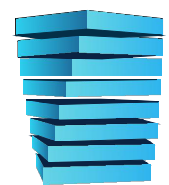


Appendix 1

NOTES:
 1. Scaled dimensions must not be taken from this drawing.
 2. This drawing must be read in conjunction with all relevant drawings, documents and information prepared by the Architects, other Consultants and Specialists.
 3. Any discrepancy on this drawing must be referred to the Architects and clarification obtained before any action by others and prior to commencement of works.
 4. All dimensions must be checked on site before any action by others and prior to commencement of work or the preparation of Specialists drawings.
 5. The copyright of this drawing remains with the Architect.
 6. If in doubt ask!

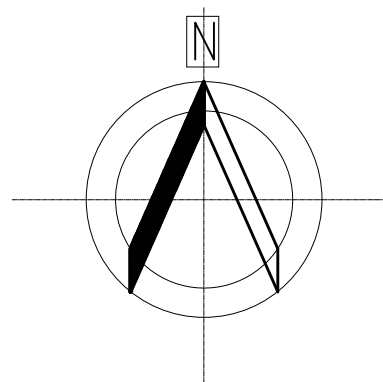
REVISIONS

--	--



ERIC COLE ARCHITECTURE

Eric Cole Ltd. 15 The Woolmarket, Cirencester, Gloucestershire GL7 2PR
 T: +44 (0)1285 641234 E: mail@ericcole.co.uk W: www.ericcole.co.uk



PROJECT:	LAND OFF HALLS CLOSE, DRAYTON		
DWG TITLE:	SITE LOCATION PLAN		
SCALE:	1:1250@A3	DRAWN:	RJW
		CHECKED:	
DWG NO:	14.070.SI.01	REV:	-
		DATE:	26.08.15

NOTES
 1. Scale dimensions must not be taken from this drawing.
 2. This drawing must be read in conjunction with all relevant drawings, documents and information prepared by the Architects, other Consultants and Specialists.
 3. Any discrepancy on this drawing must be referred to the Architects and clarification obtained before any action by others and prior to commencement of works.
 4. All dimensions must be checked on site before any action by others and prior to commencement of work or the preparation of Specialists drawings.
 5. The copyright of this drawing remains with the Architect.
 6. If in doubt ask!

REVISIONS

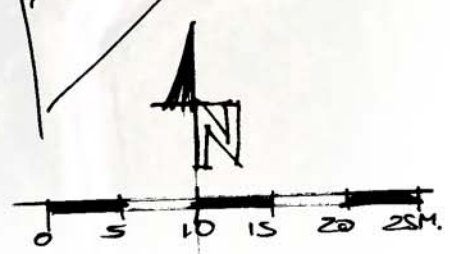
--	--



ERIC COLE ARCHITECTURE

Eric Cole Ltd. 15 The Woolmarket, Cirencester, Gloucestershire GL7 2PR
 T: +44 (0)1285 641234 E: mail@ericcole.co.uk W: www.ericcole.co.uk

PROJECT:	LAND OFF HALLS CLOSE, DRAYTON.		
DWG TITLE:	ILLUSTRATIVE LAYOUT		
SCALE:	1:500@A3	DRAWN:	prh CHECKED:
DWG NO:	14.070.SK13	REV:	DATE: 28.10.15





DRAYTON (ABINGDON) PARISH COUNCIL

www.DraytonPC.org

Response to Planning Application No: [P15/V2077/O](#) Land Rear of 10 Halls Close (Blue Cedar)

Outline application on Land to the Rear of 10 Halls Close, Drayton to provide up to 28 dwellings with all matters reserved except access

1 Preamble

The Drayton Neighbourhood Plan successfully passed its referendum in March 2015. Local support for the three housing sites identified as potential development sites in the Plan was affirmed by a 90.8% ‘Yes’ vote.

This site at the rear of Halls Close is **NOT** one of three sites in Drayton village identified in the Drayton Neighbourhood Development Plan as being suitable for housing development within the Plan period. In the course of developing the NDP this site was considered but **rejected**, along with several other potential housing sites around the village. Details of the site assessment can be found in the Drayton NDP Sustainability appraisal.

The Drayton NDP went to Public Examination in December 2014. The Examiner invited the Halls Close developers (Blue Cedar) to be present at the Examination table and to speak where relevant. She ruled that the site assessment strategy in the Drayton NDP was sound, and that the Plan should proceed to Referendum without any requirement to add the Halls Close site to the list of approved housing sites.

The Drayton NDP, being less than a year old, is up to date and has now been adopted by VWHDC into its Local Plan by being ‘made’ - brought into force on 15th July 2015. There has been no material change in circumstances which merit a re-assessment of the Drayton NDP at this time, and a rigorous review schedule is in place to ensure regular review and to invoke a review should there be any such material change.

2 Summary of Response

Drayton Parish Council OBJECTS to this application and recommends that VWHDC rejects the application for the following reasons:

2.1 The Halls Close site is NOT an approved housing development site under the Drayton Neighbourhood Development Plan (NDP), which is an adopted part of the VWHDC Local Plan and which is recent and up to date.

Approval of the application would be in contravention of the Drayton NDP **PLANNING POLICY P-H1: SCALE OF DEVELOPMENT AND SITE ALLOCATION** which states:

“The Neighbourhood Plan allocates land for residential development on the following sites:

- Manor Farm (3.98ha) for approximately 50 dwellings
- North of Barrow Road (8.17ha) for approximately 65 dwellings
- South of the High Street (9.64ha) for approximately 140 dwellings

All dwelling numbers are approximate and will be reviewed at the planning application stage based on the need to provide smaller homes”.

2.2 To approve the Halls Close site in opposition to the provisions of the Drayton NDP and the wishes of the Drayton electorate would be contrary to the public interest in that it would undermine the whole concept of local democracy, the Localism Act and the parts of the NPPF which encourage neighbourhood planning. This view is supported by Drayton’s Local MP (Ed Vaizey – see his submission at Appendix A), and by the Minister for Housing and Local Government (Brandon Lewis MP – see his letter at Appendix B) who writes that:

“Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted”

2.3 Case Law supports the Drayton NDP. The applicants cite some case law to support their contention that the Drayton NDP should be set aside since there is no up to date VWHDC Local Plan in place and the VWHDC cannot demonstrate a 5 year housing supply.

The applicants refer to two cases in particular. These are:

- Woodcock Holdings Ltd v Secretary of State for Communities and Local Government [2015], dated 1 May 2015; and
- R (on application of DLA Delivery Ltd) v Lewes District Council and Newick Parish Council [2015], dated 31 July 2015

The second of these cases is largely irrelevant to Drayton’s situation, being in fact a challenge by the claimant, DLA, (a development company) to the relevant NDP on the grounds that it considered the independent examination system for Neighbourhood Plans to be insufficiently rigorous. The judge did not accept this argument and refused the claimant permission to apply for judicial review. Nevertheless, Blue Cedar’s supporting statement quotes from paragraph 138 of this case the following observation by the judge: *‘the fact that in a particular area there is no up-to-date Local Plan with which a ‘made’ NDP can be ‘in general conformity’ (because the latter has been made in advance of the former) may, as it seems to me, arguably be a material consideration in determining a planning application which conflicts with the made NDP’*

Just so, but Blue Cedar have omitted the next sentence, which states *‘The weight to be attached to it will, of course, be a matter of planning judgment (our emphasis) when the issue arises and will doubtless depend, at least in part, on the likely prospect of the emerging Local Plan being adopted and the extent to which there is a divergence between the made NDP and the emerging Local Plan’*. The issue of ‘planning judgment’ is further developed below, but on the last point, Drayton has liaised closely with the Vale planning department throughout the NDP process, and is not aware of any significance divergence between its NDP and the emerging Local Plan.

The Woodcock Holdings case is also not a fair analogue of the Drayton position. The NDP in question here (Hurstpierpoint & Sayers Common) was not ‘made’ but only emerging, and there was some evidence that the proposed provision of housing in the Plan fell some way short of the objectively assessed housing needs for the parish. As explained below, the Parish Council does not consider this to be the situation in Drayton. Blue Cedar however identify as a key point the following statement made by Mr Justice Holgate in paragraph 112: ‘...where a neighbourhood plan has been recently approved, in advance of any local plan, [it nevertheless] has to be treated as ‘out of date’ because of the lack of a district-wide 5 year supply of housing land and the application of paragraphs 14 and 49 of the NPPF.’

This comment should be qualified by the observations of the same judge in an earlier paragraph (76). He refers to a third case, and the judgment of Lindblom J in Crane v Secretary of State for Communities and Local Government [2015]. He says ‘In that case it was held, on a proper construction of the policies, that the Secretary of State had been entitled to conclude that a proposal for housing on an **unallocated** site was in conflict with an **approved** neighbourhood plan which contained **comprehensive site allocations** sufficient to meet the requirement set for that area in an adopted district-wide core strategy’.

Since all the highlighted phrases in the above passage **do** replicate the Drayton position, it would seem that the ‘Crane case’ offers a more appropriate frame of reference than either of the two cases cited by Blue Cedar. Mr. Justice Holgate also contrasted (paragraph 77) the ‘poor quality of the reasoning’ in the Secretary of State’s decision letter in the Woodcock Holdings case with the ‘clear reasoning’ of the decision letter in Crane, this being a major factor in the Secretary of State’s decision being quashed in the first case, and upheld in the second. He adds that the clarity of the second decision letter owes much to the fact that the Secretary of State carried out a proper exercise of balancing out the adverse impacts of the proposed additional development with its probable benefits, as paragraph 14 of the NPPF requires. In the Woodcock Holdings case, the Secretary of State had failed to take into account a number of factors, meaning that the pros and cons of the site had not been properly assessed.

As the operation of paragraph 14 of the NPPF in relation to ‘decision-taking’, and the ‘balancing’ exercise referred to above is crucial to Drayton’s situation, the main points of the Crane case are outlined below:

- Broughton Astley is a village in Leicestershire with a ‘made’ Neighbourhood Development Plan. The NDP allocates several sites for housing, the total number of houses being over and above the figure envisaged in the previous District Council Core Strategy/Local Plan. Policy CS2 of the core strategy called for ‘at least’ 400 dwellings in Broughton Astley (out of an overall provision for the district of ‘at least’ 7700 new houses). In fact, the two allocated sites in the NDP, plus a reserve site, added up to 528 new dwellings for Broughton Astley.
- However, the District Council (Harborough) did not have an up to date Local Plan. This meant that it could not demonstrate a 5 year land supply.
- Mr Crane, a local landowner, wished to build 111 more houses on a site that was not allocated in the Plan. He argued that it should have been included, and submitted a planning application accordingly. His case was that as there was no 5 year land

supply, the ‘presumption in favour of sustainable development’ should automatically kick in, and so permit his development.

- The District Council refused the application. Mr Crane appealed the decision, and the Planning Inspector ruled in Mr C’s favour, overturning the District Council. The Secretary of State then called in the application for review. He subsequently ruled against the Planning Inspector, upholding the Neighbourhood Plan.
- In response, Mr Crane took the case to the High Court. His QC argued that the Secretary of State’s decision was ‘irrational’, and that the S of S had not properly understood the workings of the NPPF.
- Mr Justice Lindblom ruled that he saw nothing wrong with the Secretary of State’s decision. He said that the ‘presumption in favour of sustainable development’ did **not** make development a foregone conclusion. It still depended on balancing the ‘adverse effects’ of the development against its positive benefits. The judge agreed that Mr Crane’s development did have positive benefits – it contributed to the housing supply; it was in a reasonable location, though not as convenient as the allocated sites. However, the S of S had believed that these positive benefits were outweighed by the adverse impacts, in particular the fact that the application was in conflict with the Neighbourhood Plan. In the judge’s view, the S of S’s decision was not irrational, but a ‘judgment call’ which he was perfectly entitled to make. The judge therefore also ruled against Mr Crane and upheld the Neighbourhood Plan.
- In paragraph 79 of the case, the judge does allow that, in other circumstances, the Secretary of State ‘*might have struck the balance differently. He might even have struck it differently here*’, but that still would not have made his decision irrational.
- The essential point is that each case has to be judged on its individual merits, so that a range of factors may come into play. Mr. Justice Lindblom confirms (paragraph 72) that ‘*the critical question*’ is whether ‘*the harm associated with the development proposed ‘significantly and demonstrably’ outweighs its benefit*’. He concludes (our emphasis), ‘***The presumption in favour of the grant of planning permission in paragraph 14 (of the NPPF) is not irrebuttable. And the absence of a five-year supply of housing land will not necessarily be conclusive in favour of the grant of planning permission. In this case it was not***’.

2.4 Housing Supply. Although VWHDC does not currently have its 5 year land supply in place, Drayton has allocated 3 sites in the village totalling in excess of 250 houses, against a notional VWHDC allocation of 200 for the planning period. The Drayton NDP outlines the increase in the Drayton housing target over the last few years, and how Drayton has responded positively to these increased demands for additional housing .(see p56 of the Drayton NDP) where it states that:

“139. An appendix to the IHSP (Vale’s Interim Housing Supply Policy) listed all the large villages in the VWHDC area and allocated to each the number of new houses needed to be built to cope with ‘proportionate growth’ over the 15 year Plan period. The figure for Drayton was 68, to which should be added the 18 homes already granted planning permission on the Manor Farm site some 16 years ago. This total of 86 has to be understood as a largely notional figure. In 2013 it became apparent that the Vale’s lack of a 5-year land supply, and the pressure from central government to build more houses in the south-east

generally, meant that any numbers previously quoted must be treated as very provisional. In Spring 2014 the VWHDC identified the land South of High Street Drayton as a 'strategic site' with a development of up to 200 houses – a designation now revised to exclude this as a strategic site in the latest VWHDC Local Plan 2031, Part 1 Publication Version . Including this as an allocation in Spring 2014, Drayton's housing allocation therefore rose over the 2 year planning period of the neighbourhood plan process to over 200 houses, taking account of the planning permission already approved at Manor Farm. "

2.5 Housing Allocation to Larger Villages in the VWHDC Local Plan. . In the draft Local Plan Drayton is in the Abingdon and Oxford Fringe sub area that also includes Botley and the Larger Villages of Cumnor, East Hanney, Kingston Bagpuize with Southmoor, Kennington, Marcham, Radley, Steventon and Wootton. 1900 dwellings are to be provided in this area through NDPs and windfalls by 2031. Drayton has about 4% of the population in this sub area and 1900 x 4% would be 76 dwellings. Drayton has already allocated land for about 250 dwellings that would be closer to 13% of the requirement. This is therefore more than compliant with a fair allocation to Drayton.

Surrounding villages (Sutton Courtenay/Steventon/Milton/Marcham/East Hanney) – and South Abingdon have also had a large number of sites/houses approved in recent months, and a large housing site in South Abingdon, on the Drayton Parish boundary, is currently being built-out. This is against the context of the severe traffic constraints in this area between the Ock Street Bridge in Abingdon and the A34 – a constraint recognised in the VWHDC Local Plan allocation to this area, and by OCC Highways in their objection to the South Abingdon development.

These new allocations, plans and approved developments constitute the VWHDC's larger villages response to the VWHDC's declared planning objective (see Cllr Matthew Barber's opening remarks at the VWHDC Local Plan 2031 Part 1 Examination in Public – Stage 1 September 2015) which is stated as:

" A small portion of the housing need, about five per cent, remains to be identified. In the spirit of localism we are making this available to those who wish to prepare neighbourhood plans, to enable growth where local demand remains within communities. The remaining need will also be addressed through Local Plan 2031 Part 2. "

The Local Plan itself will deliver on the other 95% of the identified housing needs :
"The Local Plan seeks to deliver, in full, the housing needs of the district within its boundaries. It steps up to the mark, responding to the challenge of addressing the shortfall of past years while meeting the needs of future generations also, and in a manner that maximises the ability to deliver this in the plan period."(Matthew Barber, *ibid*).

2.6 The proposed development would be an extension of the current built up area of Drayton village, and not an approved housing site under the NDP, and would therefore absorb yet more open greenfield space from the surrounding countryside, further encroaching into the land separating Drayton from its adjacent villages. This is **not supported** and therefore would be in contravention of Drayton NDP **PLANNING POLICY P-LF2: BOUNDED DEVELOPMENT** which states:

"Development that does not extend the village's boundaries (see Figure 4) through

ribbon development along roads to the adjacent settlements of Abingdon, Steventon, Sutton Courtenay and Milton, will be supported, subject to compliance with other policies in the Neighbourhood Plan”.

2.7 Previous Public consultation/approaches to Drayton PC by Blue Cedar. The Halls Close site was one of three other sites in the village rejected under the NDP assessment and consultation– the others being at Fisher Close and Long Meadow. If the Blue Cedar application was to be given precedence over these by being approved, then these developers/landowners would have been unfairly treated and would, in all likelihood, also put in planning applications. The NDP’s land zoning of the village would therefore be completely set aside and the whole work of the Drayton Sustainability Appraisal and NDP rendered void.

3. Specific Planning Issues (where relevant for comment at this outline planning stage)

It is noted that whilst the applicants have submitted only an Outline Planning Application with all matters reserved except access, they have provided a large volume of supporting documentation. This includes details relating to aspects of the site and development which will need detailed consideration by Drayton Parish Council if planning permission is ever given in opposition to the Drayton NDP and the recommendation of Drayton Parish Council to reject this application..

Whilst Drayton Parish Council reserves its position on the details of any future **full** planning application (on which it would expect to be consulted further), the Council submits the following comments **without prejudice** on the documents provided in the current **outline** application

3.1 Number, type and layout of houses proposed, including affordable housing statement, and limitation to over-50s

- a) The number of houses had been increased from 20 in the initial consultation to 28, without explanation
- b) The layout of the proposed estate is poor, with poor connectivity. It is not clear what the open space is for, and the layout allows for no meaningful use of this space. The following Drayton NDP Planning Policy should be applied:

“WORK AND PLAY PLANNING POLICIES PLANNING POLICY P-WP1: CONNECTED DEVELOPMENT *Proposals for new housing must ensure that the new homes are well connected both within the site and with the rest of the village by way of footpaths and cycle ways (especially to amenities such as the school, bus stops and shops).”*
- c) Out of the 28 houses only 11 are for the over-55s. It is not clear how this qualifies the development as being for the elderly, or how the developers will limit or enforce the over 55s rule on first, and particularly on subsequent, purchasers. If this is to be by covenant, then what enforcement agency do the developers envisage, since VWHDC do not intend to enforce this rule?
- d) Over 55s are still economically active and can be expected to go to work until at least 68 (the new state retirement age). This renders incorrect and inaccurate the

applicants transport statement that cars will not add to peak traffic through commuting.

- e) The majority of the houses are for families, either market housing or affordable housing. There is no provision on site for facilities for families, such as design of safe play areas for children.
- f) The Drayton Design Guide should be used for any new housing in Drayton to ensure that materials and styles reflect and respect the locality

“PLANNING POLICY P-LF3: BUILDING DESIGN GUIDANCE *New development will be supported where it is designed to a high standard which responds to the distinctive character of Drayton and reflects the guidelines and principles as set out within the Drayton Design Guide (see Annex D).”*

3.2 Traffic Issues, including junction with High Street. Parking – Transport Statement

- a) The traffic assessment for the development is poor and needs to be replaced by a more realistic/true assessment of traffic from the proposed development, and impact on Drayton village. There is already evidence available from Thames Valley Police about speeding into and out of Drayton village, and regular movement of HGV and agricultural vehicles through this part of the village.
- b) Since the new estate roads are not to be adopted by OCC it is unclear whether Biffa’s refuse lorries will be willing to enter the estate (they have refused to use other such private roads in Drayton because they are not insured or indemnified to do so). If this is the case, wheelie bin storage will need to be at the entrance to the new development, for which there is no provision. Such communal waste facilities will not be in keeping with the style of the development or the desire to attract older residents. The following Drayton NDP Planning Policy should be applied:

“PLANNING POLICY P-H4: EXTERNAL FACILITIES *All future housing developments must have adequate car and cycle parking facilities for both residents and visitors in accordance with Oxfordshire County Council standards. New housing development should aim to provide the following external facilities: for storage of waste recycling bins and waste water run-off from roof guttering.”*

- c) Numbers of vehicle trips created by the proposed development at peak times are understated
- d) There is already a problem with traffic emerging from Halls Close, particularly at peak times (but also whenever the A34 is blocked), and particularly whenever turning left
- e) The Halls Close turn has restricted views for those turning left, and safe emergence from Halls Close is already impeded by cars which have to park on the High Street.
- f) The road accident statistics quoted are out of date. In the last 2 months there has been a serious accident (a 3 car pile up) on the Sutton Courtenay Road just east of Halls Close, and a fatal crash on the Milton Road, which is an accident black-spot. Traffic from Halls Close can be expected to prefer turning east across the

oncoming traffic to reach workplaces at Milton Park and Harwell/Culham and the A34, to avoid congestion in Abingdon at the Ock Street bridge or the same at Steventon/Milton Heights

- g) The assessment of the proposed junction by OCC needs detailed reconsideration in order to afford any safe merging of traffic into High Street.
- h) The following Drayton NDP Planning Policy should be applied:

**“TRANSPORT PLANNING POLICIES PLANNING POLICY P-T1:
TRAVEL PLANS** *Development proposals which give rise to an increase in traffic will be required to put in place detailed Travel Plans. Developers are required to provide robust evidence that each and every proposal, as set out in their Travel Plan, is feasible and will significantly reduce traffic volume. Direct mitigation measures such as car sharing and car pooling will be positively encouraged.”*

3.3 Site, Ground and Topography – current land use as garden?

- a) It should be noted that the close cropping of the grass on the site is recent, and that the site was not previously a garden, but a paddock, used to graze animals

3.4 Flood Risk and Drainage, and Utilities

- a) Thames Water has stated that the sewage from such a development cannot be supported by the current sewage works and has asked for a Grampian Condition to be applied to any planning consents. VWHDC should note that on the three approved sites under the Drayton NDP over 250 additional houses will be connected into the Drayton water supply and sewerage system, and that precedence should be given to the connection of these developments since they are approved under the Drayton NDP.
- b) The information supplied by Thames Water to the developers is incomplete and inaccurate. There have been several reported instances of sewage overflows in the area in recent years, and VWHDC should pay attention to those cited by local residents:

“My main concern is the drainage!! No 3 being the lowest house, we have been nearly flooded x 3 times (sand bags and all)! When it rains heavily and all the drains get blocked, the pumping station can't cope and we then get everybody's sewage dumped on our porch and back garden. Each time it takes weeks for the environmental department to come and clean up. The last time it happened it was over Christmas/ new year 2 /3years ago and we had very little support! I myself had to clean up with bleach etc. and became violently ill and missed my trip to Scotland! There have been talks with Thames water regarding non return valves on the high street. So with all these numerous housing projects we are very concerned” (Julia Moore, 3 Halls Close)

- c) Neighbouring farmers are concerned about the drainage from the site and inadequacy of field drains to take additional runoff. The applicant's SUDS scheme needs careful examination to ensure that there is no outflow from any

development of the site which would cause flooding on adjacent farmland, particularly in winter.

“Our concerns are with surface water drainage. Both options within the application indicate drainage to an existing watercourse on our property, which in seasonal wet periods is full to capacity. Land to the west(a likely development site known as South of High Street Drayton) & surface water from East Way, plus trunk surface water from Drayton High St, Church Lane & Halls Close all flow into this drain. Most of the land to the South & West of the proposed site during seasonal wet periods has lying water for months. Ridge & furrow plus ponds act as a huge holding area allowing natural drainage rates to the watercourse. Obviously during storms & heavy rainfall volumes increase & on several occasions the drain overflows.” (Paul Coster, Little Smiths Farm)

3.5 Ecology and Trees planting

- a) Residents report that at least one tree has already been removed in recent years, and the VWHDC should take immediate steps to assess the remaining trees on the site and apply Tree Preservation Orders as appropriate to protect the remaining biodiversity of the site
- b) The layout of the proposed development is poor as regards open space, and more should be done to replace and increase both the biodiversity and utility of the site’s open space.
- c) The following biodiversity Planning Policies in the Drayton NDP should be applied:

“PLANNING POLICY P-S1: BIODIVERSITY

Development proposals are required to protect and enhance biodiversity. Any loss or degradation of habitats arising from new development will need to be offset by for example, funding environmental improvements elsewhere in the Parish.”

“PLANNING POLICY P-LF6: ADDITIONAL GREENERY - NEW

DEVELOPMENTS *Proposals for new development should wherever possible include tree and shrubbery planting to reduce the impact of the built form and ensure that development is in keeping with the existing rural character of the village. Due note should also be taken of the VWHDC’s Adopted Local Plan 2011 Policy DC6 and any updating of this policy in the VWHDC’s Local Plan 2031. (see <http://www.whitehorsedc.gov.uk/sites/default/files/Contents.pdf>)”*

3.6 Historic environment

- (a) Drayton village is at the centre of important historic sites which feature locally the Sutton Courtenay Saxon Palace complex and the Drayton Cursus. Whilst the Halls Close site is not known to contain any listed remains, a full archaeological survey should be undertaken before any development of the site is considered.
- (b) The following historic environment Planning Policies in the Drayton NDP should be applied:

“PLANNING POLICY P-LF4: CONSERVATION AREA *Any development in or adjacent to the Drayton Conservation Area should conserve and enhance the character and appearance of the Conservation Area and its setting.”*

“PLANNING POLICY P-LF5: THE HISTORIC ENVIRONMENT *The Parish’s designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place. Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.”*

3.7 S106 requirements

- (a) Whilst the site is not an approved site under the Drayton NDP, if planning permission is granted against the wishes of the community, relevant s106/CIL contributions will be required as outlined in the Drayton NDP P-H3 and Annex E:

“PLANNING POLICY P-H3: CONTRIBUTIONS *All eligible development will be required to make contributions to secure improvements to existing Parish infrastructure (both on and off site) through a Section 106 agreement or when introduced, the Community Infrastructure Levy, or by other relevant means, subject to the development remaining viable”.*

4. Drayton NDP Planning Policies relevant to the application

The following Drayton NDP Planning Policies are deemed to be relevant to this planning application:

LF2 linked with PH1

LF3/LF5/LF6; P-WP1; P-T1; P-S1; P-H2/P-H3/P-H4

DRAYTON NDP EXECUTIVE SUMMARY: POLICY LIST

SECTION A: PLANNING POLICIES

LOOK AND FEEL PLANNING POLICIES PLANNING POLICY P-LF1: CREATION OF VILLAGE GREEN ON THE MANOR FARM SITE The proposed development of the Manor Farm site, allocated in policy P-H2 should include the creation of a new green open space on the site. The space should have an open aspect on its western side to create a visible connection between the east and west of the village, with an avenue of trees leading up to the green from Hilliat Fields. It should reflect the rural and agricultural nature of the Conservation Area, in which it is located.

PLANNING POLICY P-LF2: BOUNDED DEVELOPMENT Development that does not extend the village’s boundaries (see Figure 4) through ribbon development along roads to the adjacent settlements of Abingdon, Steventon, Sutton Courtenay and Milton, will be supported, subject to compliance with other policies in the Neighbourhood Plan.

PLANNING POLICY P-LF3: BUILDING DESIGN GUIDANCE New development will be supported where it is designed to a high standard which responds to the distinctive character of Drayton and reflects the guidelines and principles as set out within the Drayton Design Guide (see Annex D).

PLANNING POLICY P-LF4: CONSERVATION AREA Any development in or adjacent to the Drayton Conservation Area should conserve and enhance the character and appearance of the Conservation Area and its setting.

PLANNING POLICY P-LF5: THE HISTORIC ENVIRONMENT The Parish's designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place. Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

PLANNING POLICY P-LF6: ADDITIONAL GREENERY - NEW DEVELOPMENTS Proposals for new development should wherever possible include tree and shrubbery planting to reduce the impact of the built form and ensure that development is in keeping with the existing rural character of the village. Due note should also be taken of the VWHDC's Adopted Local Plan 2011 Policy DC6 and any updating of this policy in the VWHDC's Local Plan 2031. (see <http://www.whitehorsedc.gov.uk/sites/default/files/Contents.pdf>)

PLANNING POLICY P-LF7: A34 NOISE REDUCTION Development proposals to the north-west, south-west or west of the village (see Figure 6) should include (where appropriate) measures to alleviate noise from the A34 such as the protection of amenity spaces from excessive noise levels and orientating rooms away from the roadway.

WORK AND PLAY PLANNING POLICIES PLANNING POLICY P-WP1: CONNECTED DEVELOPMENT Proposals for new housing must ensure that the new homes are well connected both within the site and with the rest of the village by way of footpaths and cycle ways (especially to amenities such as the school, bus stops and shops).

PLANNING POLICY P-WP2: BUSINESS DEVELOPMENT Proposals for B1 and B2 uses offering local employment are supported particularly on sites which have been considered for residential development but have not been specifically allocated for that purpose. Proposals should ensure that there is no adverse effect on local traffic volumes, amenity of neighbouring properties, the character of the area, air quality or noise levels. Change of use of retail or employment development to alternative uses will be resisted.

PLANNING POLICY P-WP3: RETAIL PARKING Any new retail or business development must include adequate parking provision in accordance with Oxfordshire County Council's standards. Proposals to improve car parking facilities to serve existing retail establishments will be supported.

TRANSPORT PLANNING POLICIES PLANNING POLICY P-T1: TRAVEL PLANS Development proposals which give rise to an increase in traffic will be required to put in place detailed Travel Plans. Developers are required to provide robust evidence that each and every proposal, as set out in their Travel Plan, is feasible and will significantly reduce traffic volume. Direct mitigation measures such as car sharing and car pooling will be positively encouraged.

SUSTAINABILITY PLANNING POLICIES PLANNING POLICY P-S1:

BIODIVERSITY Development proposals are required to protect and enhance biodiversity. Any loss or degradation of habitats arising from new development will need to be offset by for example, funding environmental improvements elsewhere in the Parish.

HOUSING PLANNING POLICIES PLANNING POLICY P-H1: SCALE OF

DEVELOPMENT AND SITE ALLOCATION The Neighbourhood Plan allocates land for residential development on the following sites:

- Manor Farm (3.98ha) for approximately 50 dwellings
- North of Barrow Road (8.17ha) for approximately 65 dwellings
- South of the High Street (9.64ha) for approximately 140 dwellings All dwelling numbers are approximate and will be reviewed at the planning application stage based on the need to provide smaller homes. Each of these three sites is described in the Plan (below) with their site requirements.

PLANNING POLICY P-H2: AFFORDABLE HOUSING Developments must meet the minimum requirement for Affordable Housing set out in the VWHDC Local Plan to meet District-wide need. All such Affordable Housing should be visually indistinguishable from and fully integrated with other housing in that development.

PLANNING POLICY P-H3: CONTRIBUTIONS All eligible development will be required to make contributions to secure improvements to existing Parish infrastructure (both on and off site) through a Section 106 agreement or when introduced, the Community Infrastructure Levy, or by other relevant means, subject to the development remaining viable.

PLANNING POLICY P-H4: EXTERNAL FACILITIES All future housing developments must have adequate car and cycle parking facilities for both residents and visitors in accordance with Oxfordshire County Council standards. New housing development should aim to provide the following external facilities: for storage of waste recycling bins and waste water run-off from roof guttering.

Appendix A: Submission to VWHDC by Ed Vaizey MP

From: DICKSON, Charlotte E <

Sent: Tuesday, September 15, 2015 12:14 PM

To: Jeanette Cox

Cc: ATKINS, Lynda; BADYAL, Jonathan

Subject: FW: Planing Application Reference P15/V2077/0

Dear Jeanette,

Planning Application P15/V2077/0

Ed would like to register his objection to the above application on the basis that it is not in the Drayton Neighbourhood Plan.

Please could you make the Planning Committee aware of his views

Best wishes

Charlotte

Charlotte Dickson | Parliamentary Assistant to Ed Vaizey MP

Appendix B: Letter from Brandon Lewis MP, Minister for Housing and Local Government with the Department for Communities and Local Government



Department for
Communities and
Local Government

Cllr Richard Webber
Oxfordshire County Council
Orchard Barn
Sutton Wick Lane
Drayton
Abingdon
Oxfordshire
OX14 4HJ

Brandon Lewis MP
Minister of State for Housing and Planning

**Department for Communities and Local
Government**

Fry Building
2 Marsham Street
London
SW1P 4DF

Tel: 0303 444 3430
Fax: 020 7035 0018
E-Mail: brandon.lewis@communities.gsi.gov.uk

www.gov.uk/dclg

Our Ref: 1430562

07 OCT 2015

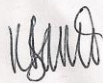
Dear Cllr Webber,

Thank you for your email of 18 September to the Secretary of State, the Rt Hon Greg Clark, about neighbourhood planning and planning applications. I am replying as Minister for Housing and Planning. As I hope you will appreciate, I cannot comment on individual cases. However, I am happy to set out the general position.

Once a neighbourhood plan has passed referendum and is brought into legal force by the local planning authority, it attains the same legal status as the Local Plan. At this point it becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

An emerging neighbourhood plan may be a material consideration when determining planning applications. Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say on whether the neighbourhood plan comes into force, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan. The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. All representations on the proposals should have been submitted to the local planning authority by the close of the local planning authority's publicity period. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it.

Neighbourhood planning continues to go from strength to strength. Over 1600 communities have embarked on the process, and over 330 full draft plans have been published. The average yes vote at referendums has been 88%. This degree of progress reflects tremendously on communities such as Drayton that have made use of the powers created by the Localism Act.


MP **BRANDON LEWIS MP**

SIGNED ON BEHALF
OF MINISTER IN
HIS/HER
ABSENCE

APPLICATION WEB COMMENTS FORM

Information available for public inspection and available on our website

Location : 10 Halls Close Drayton Abingdon OX14 4LU

Proposal : Outline application on Land to the Rear of 10 Halls Close, Drayton to provide up to 28 no. dwellings with all matters reserved except access (As amended by Drawing No: 14.070.SK13 (Site Layout) accompanying agent's letter dated 2 November 2015)

Application Reference : P15/V2077/O - 1

Please complete

Your name :	Drayton Parish Council
Your address :	c/o Mr Chris Price 144 Whitehorns Way Drayton Oxfordshire OX14 4LH
Date :	17 November 2015
Response :	Objects

Use the space below for your comments

Response to Amended Plan (20151102)

The Drayton Parish Council Planning Committee considered the amended application and the replacement Dwg No. 14.070.SK13 (Site Layout) sketch for the proposed Halls Close Development at its meeting held on Monday 16th November, and recommend that the VWHDC planning authority refuses the revised application for the following planning reasons:

1. The fundamental planning issues made in the Parish Council's previous letter of objection of 16th October 2015 have still not been addressed by the applicant
2. Though the applicants have addressed the issue of providing a clear open public space, and have revised the housing and road layout, the sketch fails to show clearly how the road system could connect adequately to any future development south of the site. Furthermore, the footpath link through to

the proposed Bloor housing development to the west of the site does not demonstrate adequately how the two sites will be connected for pedestrians and for cyclists so that there is a clear route for both through to East Way to the South (to connect to Steventon Road or to the Bridleway east to Milton/Sutton Courtenay). The plans submitted by Bloors place hedges and ditches on this boundary. The applicants should be required to submit properly scaled plans, agreed with Bloors, to demonstrate that the connectivity they are suggesting is actually feasible and deliverable with legal agreements with the adjacent developer/landowner.

3. The Drayton2020 NDP requires in its planning policies that the applicants submit a detailed Travel Plan with their application. Given the current traffic overload on High Street, the frequency of accidents on the High Street/Sutton Courtenay/Milton Roads (of which there was a further incident earlier in November), the applicants need to demonstrate through their Travel Plan that car movements are minimised and that positive steps are in place to encourage residents to walk, cycle and use public transport. The sketchy nature of their revised plan fails to demonstrate any real commitment or mitigation in this respect.