure upon existing community infrastructure. Therefore contributions have been requested towards increased school places and public transport improvements. District provision includes leisure contributions towards local facilities, and waste bin provision on site.

6.28 With regard to Stanford Parish Council, the applicant has agreed to provide land for a public footpath link between the site and Horsecroft to be handed to the parish council. This has been requested previously by the parish council and will provide a link in the intended circular public footpath route around the village. Officers consider that, given the combined development of the farmyard scheme and the current application, this benefit will meet the relevant legal tests and will be of significant public benefit to the parish. In light of this, it is not considered that any further requests can be made for parish facilities.

6.29 Officers have been in discussion with the applicants in relation to S106 contributions and affordable housing provision and the following contributions have been requested. They are the subject of current discussion and any updates will be reported to the meeting.

Contribution Type	Amount
<i>Oxfordshire County Council</i>	
Transport	
Improved public transport for the Stanford area	£32,995
New bus stop facilities at Upper Green	£6,000
Education	
Local primary school expansion	£72,338
King Alfred Secondary School expansion	£125,965
Special Educational Needs expansion	£3,842
Other	
Wantage Day Centre improvements	£4,521
Faringdon Library improvements	£4,663
Central Library improvements	£941.02
Strategic Waste Management	£3,511.68
County Museum Resource Centre	£274.35
Administration and Monitoring	
Administration and Monitoring costs	£3,750
<i>Vale of White Horse District Council</i>	
Sport and Leisure – all off site	
Swimming pools	£7,776
Sports halls	£9,034
Artificial grass pitch	£1,304
Outdoor tennis	£2,208
Health and fitness	£4,280
Football Pitches	£3,571
Cricket Pitches	£1,310
Rugby Pitches	£836
Pavilion	£9,229
Informal open space – on site	
Public open space maintenance (not required if maintained through management company)	£43,840
Other District Requirements	
Waste bins £170 per dwelling	£3,570
Monitoring	£3,500
Parish Council Requirements	
Land provided for public footpath to Horsecroft	
Overall Total	£351,352

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 provide economic benefits through employment during construction and through support for the village shop and pub from additional

residents. It would have social benefits through the provision of additional affordable housing units, support for existing village facilities, and contributions towards expansion of social facilities and local bus services. In terms of environmental issues the proposed development does encroach into the surrounding landscape, which will cause harm. Conversely the proposed landscaping associated with the scheme provides opportunities for improved biodiversity when compared to the existing field.

7.3 In terms of the planning balance, officers have due regard for the recent appeal decision at Horsecroft where, although harm to the landscape was acknowledged, it did not amount to significant and demonstrable harm when set against the benefits of the scheme, the five year supply shortfall, and the emphasis in the NPPF to boost significantly the supply of housing (paragraph 47). Officers therefore conclude that the proposal is acceptable.

8.0 **RECOMMENDATION**

It is recommended that authority to grant outline planning permission is delegated to the head of planning, in consultation with the Chairman and Vice 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, to secure affordable housing and the land for the public footpath, and;

2: Conditions as follows:

- 1. Time limit – 18 months.**
- 2. Submission of reserved matters within 12 months.**
- 3. Approved plans.**
- 4. Submission of material samples.**
- 5. Surface water drainage scheme to be agreed and provided.**
- 6. Foul water drainage strategy to be agreed and implemented pre commencement.**
- 7. Construction traffic management plan to be agreed.**
- 8. New access details.**
- 9. New estate roads to OCC specification.**
- 10. No drainage to highway.**
- 11. Great crested newt measures.**

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