

APPLICATION NO.	P15/V2222/O
APPLICATION TYPE	OUTLINE
REGISTERED	16.9.2015
PARISH	SHRIVENHAM
WARD MEMBER(S)	Simon Howell Elaine Ware
APPLICANT	Taylor Wimpey UK Ltd
SITE	Land at Longcot Road Shrivenham
PROPOSAL	Outline planning application for residential development (up to 45 dwellings), with public open space, engineering works and associated infrastructure, access to be approved only, all other matters reserved (revision of application reference P13/V1514/O).
GRID REFERENCE	424335/188723
OFFICER	Adrian Butler

SUMMARY

The application seeks outline planning permission for the erection of up to 45 dwellings. Only the principle of housing on this site and means of access are to be considered as part of this application with all other matters (appearance, landscaping, layout and scale) being reserved matters for future consideration should outline permission be granted.

Planning application no.P13/V1514/O relates to an outline planning application on this site which sought permission for up to 59 dwellings. That application was recommended for approval by officers but was refused by the planning committee at the meeting held on 18 March 2015 for four reasons that may be summarised as:

1. Loss of grade 1 agricultural land
2. Impact on the setting of the grade I listed St Andrews church
3. Overdevelopment and adverse landscape impact
4. Lack of infrastructure improvements and 40 % affordable housing (this reason for refusal was added to enable the authority to seek infrastructure improvements and affordable housing in any appeal)

The decision notice is at **Appendix 4**. An appeal against this decision has been lodged with an informal hearing due to be held on 20 January 2015.

The main issues are:

- Whether the principle of development is acceptable
- Whether the site is a suitable location for new housing that can contribute to the five-year housing supply shortfall
- Loss of agricultural land
- Landscape and visual impacts including impact for the Lowland Vale
- The suitability of the access and whether the proposal will impact on highway safety or traffic flows.
- Impacts for the settings of heritage assets including the church of St Andrew
- Implications for flood risk, foul and surface water drainage.
- Implications for ecology
- Infrastructure improvements through s.106 contributions and compliance with CIL regulations

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

The principle of housing on this site is considered reasonable particularly in light of the lack of a 5-year land supply and Government advice in the NPPF which is considered more up to date and relevant in comparison to the housing policies in the adopted local plan and as the emerging local plan policies can only be given limited weight at this stage.

An independent agricultural land classification report commissioned by the Council suggests the land falls in to three elements being part grade 1 at the western edge of the site, grade 2 for a block in the eastern part of the site and grade 3 for the remainder. This contrasts with the applicants agricultural land classification report that suggests a larger block of land to the west (and exempted from the development) is grade 1 with the remainder being grade 3.

Landscape and visual impacts are localised with the main impact being from the public footpath passing beside the southern boundary of the site. Visual impacts from further afield including Longcot Road and Stainswick Lane are considered limited due to tree and hedge cover. Landscape impacts are localised with no unacceptable impact for the Lowland Vale landscape. The overall impact is not considered so adverse as to outweigh the benefits of the proposal and justify refusal.

Access from Longcot Road is considered acceptable with the 30mph speed limit being extended further to the south. The highway authority has no objection.

Officers are aware of drainage issues in the village and flooding that has occurred. Drainage issues can be addressed by planning conditions, as confirmed by the drainage consultees.

The applicant has commissioned surveys for protected species including Great Crested Newt. Mitigation and enhancement can be provided on site with the final detail and location of newt ponds to be agreed at detailed stage. Likewise details of the pond including their depth are illustrative at this stage and can be agreed at detailed stage.

Impacts for the setting of the conservation area and the settings for listed buildings are less than substantial in NPPF terms and the benefits of the proposal outweigh this limited harm. Buried archaeology has been investigated following a geophysical survey and can be addressed by conditions.

Overall the proposal is considered sustainable development meeting the three roles (economic, social and environmental) referenced in the NPPF. The limited harm this proposal would cause is not considered adverse or to outweigh the benefits.

1.0 INTRODUCTION

- 1.1 Shrevenham is defined as a large village by policy H11 of the adopted Local Plan. The village provides a range of services including a shop, community facilities, a primary school, some limited employment opportunities and access to a regular public transport service serving larger towns.
- 1.2 A site location plan is attached at **Appendix 1**. This application relates to a greenfield site at the southern edge of the village. The site is a field being agricultural land. It is presently grassed with a hay crop taken from it earlier this year.

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- 1.3 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.
 - 1.4 The site is generally level 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. The applicant proposes to relocate both pipes.
 - 1.5 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.
 - 1.6 The application is presented to planning committee as there are objections from the Parish Council and at least four objections from interested parties.
- 2.0 **PROPOSAL**
- 2.1 This is an outline application for up to 45 dwellings. Access is to be considered at this stage with appearance, landscaping, layout and scale reserved for future consideration. The proposed vehicular access would be off Longcot Road, opposite Park Close. The access proposals include a pavement to link the vehicular access to just beyond Vicarage Lane after which pedestrians can cross Longcot Road to use a pavement on the eastern side of the road.
 - 2.2 The vehicular access to Longcot Road would be 4.8m wide with a 2m wide pavement on its northern side. Part of the hedge on the Longcot Road would be lost to accommodate the access. Vision splays of 2.4m x 43m is proposed to the north and 2.4m x 85m towards the south.
 - 2.3 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 45 dwellings. The illustrative masterplan is at **Appendix 2**. This plan indicates a single main access road with private drives leading from it. A tree belt is proposed to separate the site from the rear gardens of Vicarage Lane. Within the site are green corridors which can allow views through to the church. A wetland corridor is suggested on the southern boundary and this could contain two ponds being Great Crested Newt mitigation and enhancement. A play area is proposed to the west and land considered by the applicant to be grade 1 is retained as agricultural land.
 - 2.3 Two Thames Water pipes pass beneath the site one in a north/south direction and another in an east/west direction. The illustrative masterplan shows these being realigned beneath illustrated green spaces and roads and to avoid the illustrated ponds.

2.4 The application is supported by:

- Planning statement
- Design and access statement
- Transport statement
- Flood risk assessment & drainage report
- Landscape and visual impact assessment
- Arboricultural constraints report
- Ecological report
- Supplementary ecological report
- Outline ecological management plan
- Statement of community involvement
- Archaeological desk based assessment
- Built heritage assessment
- Geo-technical report
- Geophysics report
- Topographical survey
- Parameters plans (for landscape, scale, tenure, land use, movement and access, and density)
- Great crested newt surveys
- Great crested newt mitigation strategy
- Outline ecological management plan
- Sewer Impact Study
- Detailed gradiometer survey report
- Agricultural land classification & soli resources survey

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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

Parish Council	<p>Strongly object.</p> <p>Their objections may be summarised as follows:</p> <ul style="list-style-type: none"> • Not part of the strategic housing site • 410 dwellings have been approved with 512 awaiting decision. Sufficient provision has been made to meet the previous shortfall and projected need. This proposal is unacceptable and not needed • Proposal illustrates ponds above a Thames Water pipe which is unacceptable • Wildlife ponds are required to mitigate for impact on Great Crested Newts. The plans show the ponds as up to 2.5m deep which is a safety concern being close to proposed family housing • Dispute the claim that the site is grade 3a agricultural land • Obscure views of the grade I listed St Andrews church • Overdevelopment Vicarage Lane has a density of some 9 dwellings per hectare (dph) whereas this proposal is 30dph • Proposal is for 35% affordable housing whereas the local plan seeks 40% • Pedestrian access to the village is hazardous having to cross the road three times. The 'desire line' via Vicarage Lane is hazardous being a narrow lane and only partially served by a footway • Increased car use to access the village centre which is already
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	<p>congested</p> <ul style="list-style-type: none"> • Vicarage Lane is not passable by 2-way traffic • Site access is close to a bend. Right turns by drivers would have obscured visibility due to vegetation • A fatal access south of the site access is not recorded in the submission • Cumulative traffic impacts need to be taken into account • An independent transport assessment suggests there is insufficient capacity for traffic on the A420 • Junction improvements with the A420 are unlikely to happen for years <p>A copy of the Parish Council's letter is attached as Appendix 3.</p>
<p>Neighbours</p>	<p>19 letters of objection have been received. The objections may be summarised as follows:</p> <ul style="list-style-type: none"> • Sufficient housing has been provided in the village and with the east of Swindon expansion of 8,000 dwellings adequate provision is provided to meet need • Increased pressure on local facilities, infrastructure and services • Increase flood risks from surface water run-off and foul water • Increased traffic • Increased parking pressure in the village • Loss of agricultural land • Overlooking and loss of privacy • Better alternative sites available • Residents have accepted development in the village and this should be to the north. Development to the south is not wanted and this is backed by the local plan • Highway safety risk with a lack of vision at the site access and with the nearby bend in Longcot Road. There has been a fatal accident here recently • Longcot Road is too narrow to accommodate increased traffic and pedestrians • Vicarage Lane is unsuited for increased traffic but this would be the logical route to the school • Inadequate newt survey. A resident advises their pond in Vicarage lane was not part of the survey • Newt ponds should be on the north side of the site • Loss of views to the grade I listed St Andrews church • Inadequate capacity at the primary school • Detrimental impact on the setting of the village • Destroy views of the village from the Ridgeway • Destroy the tranquillity of this edge of the village including enjoyment of the local footpaths walks and calm of the cemetery • There is a full agricultural tenancy of the land • Proposed ponds which are need to mitigate for newts are a safety risk being so large and deep and close to family housing • Ponds are over the Thames Water pipe • Overdevelopment with the density being out of keeping • Inadequate affordable housing provision • Shrivenham is no longer sustainable – sewers are at capacity, the school is full, clean water supply cannot be guaranteed, inadequate medical services, A420 is not fit for purpose, little

	<p>scope for employment</p> <ul style="list-style-type: none"> • None of the village services are within the desirable 400m walk of the site. There is no cycle route • Public transport in the village will not prevent car use to access employment opportunities not on the bus route • Few economic benefits as few jobs in the village and increased use of local shops is unlikely due to inadequate parking • No social benefits. Large number of houses permitted are not sustainable • No enhancement to the environment • Applicants land classification survey is inadequate – the land is grade 1 • A holding tank for foul water is not a robust solution as it will fail at some stage. Sewage backs up into homes in wet weather • Previous concerns remain relevant • Footpath is unsuited for pedestrian access to the village • Urban form of development out of keeping with the village
<p>Oxfordshire County Council One Voice</p>	<p><u>Highways</u> No objection Recommend conditions and seek financial contributions. A visibility splay of 2.4m by 85m would be achieved to the right (south) from the site access and a visibility splay of 2.4m by 43m would be provided to the left (north). This is satisfactory given that the applicant has also agreed to fund the re-location of the 30 mph speed limit approximately 100 metres to the south east of its existing position. This measure would be expected to result in reduced speeds in the vicinity of the proposed site access. Note that no impact assessment has been carried out. Traffic flows and speeds on Longcot Road that were determined by survey in 2012 have been relied upon but no growth has been quantified or included. While this would not normally be considered acceptable, in this case that from previous analysis undertaken the impact of the development would not be severe. A new 2m wide footway would be required to run along the west side of Longcot Road as far as and for a short distance beyond Vicarage Lane, to connect via an informal pedestrian crossing point to the existing footway on the east side of the road. The crossing point would comprise dropped kerbing and tactile paving. The submitted plans (drg no 14326-08) shows that this footway would be provided satisfactorily. Street lighting would be required along Longcot Road. The site is located between 500m and 750m from the High Street bus stops on the Swindon-Oxford bus route. A strategy exists to increase the frequency of this bus service from two to four buses per hour, with an interim target of three buses per hour. Recommend footpath 8 is surfaced with a crushed self-binding material to encourage its use.</p> <p><u>Archaeology</u> No objection The applicant has undertaken a geophysical survey of the application area. This survey has revealed a number of anomalies that are most likely to be archaeological. They are not however extensive nor are they demonstrably of equivalent</p>

	<p>significance to scheduled monuments. They will however require further investigation and recording in advance of development should planning permission be granted. Recommend the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be secured by conditions.</p> <p><u>Education</u> <u>Object.</u> The proposed development is estimated to generate 11 primary school aged children. Local primary schools are at full capacity and would be unable to meet the needs of the proposed development. Further, expansion of school capacity is not feasible without the acquisition of additional suitable land. At this time, any application for a significant number of new homes would pre-empt the conclusion of the planning process for application P13V1810/O, which could provide the necessary land for primary expansion. Recommend refusal on the grounds that there is insufficient primary school capacity to meet the needs of the proposed development and that there is currently no confirmed solution to providing the required capacity. Should additional suitable land be secured by OCC the best solution to meet the needs of additional housing would be a 6 classroom annex to Shrivenham Primary School on the acquired land at a costed rate of £25,683 per pupil place (3Q 2012 cost)</p> <p><u>Property</u> No objection</p> <p><u>Ecology</u> No comments. Should seek the opinion of the District Council's ecologist</p>
<p>Health & Housing – contaminated land</p>	<p>No objection The Geotechnical and Geoenvironmental Site Investigation Report provided has not identified the presence of any potentially contaminative sources on site that would preclude the redevelopment of the site. The report highlights that prior to the commencement of development that an intrusive investigation is undertaken to establish conditions on site.</p>
<p>Vale Leisure Team</p>	<p>No objection Request various financial contributions</p>
<p>Vale drainage engineer</p>	<p>No objection. This is subject to no objections from the County Council and/or Environment Agency. Recommends conditions for surface and foul water disposal schemes to be agreed and implemented.</p>
<p>Thames Water</p>	<p>No objection. Identified an inability of the existing waste water infrastructure to accommodate the development. Propose a Grampian condition requiring a drainage strategy to be approved prior to development commencing and implemented. Recommend two informatives: 1. Relating to water pressure they will endeavour to provide 2. The water main may need to be diverted at the developer's cost or a design provided to retain it</p>

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	Draw attention to an easement and wayleave across the site and seek assurance this will not be affected by the development.
Environment Agency	No comment
Vale Waste Management	No objection. Seek a financial contribution towards bin provision and collection
Vale Countryside officer	No objection The application site is used by a population of great crested newts (GCN) and the issues relating to the protection of the species were thoroughly considered with the previous application and, following extensive discussions the issues were resolved. In response to the previous application three conditions were requested designed to ensure that the development does not have any significant impacts on GCN, two of these conditions are appropriate to the current application and should be used if permission is granted. The applicant has not used the most up to date report produced in support of the previous application; the version submitted is dated September 2014. In addition, the version submitted although updated with the current site layout still illustrates a proposed cross sections for 8 ponds not the 4 now proposed. This information should be updated fully to reflect the current situation based on the most up to date information. This update will be required before the application can be determined.
Vale Housing officer	No objection A possible mix for the affordable housing is: Rented: - 13 units 4 x 1 bed houses/flats (46 sqm)(it is preferable for these units to have their own 'street' door rather than a communal hallway, and if possible a piece of private garden space) 6 x 2 bed houses (76 sqm) 3 x 3 bed houses (88 sqm) (at least one house to be large enough for 6 persons (95 sqm)) Shared Ownership: - 5 units 3 x 2 bed houses 2 x 3 bed houses
Ramblers Association	No objection Request that access along footpath 345/8 is not unnecessarily denied during the building works, and that any damage sustained by the footpath surface as a consequence of the building works is made good. Note the developer proposes access to the public right of way from within the proposed development; this is commendable. The plan further suggests that there would be a hedge, rather than a fence, between FP8 and the proposed development. If correct, this too is commendable

4.0 **RELEVANT PLANNING HISTORY**

4.1 Application no. P13/V1514/O – planning permission for up to 59 dwellings on this site was refused at the planning committee meeting held on 18 March 2015. Officers had recommended approval. The four reasons for refusal may be summarised as:

1. Loss of grade 1 agricultural land
2. Impact on the setting of the grade I listed St Andrews church
3. Overdevelopment and adverse landscape impact
4. Lack of infrastructure improvements and 40 % affordable housing (this reason

for refusal was added to enable the authority to seek infrastructure improvements in any appeal)

The decision notice is at **Appendix 4**.

- 4.2 Application no. P10/V0028 – permission for a single dwelling on the land at the Longcot Road frontage of the site was refused and a subsequent appeal dismissed. The Inspector held that the proposal was on rural land and would detract from the setting of the village and this part of the Lowland Vale. In addition, the site was considered an unsustainable location, as there are no footways or lighting and this would discourage pedestrian movements and increased use of a car

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.

Policy No.	Policy Title
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
HE9	Archaeology
NE9	Lowland Vale
HE1	Conservation Areas
HE4	Listed buildings

5.2 Emerging Local Plan 2031 – Part 1

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

Policy No.	Policy Title
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 the 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 Supplementary Planning Guidance

- Design Guide – March 2015
- Open space, sport and recreation future provision – July 2008
- Sustainable Design and Construction – December 2009
- Affordable Housing – July 2006
- Flood Maps and Flood Risk – July 2006
- Planning and Public Art – July 2006

5.4 National Planning Policy Framework (NPPF) – March 2012

5.5 National Planning Practice Guidance 2014 (NPPG)

5.6 Neighbourhood Plan

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.

An application has been received for a neighbourhood planning designation area and accepted by this Council. To date a neighbourhood plan has not been submitted to the Council. Consequently no weight can be given to any policies that may be emerging in any draft neighbourhood plan.

5.7 Environmental Impact

The proposal is for up to 45 dwellings on a site area of 3.54ha. As the proposal does not exceed 150 dwellings and the site area is under 5ha the proposal is beneath the thresholds set in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and this proposal is not EIA development and there is no requirement under the Regulations to provide a screening opinion

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**

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

1. Principle of the development
2. Cumulative Impact
3. Use of Land
4. Locational Credentials
5. Affordable Housing and Housing Mix
6. Design and Layout
7. Residential Amenity
8. Landscape and Visual Impact
9. Open Space and Landscaping
10. Flood Risk and Surface/Foul Drainage
11. Traffic, Parking and Highway Safety
12. Protected Species and Biodiversity
13. Historic environment
14. Viability and Developer Contributions

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. This site is beyond but adjacent to the village edge. It is not allocated for development in either the adopted or the draft local plans. The Council's Study of Village Facilities in the Vale (July 2009) ranks Shrivenham as one of the villages with the widest range of facilities and as one of the most sustainable locations for future development in rural areas.
- 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, and this being mostly previously developed land adjoining a permitted scheme of housing, 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.

Cumulative Impact

- 6.7 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. Many objectors including the Parish Councils consider the proposal will further overwhelm the village and its facilities, and that the village has provided sufficient housing and this proposal is unnecessary particularly considering the strategic site allocation and planning permissions granted for other housing developments in the village, plus the proposed east of Swindon expansion.
- 6.8 Using figures provided by the Parish Council in its appeal statement for this site, planning permissions have been granted or resolved to be granted subject to completion of a s.106, for up to 421 dwellings in Shrivenham. There is also a pending application for up to 136 dwellings (P15/V1091/O). If the remainder of the strategic housing site allocation (260 dwellings) and this current proposal (up to 45 dwellings) are added to these figures it would amount to some 862 dwellings potentially being added to Shrivenham, The total increase in the population of the parish could be some 2,172 people (2.52 x 862 dwellings). This could be a sizable increase to the population of the village which according to the village web site is currently some 2,400 resident.
- 6.9 The NPPF does not suggest development should be prevented on grounds of adding dwellings to a settlement; it seeks to boost significantly the supply of housing (paragraph 47 of the NPPF) and the NPPF adds at paragraph 52 that the supply of new homes can sometimes be best achieved through larger scale development such as new settlements.

- 6.10 The concerns of the Parish Council and local residents in regard to expansion of the village are recognised and it is acknowledged that the village has been subject to a number of planning applications for housing as mentioned above. In the absence of a 5-year land supply and considering advice in the NPPF it would not be prudent to refuse permission on the grounds of further housing being added to the village.
- 6.11 There will be increased pressure on infrastructure. None of the technical consultees with one exception, object subject to planning conditions being imposed or provided financial contributions are obtained for infrastructure improvements.
- 6.12 Concern has been expressed with regard to cumulative impacts with other housing developments including potential for 8,000 dwellings and commercial uses east of Swindon and particularly impacts for the A420 which some people suggest is at capacity. Officers are aware of the weight of traffic using the A420 and queues that form on the A420 backing up past Shrivenham. Highway implications of this potential development together with expected growth in the Vale of White Horse District have been subject to discussions between Swindon Borough Council, this Council, Oxfordshire County Council (OCC) and Highways England with traffic predictions modelled for the A420 to take account of predicted traffic from the east of Swindon expansion and expansion in this District. The east of Swindon development area (Eastern Villages), is allocated in the adopted Swindon local plan and the housing growth proposed for this District is included in the draft local plan because the implications for the A420 are considered reasonable.

Use of Land

- 6.13 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 (paragraph 17). This is not a brownfield site; it is greenfield. The site is agricultural land given over to pasture.
- 6.14 Paragraph 112 of the NPPF expects the economic and other benefits of the best and most versatile agricultural land to be taken into account and where significant development of agricultural land is demonstrated to be necessary poorer quality land should be used in preference to high quality land.
- 6.15 This authority needs to provide housing and this is demonstrated through the SHMA and the draft local plan 2031. Some local residents consider the site to be grade 1 agricultural land and this authority refused the previous scheme on this site on grounds of loss of grade 1 agricultural land. According to Natural England's agricultural land classification map it is grade 2. A MAFF soil survey suggests the land is grade 1. The applicant has commissioned an agricultural land classification survey which concludes the land is split into two classifications being grade 1 to the west and grade 3a to the east.
- 6.16 This authority has commissioned a separate survey which concludes the site can be split into three agricultural land classifications being a small area of grade 1 land to the west (smaller than that suggested by the applicant's consultant), grade 3a through the central part of the site (and majority of the site) and grade 2 to the eastern part of the site.
- 6.17 In reviewing the Council's agricultural land classification report the applicant's consultant suggests *"The difference in classification is due solely to the depth at which rock was found. The observations of Subgrade 3a and Grade 2 found rock at depths of 75cm and 88cm respectively. Differences in depth and therefore in grade are caused by natural variability in soils and highlight an unavoidable limitation of the ALC methodology whereby it is nearly impossible to exactly replicate survey data. Given the*

small size of the site and the marginality between Grades 2 and 3a, it is not considered practical to separate the east of the site into the higher classification. However, the difference between Subgrade 3a and Grade 1 is significant, the latter remaining a separate entity in the west. Even if the KCC survey findings are adopted, the DEFRA statistics... indicate that Oxfordshire has a higher proportion of Grade 2 land than the national average, with 19.6% being Grade 2, compared to 14.2% nationally. The loss of less than 1ha of isolated Grade 2 quality land is not considered to be significant in this context”.

- 6.18 The grade 1 land shown in the applicant’s submission (some 0.8ha) is retained for agricultural use. There is no loss of grade 1 land. The housing and open spaces would result in the loss of 2.74ha of land classified as grade 3a agricultural land by the applicant or grade 3a and grade 2 by the Council’s consultant; the grade 2 area amounting to some 0.9ha.
- 6.19 This district has a limited supply of previously developed sites and to meet its housing need it is inevitable that some greenfield sites and agricultural land will be lost. There is some limited harm in taking this grade 2 and grade 3a land out of agricultural production. The site is at the edge of Shrivenham and whilst there is grade 3 land to the north and west, these areas are either permitted or allocated for housing development or seemingly unavailable at present. Lower quality land exists in isolated locations beyond the settlement. These areas would not be suited to housing because of their location in open countryside beyond any settlement. The harm in developing some 0.9ha of grade 2 land and 1.84 grade 3a land needs to be balanced against the benefits of this proposal.

Locational Credentials

- 6.20 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34).
- 6.21 In terms of facilities, Shrivenham is one of the largest and best served villages in the district. Shrivenham is also well served by the 66 bus service that passes through the village on its way to Swindon or Faringdon or Oxford. This allows reasonably easy and sustainable access to major service centres that provide other health care, sports and recreation, retail and employment opportunities. .
- 6.22 The proposal includes a pavement from the site entrance along Longcot Road to a position just north of Vicarage Lane to ‘join’ with the pavement on the eastern side of Longcot Road. 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 Primary School: 750 metres
 - Post Office: 750 metres
 - Church: 800 metres
 - Convenience store 880m
 - Village hall 1,100 metres
- 6.23 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. The walking distances to key facilities in the village are greater than 400m which is a desirable distance according to the Institution of Highway Engineers' 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. With the new pavement proposed (a difference between this proposal and the appeal associated with application no. P10/V0028)) and which can be secured by condition, village facilities are reasonably accessible on foot.

- 6.24 Facilities in the village and possible employment opportunities at the Defence Academy and Shrivenham Hundred business park could be cycled using local roads. Alternatives to the private motor car are available for journeys and with distances to local facilities it is considered this site is reasonably accessible. The proposal may increase pressure on parking space in the village centre but the facilities being within acceptable walking distances and no clear evidence that this proposal would unreasonably affect parking, this could not be reasonably advanced as a reason for refusal
- 6.25 **Affordable housing and housing mix**
The applicant initially proposed 35% affordable housing but has since revised the offer to 40% which accords with Policy H17 of the adopted local plan. 75% of the affordable dwellings are proposed for rent and 25% for shared ownership which accords with this council's preference. This is an outline application and the actual number of dwellings that might be accommodated on site is not known at this stage and likewise the housing mix has not been provided; these are matters for any reserved matters or detailed application. Officers will expect the market housing mix to closely comply with the April 2014 SHMA (unless superseded by any more up to date objectively assessed need for housing in the district), and the affordable housing mix to complement the expectations of the housing team with the current preference being listed in their consultation response above.
- 6.26 **Design and Layout**
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.
- 6.27 A number of local plan policies seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, and DC9). In March 2015 the council adopted its design guide, which aims to raise the standard of design across the district. The assessment below is set out in logical sections similar to those in the design guide.
- 6.28 This is an outline application with only access to be considered. The details concerning layout, scale external appearance of the dwellings and landscaping are reserved matters and would be considered should a reserved matters or a detailed application be submitted; they are not part of the consideration of this outline application. It is not therefore, intended to address design and layout in any detail in this report.
- 6.29 Principle DG26 of the design guide states that density should be appropriate to the location, and it requires a range of densities for larger development proposals. Policy H15 of the adopted local plan requires densities of at least 30 dwellings per hectare. The application proposes a density of some 16.4 dwellings per hectare. Housing on the southern side of Vicarage Lane has a density of some 8.6/ha and consists of large dwellings in large plots. This is an edge of village location which justifies a lower density to ensure a residential development knits into the semi-rural character of the area. The illustrative plan presented shows a form of development at

odds with the layout and spaciousness of the dwellings on the southern side of Vicarage Lane. There is a need for a mix of dwelling sizes rather than larger dwellings as in Vicarage Lane. The proposal indicates areas of open space at the site edges and within the site including a tree planting strip against the rear gardens of dwellings in Vicarage Lane. These can soften the development edges and assimilate it with the open countryside beyond. The illustrative plan is likely to need amending to make it acceptable and limited weight is given to the masterplan submitted as it is illustrative and the detail will be subject of a further submission should outline permission be granted. The outline consent is seeking approval for 'up to' 45 dwellings. Therefore, the grant of planning permission does not endorse that a total of 45 dwellings can be achieved on this site merely that a figure between 1 and 45 could be achieved.

6.30 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.

6.31 As no firm details of housing layout or house types accompany this outline application, as they are reserved matters, it is not possible to consider the impact on existing residential amenity. The most appropriate stage to do this would be at detailed application stage or submission of reserved matters.

6.32 The illustrative plan now indicates two ponds to mitigate for potential impacts on great crested newt. Indicative cross sections show the ponds 2m deep with a gently shelving bank to the north and steep bank to the south with a fence beside it. Concern has been expressed by local residents and the Parish Council over the safety of these ponds being so close to family housing and the risks they may pose. The ponds including their location and depth are indicative at this stage and this authority is not committing to them in the locations illustrated or the depth illustrated. Depths could be up to 1m and the locations could be elsewhere on site. Some local residents have suggested on the northern boundary to be closer to existing ponds in back gardens. This is a matter for a reserved matters application.

6.33 Landscape and Visual Impact

The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109). In NPPF terms this is not a valued landscape. Policy NE9 of the adopted Local Plan designates the site as part of the wider Lowland Vale which is a distinctive landscape and valued for its own quality. Paragraph 7.67 of the adopted local plan explains that "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". reserved matters application.

6.34 The planning committee refused the previous scheme for up to 59 dwellings on this site on landscape and visual impacts. An appeal for a single dwelling was dismissed in 2011 due to its landscape and visual impact.

6.35 The applicant has submitted a landscape and visual appraisal in support of this proposal that advises landscape and visual harm is localised and predominantly experienced from the footpath adjacent to the southern boundary of the site. It adds that the harm can be mitigated by a landscape strategy including the green spaces illustrated on the submitted masterplan.

6.36 The proposal would clearly extend the village into open countryside at its edge and this would impact on this part of the Lowland Vale landscape and the proposal would

appear visually intrusive from the adjacent footpath with that impact reducing with time as landscaping becomes more established.

- 6.37 Views of the site are restricted from Longcot Road to the east and Stainswick Lane due to existing tree and hedge planting which will screen and break views of the proposal and the resultant impact from these public vantage points are not considered harmful. Access to the site and the development would be noticeable from Longcot Road in rounding the bend to the south or in approaching the site from the north. In these restricted views in terms of length, the development would be seen against the backdrop of the village with open countryside beyond. This would result in some localised harm with the loss of boundary hedge and open land on the village edge.
- 6.38 There is localised harm to this part of the Lowland Vale landscape and localised visual harm which would be substantial from the adjacent footpath. Whilst the Inspector in 2011 found the harm of a single dwelling unacceptable that was against a different planning policy background which preceded the NPPF. As required by the NPPF identified harm needs to be balanced against the benefits of the proposal including the lack of a five year land supply.

Open Space, Landscaping and Trees

- 6.39 Adopted Local Plan Policy H23 of the adopted Local Plan requires a minimum of 15% of the residential area to be laid out as open space. Open space illustrated on the masterplan excluding the retained agricultural land, planting strip behind Vicarage Lane and ponds amounts to some 0.74ha which exceeds 15% of the site area.
- 6.40 There are no protected trees on site. There is a hedgerow on the site frontage that will be breached to provide access. There is the remains of a hedgerow in the south east corner of the site and occasional trees on the northern boundary. These are to be retained and supplemented by additional planting.

Flood Risk and Surface/Foul Drainage

- 6.41 The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). It 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, or being adversely affected by unacceptable levels of soil, air, water or noise pollution (Paragraph 109).
- 6.42 Adopted local plan 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, 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.
- 6.43 The site is in flood zone 1 which are zones least susceptible to flooding and preferred in flood risk terms for housing development. Local residents and the Parish Council have expressed concern that this development could increase the risk of flooding in the village including foul water flooding as a result of surface water entering the sewers which Thames Water advises lack capacity for this proposal.
- 6.44 The applicant has submitted a flood risk assessment (FRA) as expected by the NPPF. It provides a list of flood risk management measures to be implemented. Amongst these measures are the use of SUDS including surface water filtering into permeable

diffuser cells, permeable paving, cellular soakaways in rear gardens and provision of water butts for each house. These will attenuate surface water run-off. The Council's drainage engineer has reviewed the FRA and has no objection subject to a condition that includes implementation of the surface water drainage scheme in accordance with that proposed by the applicant.

6.45 Thames Water has provided a sewer impact study which indicates that the foul network does not have available capacity and which goes on to identify mitigation by upgrading the existing system or through on-site storage. On-site storage could consist of a large diameter storage pipe within the development with an automated penstock to control discharge.

6.46 Thames Water, has a legal obligation under Section 94 of the Water Industries Act 1991 (WIA 1991) to provide developers with the right to connect to a public sewer regardless of capacity issues. This, when read in conjunction with Section 91(1) of the Act in effect makes it impossible for Thames Water to object or for the Council to refuse to grant planning permission for development on the grounds that no improvement works are planned for a particular area. Paragraph 20 Reference ID: 34-020-20140306 of the NPPG states:

"If there are concerns arising from a planning application about the capacity of wastewater infrastructure, applicants will be asked to provide information about how the proposed development will be drained and wastewater dealt with...The timescales for works to be carried out by the sewerage company do not always fit with development needs. In such cases, local planning authorities will want to consider how new development can be phased, for example so it is not occupied until any necessary improvements to public sewage treatment works have been carried out."

6.47 The applicant has provided this detail as mentioned above. Thames Water is not raising an objection but seeking a condition to secure an agreed foul water drainage strategy and its implementation before occupation of any dwelling.

6.48 Thames Water has not raised any objection on water supply grounds. It has pointed out the location of water pipes beneath the site which the applicant proposes to divert to avoid the illustrated dwellings and ponds.

Traffic, Parking and Highway Safety

6.49 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.

6.50 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."*

6.51 The Transport Statement considers that the existing road network can accommodate the additional traffic from this development. The highway officer notes the applicant has not taken account of growth but considers the impact of this development will not be severe. No off-site improvements to the road network are being requested, apart from additional street lighting and changes to the 30mph zone on Longcot Road which will

extend the 30mph speed limit beyond the bend.

- 6.52 Issues concerning the A420 are considered above. It is considered that the proposal is acceptable in terms of its implications for highway safety
- 6.53 Car parking should be provided in accordance with the Council's parking standards and the location and design of parking should be provided in accordance with advice in the Council's 2015 adopted Design Guide.

Ecology and Biodiversity

- 6.54 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...*”
- 6.55 The site is not designated for its ecology or biodiversity interest and there are no designated sites likely to be affected by the proposal. As a result of objections to the previous application for up to 59 dwellings on this site, the applicant undertook Great Crested Newt (GCN) surveys and these remain up to date surveys which can inform consideration of this proposal. 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.
- 6.56 Mitigation for GCN during construction includes retaining green corridors around the site boundaries, trapping and relocation of GCN to retained habitat and temporary amphibian fencing. Long term mitigation included four ponds (now reduced to two). The countryside officer has advised orally that these do not need to be 2+m deep and the applicant's agent has suggested 1m deep. The location and depth of the ponds can be agreed as part of a reserved matters scheme or discharge of a planning condition.

Historic Environment and Archaeology

- 6.57 The site is not within a conservation area. There are no listed buildings or any other designated heritage assets on the site or adjacent. No listed building or scheduled ancient monument will be directly affected by this development.
- 6.58 The applicant has provided a heritage statement which assesses the impact for designated heritage assets including St Andrews church which is grade I listed. Local residents, the Parish Council express concern at the impact on views towards the church and impact on its setting was a reason for refusal on the last application for the site.
- 6.59 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.
- 6.60 Paragraph 132 of the NPPF confirms that “*When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be*”. The NPPF adds at paragraph 133 that proposals causing substantial harm to or total loss of significance of a designated heritage asset should be refused unless the

substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Paragraph 134 of the NPPF explains that less than substantial harm to the significance of the heritage asset should be weighed against the public benefits of the proposal.

- 6.61 Policy HE4 of the adopted local plan seeks to protect the setting of listed buildings. In this case it is important to consider the impact on the settings of listed buildings which the NPPF defines as *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”*.
- 6.62 The church tower of St Andrews can be seen from the footpath crossing east/west alongside the southern edge of the site. The views are intermittent with the tower seen alongside trees in the foreground of views and which in turn intermittently screen views of the church tower. Also in the foreground of views are the relatively modern houses in Vicarage Lane with their roof tops competing in views of the church tower. The illustrated masterplan supporting the application indicates green corridors allowing views through to the church. The parameters in the design and access statement indicate a maximum height of dwellings at 8.5m if 2-storeys and 7m if 1½ storeys.
- 6.63 The applicant’s historic advisor suggests the church is not a landmark feature in views from this site although others may not agree. I would agree with the applicant’s consultant that the church tower is not prominent in views from the footpath. The development at the heights suggested and set back from the footpath as illustrated and including view corridors to the church tower, would have limited impact on its setting and any harm would be less than substantial in NPPF terms. Views from the church to the site do not exist at ground level. Any view from the top of the church tower would be set against the developed part of the village, unlikely to dominate the views and again any harm (if harmful at all) would be less than substantial. Less than substantial harm needs to be balanced against the public benefits of the proposal in accordance with paragraph 134 of the NPPF
- 6.64 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In this case considerable importance and weight is given to the desirability of protecting or enhancing the character or appearance of the conservation area.
- 6.65 Policy HE1 of the adopted local plan seeks to preserve or enhance the character or appearance of the conservation area. The site is physically and visually separated from the conservation area by relatively modern dwellings and the entrance into Vicarage Lane. There is no strong visual link between the site and conservation area and the impact on its setting is negligible.
- 6.66 Policy HE10 of the adopted Local Plan states that development will not be permitted if it would cause damage to the site or setting of nationally important archaeological remains, whether scheduled or not. The applicant has undertaken a geophysical survey of the site to understand the likelihood of archaeological interest. Following this investigation I note that the County Council archaeologist has no objection subject to conditions requiring implementation of a staged programme of archaeological investigation and any mitigation to be undertaken in advance of development.

Viability, affordable housing and Section 106 contributions

- 6.67 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.

6.68 The NPPG provides further guidance on how to apply the tests mentioned above and notes the following:

1. Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure.
2. Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms.
3. Planning obligations must be fully justified and evidenced. Where affordable housing contributions are being sought, planning obligations should not prevent development from going forward.

Recreation/sports Provision

6.69 Additional population will increase pressure on existing facilities in the village. It is reasonable to request contributions towards their improvement as no provision is being made as part of this proposal. The amounts sought are proportionate to this development based on 45 dwellings. The amounts would fall if fewer dwellings are ultimately permitted.

Education

6.70 Oxfordshire County Council (OCC) as education authority object as the Shrivenham primary school is at capacity and could not be expanded to provide accommodation for the increased number of pupils (11 pupils) this proposal could create (see their objection earlier in this report).

6.71 A resolution exists to permit a primary school on the strategic site north of Shrivenham (application no P13/V1810/O) and this could accommodate the increase in pupils of primary school age. The matter of primary school provision is, to a considerable extent, in the control of OCC in completing the s.106 legal agreement for that application.

6.72 Officers have queried the objection as it conflicts with OCC's statement of case associated with the appeal relating to application no. P13/V1514/O for up to 59 dwellings on this application site. In their statement of case submitted to the Planning Inspectorate in October 2015, OCC do not object and it is clear they are prepared to accept a contribution towards the new primary school. Their appeal statement states:

“Shrivenham Primary School is unable to accommodate the additional 22 primary aged children and therefore additional places will need to be provided. Shrivenham Primary School is on a 0.86ha site which is already below DfE minimum standards for a 1 fe primary school and therefore cannot expand without additional land. Suitable additional land has however been identified on a development site East of Highworth Road, Shrivenham and negotiations are continuing with the developer to secure the transfer of the land to the County Council under a s106 agreement.

The County Council considers that a new 6 class room annex to Shrivenham Primary School on this land would be the most appropriate means of providing the additional places required to meet the needs of anticipated new housing in Shrivenham.

Shrivenham Primary School would then operate on a split site. The existing site with 5 classrooms would accommodate Reception to Year 2 and the new 6 classroom annex would accommodate Years 3 and 4 in two classrooms and Years 5 and 6 in two classrooms.

A developer contribution toward the cost of the expansion of Shrivenham Primary School, proportionate to the provision of an additional 22 primary school places is therefore required”.

- 6.73 Officers have asked OCC whether they would be prepared to defend the objection at appeal and pay any resulting costs. They are presently silent on this matter. However, from the above statement it is clear that OCC has identified a solution and is prepared to accept contributions towards the new school. Its objection does not hold weight.
- 6.74 In their response on this application OCC ask that if planning permission is granted the developer should contribute £282,513 towards the expansion of Shrivenham Primary School, by a total of 11 pupil places. This is based on an assessment of the cost of providing a 6-classroom annex on the proposed new site for the school. This is index linked from 3rd Quarter 2012 using PUBSEC Tender Price Index.
- 6.75 Officers have previously requested details of the new Shrivenham primary school from OCC but these have not been forthcoming. The £282,513 mentioned in OCC's consultation response has not been justified. In the absence of guidance from OCC on a reasonable and justifiable primary school contribution officers have reviewed other sources of information to understand what would be reasonable and proportionate to assist the planning considerations in terms of the 3 statutory tests. And is aware of BCIS annual reports on costs, which is universally used by all practitioners in understanding and predicting construction costs.
- 6.76 Officers have also received from a consultant quantitative surveyor based on BCIS Mean (5 year sample version of 24 schools built in this time) that confirmed a figure of £2,873m². This incorporates BREEAM and other factors not covered by the Government formula. Using BCIS calculation based on a new school accommodating 210 children and amounting to 1,215m² indicates each pupil accounts for 5.79m² (1,215/210). Eleven pupils would therefore, require 63.69m² of floor space (5.79x11). BCIS costs for school construction is £2,873 per m². This results in a calculation of £182,981.37 (£2,873 x 63.69). Consequently having given consideration to BCIS calculations it would suggest a reasonable figure could be £182,981.37 based on 11 pupils.
- 6.77 Therefore, to ensure that amount sought for primary school is proportionate to the development in scale and kind and to therefore meet the 3 statutory tests officers have based their judgment on BCIS in this case.
- 6.78 The secondary school request of £158,211 is reasonable to mitigate for increased pupils from this development and to provide school space at Faringdon Community college.
- 6.79 OCC is not seeking a contribution towards special educational needs at Fitzwaryn school due to pooling restrictions.

Transport

- 6.80 The public transport request is justified in seeking expand and improve services through the village to meet increased demand with the 66 service expected increase regularity of service to 4 buses per hour. The request for £5,000 towards relocating the 30mph speed limit is directly relevant to this development and justified in highway

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safety terms It is noted this calculation is set against BCIS. The request of £16,000 towards resurfacing the footpath adjacent to the southern edge of the site is could not be requested as the footpath is outside the site and outside the control of the applicant.

- 6.81 The County Council has also sought financial contributions of £2,119 towards increased book stock at Faringdon library. OCC advisee book stock would need to be increased by 2 volumes per resident based on £20 per resident at 2012 prices. No evidence has been provided to justify this figure. I am not convinced the request is reasonable or necessary to make this development acceptable (it is not a request to make the up to 59 dwelling proposal acceptable). The request is not supported.
- 6.82 The application provides for 40% affordable dwellings.
- 6.83 The following developer contributions have been requested. These contributions (based on 45 dwellings and which could fall if fewer dwellings are permitted) are considered fair and proportionate:-

Vale of White Horse District Council	<i>Proposed Contributions</i>
Bin provision & collection for the development	£7,650
Shrivenham Memorial Hall improvements	£5,763
Tennis court improvements	£9,464
Replacement MUGA in Shrivenham	£10,626
Shrivenham football pitch improvements or new provision	£7,175
Shrivenham cricket pitch & facilities improvements or new provision	£3,509
Public open space provision (if not a management company)	£141,087
Play area maintenance (if not a management company)	£5,679
Total	£190,953
Oxfordshire County Council	
	<i>Proposed Contributions</i>
Shrivenham primary school expansion	£182,981.37
Faringdon community college expansion	£158,211
Increased frequency of the 66 bus service in Shrivenham	£45,000
Relocation of 30mph speed limit	£5,000
Monitoring	£2,000
Total	£393,192.37
Overall Total	£584,145.37

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 in the short term, in that it would provide employment during the construction phase. It would also create investment in the local and wider economy through the construction stage and new residents and their spending. This could help secure local facilities or make them more robust. 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). It is considered these significant economic benefits outweigh the limited economic and other benefits that would be lost as a result of developing 0.8ha of grade 2 agricultural land and some 1.84ha of grade 3a land.
- 7.3 The scheme would have a social role as it will provide additional housing that the District needs together with much needed affordable housing. The proposal can help provide infrastructure improvements such as an improved bus service, enhanced recreation and sporting facilities, and contribute towards a new school which in turn could benefit existing residents of the village.
- 7.4 The proposal has an environmental role including providing housing in a reasonably accessible location, GCN enhancements, provision of public open spaces, grasslands and tree planting.
- 7.5 Set against the economic, social and environmental benefits is the localised landscape and visual impact predominantly from the adjacent footpath and less than substantial harm to the setting of a grade 1 listed building.
- 7.6 The Council does not have a 5-year land supply. It is in the public interest that housing is provided to meet need acknowledged in the District. The economic and social roles of this development are in the public interest. Considerable weight is given to the less than substantial harm to heritage assets and this harm is weighed against the public benefits, as expected by the NPPF. In conclusion, it is considered the public benefits including the contribution towards the 5-year land supply outweighs the limited and localised impacts, and that this proposal meets the three strands of sustainable development.
- 7.7 The impacts of the proposal are not considered unreasonably adverse and it is considered the harm does not significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. Consequently, the application is recommended for approval subject to conditions and a legal agreement to secure affordable housing and developer contributions.

8.0 **RECOMMENDATION**

- 8.1 **It is recommended that authority to grant planning permission is delegated to the head of planning 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, and;

2: Conditions as follows:

1. Commencement of development – 12 months after reserved matters approval
2. Reserved matters to be submitted within 18 months of the outline consent
3. Landscaping scheme required
4. Landscaping implementation
5. Tree protection to be provided
6. On site open space provision
7. On site open space management
8. Sustainable drainage scheme to be agreed and implemented
9. Foul drainage strategy to be agreed and implemented prior to occupation
10. Vehicular access details in accordance with approved plan
11. Carriageways to be provided prior to works on dwellings
12. Provision of footway north along Longcot Road
13. Archaeological watching brief
14. Implementation of a programme of archaeological work
15. Construction method statement & traffic management plan to be agreed
16. Slab levels to be agreed
17. Great Crested Newt – site clearance, scheme of mitigation including design of ponds and any safety measures
18. Contaminated land further investigation and mitigation if necessary
19. Travel information pack

Informatives

1. **Market housing mix to complement the SHMA**
2. **Affordable housing mix to accord with housing team requirements**

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