

<b>APPLICATION NO.</b>	<a href="#">P15/V2828/FUL</a>
<b>SITE</b>	Close End House, 19 East Way, Drayton, Abingdon, OX14 4JZ
<b>PARISH</b>	Drayton
<b>PROPOSAL</b>	Development of 8 dwellings and new access road (as amended by revised layout and new character study in March 2016, and further amended on 12 October 2016 by revised design, housing mix and site layout, Arboricultural Assessment, and revised East Way Improvement drawing and schedule of works)
<b>WARD MEMBER(S)</b>	Stuart Davenport
<b>APPLICANT</b>	Mr Derek Pink
<b>OFFICER</b>	Lisa Kamali

## RECOMMENDATION

It is recommended that planning permission is granted subject to the following conditions:

1. Commencement three years - full planning permission.
2. Approved plans.
3. No obstructions to bridleway during construction.
4. **Vehicle Access (construction): No construction / demolition vehicle access to be taken along or across the bridleway without appropriate safety/mitigation measures.**
5. **Vehicle Access (occupation): No vehicle access to be taken along or across the bridleway without appropriate safety and surfacing measures.**
6. No changes to bridleway unless otherwise agreed in writing.
7. Bridleway improvements to be completed prior to first occupation.
8. Garages to be used for vehicle parking only.
9. Landscaping (hard and soft landscaping including lighting, boundary treatment, and replacement tree planting) to be approved.
10. External materials samples to be approved.
11. Detailed foul drainage scheme and sustainable surface water drainage scheme (SUDS) to be approved.
12. Approved foul and surface water drainage schemes to be implemented prior to occupation.
13. Biodiversity enhancement strategy to be approved.
14. Ecology survey (to include a mitigation scheme, if required) to be submitted and approved prior to commencement of the development
15. Slab levels to be approved.
16. Details of amended rumble strip at bridleway end of private drive to be submitted and approved.
17. Combined total floorspace of the eight dwellings shall not exceed

999 sq m.

**Informatives:**

1. The new lamp post on East Way and the new specimen tree at the site entrance should be positioned so they do not obstruct access for waste collection vehicles.
  2. Approval is required from the County Council before any works within the public highway.
  3. Works to East Way must be delivered under a Section 278 Agreement with the County Council. If safe public access cannot be maintained during works to the public bridleway then the route must be closed using a temporary traffic regulation Order, requiring a minimum of 12 weeks' notice.
  4. Private drive to be constructed to Oxfordshire County Council adoptable standards, via a s38 Agreement but will not be adopted, therefore a private road agreement with OCC will be necessary.
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## **1. INTRODUCTION AND PROPOSAL**

- 1.1 This application comes to committee at the discretion of the Planning Manager as the Local Ward Member requested in December 2015 that the application be called in.
- 1.2 The site is located at the southern end of Drayton Village to the rear of numbers 29 – 37 Steventon Road (B4017), and is accessed via East Way, which is an un-adopted bridleway of unknown ownership (Drayton Bridleway 1 (192/1)). East Way is currently in a very poor state of repair.
- 1.3 The application site comprises the extended garden area of number 19 East Way. It is roughly square and some 3270 sq.m (approximately 0.328 hectares) in area excluding the proposed access (0.466 hectares including the access). The site contains a number of mature trees and is generally flat. Residential uses border the site on all sides.
- 1.4 The site is within the Lowland Vale (Policy NE9) as defined on the local plan proposals map and has no other Local Plan designations. The site is some 120 metres to the south of the village conservation area.
- 1.5 The application has been amended and seeks full planning permission for eight new homes (2 x 2 no. bed, 4 x 3 no. bed and 2 x 4 no. bed), all of which are to be open market housing. Two of the houses are detached, four are semi-detached, and there are also two semi-detached bungalows. The proposed dwellings would be laid out fairly informally around a shared parking and access court. The proposed external materials are orange / red bricks, areas of rough cast render and clay roof tiles.
- 1.6 Vehicular access would be via East Way and then along a driveway which currently serves numbers 15 and 17 East Way. The applicant proposes to upgrade East Way as part of the application. Each dwelling will be provided with a minimum of two parking spaces.

- 1.7 Extracts from the application plans (as amended) are **attached** at Appendix One. All plans and supporting documentation for the application are available to view on our website at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

- 1.8 An aerial photo showing the site location is included below:



## 2. SUMMARY OF CONSULTATIONS AND REPRESENTATIONS

- 2.1 In addition to the initial consultation on the planning application when it was received in December 2015, there have been two further rounds of consultation following the receipt of additional and amended information as follows:

- 2.2 1. Consultation letters sent on 24 March 2016:
- Layout amendment, reduction in the amount of hard surface, increase in landscaping, repositioning of a garage (plot 4) to adjacent to the property – to address comments from Architects Panel.
  - Character study submitted – to address comments from Architects Panel.

- 2.3 2. Consultation letters sent on 13 October 2016:

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- Revised East Way improvement plan, along with a separate schedule of works – submitted to address concerns of Parish Council, Highways Liaison Officer and OCC Countryside Access Officer.
- Arboricultural Assessment - submitted at the request of the Forestry Officer
- Re-design of Plots 5, 6, 7 and 8 – to address design concerns from Parish Council, neighbours and planning officer, and to overcome overlooking issues identified by planning officer.

2.4 A summary of the responses received is below. A full copy of all the comments made can be seen online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk)

<p>Drayton Parish Council</p>	<p><i>Revision 2</i> No comments received at the time of writing this report.</p> <p><i>Revision 1</i> <i>“The amendment did nothing to address the PC’s concerns expressed in our initial response and that the objection still stands as previously filed.”</i></p> <p><i>Original Plans</i> Key concerns summarised as follows:-</p> <ul style="list-style-type: none"> <li>• The NDP is up to date and adopted by the council. The site is not one of the three housing sites in the Drayton Neighbourhood Development Plan (NDP).</li> <li>• To approve the Close End House, East Way 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.</li> <li>• 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.</li> <li>• The Drayton NDP already provides for 25% + growth in the village over the next 15 years and further sites of this scale are not required at this time and would undermine the sustainable development of the village.</li> <li>• Nothing material has changed in respect of the site and its poor vehicular access since the two previous planning applications were refused.</li> <li>• Access via East Way is inadequate and ill-defined in the application.</li> <li>• Radical changes to East Way to make it adequate for vehicular access to the additional houses would alter the rural nature of the bridleway and compromise the safety of legitimate users of the existing bridleway.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Safe and secure access and turning for refuse, delivery and emergency vehicles cannot be assured by the developer.</li> <li>• Drainage of the site is problematic, and the drainage information provided in the application is inadequate</li> <li>• Water supply, sewerage and electricity supply in this area are already substandard.</li> <li>• The design of the houses is poor and does not comply properly with the Drayton Design Guidelines.</li> </ul>
Neighbours	<p><i>Revision 2</i> 10 objections received at the time of writing this report. New planning issues raised are summarised as follows:</p> <ul style="list-style-type: none"> <li>• The plans submitted for the upgrade of East Way appear to suggest that parts of my property will be incorporated into the road scheme. Please be assured that I have not and will not agree to this.</li> <li>• Site access has remained unchanged in principle and is still unacceptable.</li> <li>• The applicant states the road is narrower in places for traffic calming, this narrowing is due to properties owning sections of the road a not wishing to sell or allow it to be developed. The applicant has tried to deceive authorities by calling it traffic calming which should not be required on such a short stretch of road.</li> <li>• There is no room or provision for a footpath, causing safety issues.</li> <li>• With the extra traffic a fully metalled tarmacadam surface would be the only solution and this changes the status of the road into one which the council may have to adopt, with everything that entails. .</li> <li>• Who will maintain East Way in the future?</li> <li>• Proposed gravel top surface will cause dust and exacerbate respiratory problems of neighbours.</li> <li>• Countryside officer should reconsider their comments as Ecology survey was carried out on 29/7/16, but frogs mainly spawn in the spring. We have also had newts in the rear garden. There have also been sightings of badgers in the field behind this same area.</li> </ul> <p><i>Revision 1</i> 4 objections received, no new planning issues raised.</p> <p><i>Original Plans</i> 15 objections received. The key planning issues raised are summarised as follows:-</p> <ul style="list-style-type: none"> <li>• The road for access to the houses will be very close</li> </ul>

	<p>to existing houses and the noise and safety of those dwellings will be compromised.</p> <ul style="list-style-type: none"><li>• Proposal will increase traffic using East Way, which is a bridleway and already in very poor condition. The safety of this route will also be compromised by adding more traffic.</li><li>• East Way access is an unadopted bridleway in indeterminate ownership. Cannot see how a private person can take possession of this route.</li><li>• East Way is not wide enough to pass two cars.</li><li>• There is a bus stop at the end of East Way which would have to be moved.</li><li>• Construction traffic would cause problems (noise, pollution, safety implications).</li><li>• Once occupied, the development will cause light and noise pollution.</li><li>• Bungalows would be more in keeping with most of surrounding properties.</li><li>• Windows overlook gardens and habitable rooms of neighbours.</li><li>• The submitted Transport Statement is incorrect and understates the condition of East Way. It also gives no idea of current usage of East Way, and fails to mention construction traffic.</li><li>• Utility companies have stated they cannot handle an increase in housing in the area.</li><li>• Flooding concerns as the lower end of proposed building area in rear garden is prone to flooding.</li><li>• The development would lead to noise pollution, light pollution.</li><li>• Development would increase traffic along the B4017.</li><li>• Loss of habitat for birds, insects and animals.</li><li>• Application would erode village life.</li><li>• There appear to be septic tanks (based on the remaining flues which are visible), probably from static mobile homes that were on this land behind 21 East Way. Concerned about the potential for damage to them in building near or over them or in their removal and any resulting contamination.</li><li>• It is understood that the developer's intention is to also remove the current house at No 19 and build two more houses on that land, which is not reflected in the current planning application.</li><li>• Concern the development may result in run off onto Steventon Road.</li><li>• Request further details regarding proposed boundary treatment.</li><li>• There is a need not being met on the allocated sites for two bedroomed dwellings suitable for downsizers.</li></ul>
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	<ul style="list-style-type: none"> <li>Widening of the bridleway would also involve use of the land in front of the properties 2 to 10 East Way which is land owned and registered with the land registry by these properties with access granted to the above properties only.</li> </ul>
<p>Oxfordshire County Council Countryside Access Team</p>	<p><i>Revision 2</i> No objection. The Proposed Improvements to East Way document (and accompanying plan) addresses earlier concerns.</p> <p><u>Conditions</u></p> <ul style="list-style-type: none"> <li>No obstructions to bridleway during construction.</li> <li>Vehicle Access (construction): No construction / demolition vehicle access to be taken along or across the bridleway without appropriate safety/mitigation measures to be approved.</li> <li>Vehicle Access (occupation): No vehicle access to be taken along or across the bridleway without appropriate safety and surfacing measures to be approved.</li> <li>No changes to bridleway unless agreed in writing by the council.</li> </ul> <p><u>Informative</u></p> <ul style="list-style-type: none"> <li>Section 278 agreement required for works t East Way.</li> </ul> <p><i>Revision 1</i> Objection</p> <ul style="list-style-type: none"> <li>The proposal to resurface with a bitmac surface course is insufficient given the current poor standard of the bridleway.</li> <li>The Planning, Design and Access Statement states that East Way will be ‘widened to allow two cars to pass’ – we can see no evidence of this on the East Way Road Improvement Plan.</li> <li>Recommended conditions relating to temporary obstructions, route alterations, construction vehicle access, and vehicle access upon occupation.</li> </ul> <p><i>Original Plans</i> Holding objection</p> <ul style="list-style-type: none"> <li>There are no public vehicular rights recorded for the bridleway.</li> <li>Requested details regarding the proposal to upgrade and widen East Way.</li> </ul>
<p>Oxfordshire</p>	<p><i>Revision 2</i></p>

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<p>County Council Highways Liaison Officer</p>	<p>No objection to East Way Improvement proposals, subject to an informative relating to works on the public highway.</p> <p>No objection in principle to proposed layout and parking, however requested details of visitor parking and vehicle tracking. Members will be updated.</p> <p><u>Condition</u></p> <ul style="list-style-type: none"> <li>• Garages to be permanently retained for use of vehicles only.</li> </ul> <p><i>Revision 1</i></p> <p>Objection. Concerns outlined as follows:-</p> <ul style="list-style-type: none"> <li>• East Way is an unmade Bridleway, whose surface is not considered conducive to additional traffic movements, without degrading further.</li> <li>• Vehicle movements would be along East Way whose geometry, layout and construction is considered unsuitable for additional traffic.</li> <li>• A scheme of improvements, including taking account of necessary drainage, possible street lighting improvements, widening to ensure the passage of two vehicles along East Way should be submitted for consideration.</li> </ul> <p><i>Original Plans</i></p> <p>Objection. Concerns outlined as follows:-</p> <ul style="list-style-type: none"> <li>• Application form does not demonstrate a right of access or that appropriate notice has been served on owner of bridleway.</li> <li>• No details of improvements to East Way have been provided. A scheme is required.</li> <li>• The proposed development of 140 units to the east of the site indicates a cyclist and pedestrian link onto East Way and hence Steventon Road – this will need to be considered.</li> <li>• The proposed unallocated car parking has not been demonstrated for consideration</li> <li>• The proposed turning space near the entrance of the development is not considered practical for servicing vehicles as it will necessitate a significant reverse gear manoeuvre by likely large sided vehicles.</li> </ul>
<p>Architects Advisory Panel</p>	<p><i>Revision 2</i></p> <p>Not consulted.</p> <p><i>Revision 1</i></p> <ul style="list-style-type: none"> <li>• Many good features with variety of design and materials.</li> </ul>



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	<ul style="list-style-type: none"> <li>Focal view from entrance could be improved by setting back garage at end and enlarging green space, possibly with specimen trees and some seating to act as a meeting point for residents.</li> </ul> <p><i>Original Plans</i> The scheme could be improved by:-</p> <ul style="list-style-type: none"> <li>Reducing the impact of the houses by using 1.5 storey buildings utilising space in the roof.</li> <li>Taking out some of the garages to create more green space.</li> <li>Considering the space in the centre of the development in landscape terms to create a better shared environment.</li> <li>The contextual study is not convincing. The translation needs justification.</li> </ul>
Drainage Engineer	<p><i>Revision 2</i> No further comments received.</p> <p><i>Revision 1</i> No objection.</p> <p><u>Conditions:</u></p> <ul style="list-style-type: none"> <li>Detailed sustainable surface water drainage scheme</li> <li>Detailed foul drainage scheme.</li> </ul> <p><i>Original Plans</i> Holding objection on flood risk grounds.</p>
Thames Water	No comments received.
Forestry Officer	<p><i>Revision 2</i> No objection. Mitigation for tree removal will need to be considered in detailed landscaping scheme for the site.</p> <p><i>Revision 1</i> Reiterated requirement for arboricultural impact assessment.</p> <p><i>Original Plans</i> Requested an arboricultural impact assessment.</p>
Waste Team.	<p><i>Revision 2</i> No objection.</p> <p><u>Informative</u></p> <ul style="list-style-type: none"> <li>New lamp post on East Way and the new specimen tree at the site entrance to be positioned so they do</li> </ul>

	<p>not obstruct access for the waste collection vehicles.</p> <p><i>Revision 1</i> No comments received.</p> <p><i>Original Plans</i> A signed indemnity form is required for all un-adopted roads, even if they will become adopted in the future.</p>
<p>Countryside Officer</p>	<p>No objection.</p> <p><u>Condition:</u></p> <ul style="list-style-type: none"> <li>• Biodiversity enhancement strategy</li> </ul>

### 3. RELEVANT PLANNING HISTORY

#### 3.1 *The application site*

[P95/V0612](#) - Refused (05/10/1995) - Refused on appeal (12/03/1996)

Erection of a dwelling and garage.

Refusal reasons:

- Unacceptable noise and disturbance to 9, 11, 19 and 21 East way and caravans.
- Further permissions would increase vehicular use of East Way resulting in unacceptable deterioration of this access onto Steventon Road.

[P86/V0065/O](#) - Refused (02/06/1986)

Demolition of existing workshop and erection of single residential unit.

#### 3.2 *Adjacent to south of site (Eastway Mobile Home site)*

[P94/V1322](#) - Approved (09/02/1995)

Erection of a mobile home park office and accommodation and demolition of existing toilet and storage building to provide replacement car parking.

#### 3.3 *15 and 17 East Way*

[P94/V0405](#) – Approved (20/10/1994)

Demolish existing house. Erection of a 1 x 3 bedroom house and 1 x 2 bedroom house with internal garages.

[P91/V0354/O](#) - Approved (06/01/1992)

Demolition of existing dwellings and outbuildings. Erection of a pair of semi-detached dwellings with garages.

#### 3.4 *21 East Way*

[P96/V1103](#) - Approved (18/11/1996)

Erection of a four bedroom dwelling and double garage.

#### 3.5 *Land to the south of High Street (to east of site)*

P15/V2447/FUL – Approved in principle in March 2016, subject to a legal agreement.

Erection of 140 new dwellings, extension of the existing access with High Street, creation of new pedestrian and cycle routes, formation of public open space, construction of internal access roads, surface water attenuation, landscaping features and ancillary development.

**3.6 Pre-application History**

None relevant.

**4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The site area is less than 5ha, fewer than 150 dwellings are proposed and the site is not in a 'sensitive area'. The proposal is therefore not EIA development.

**5. MAIN ISSUES**

**Principle of Development**

- 5.1 The development plan for this application currently comprises the saved policies of Vale of White Horse Local Plan 2011 and the Drayton Neighbourhood Plan (DNP). Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). Other material planning considerations include national planning guidance within the NPPF and NPPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies and its supporting evidence base.
- 5.2 Policy GS1 of the adopted Local Plan provides a strategy for locating development concentrated at the five major towns but with small scale development within the built up areas of villages provided that important areas of open land and their rural character are protected. In terms of a hierarchy for allocating development this strategy is consistent with the NPPF, as is the intention to protect the character of villages. The site is located within the built up area of Drayton, and the development proposed is reasonably small scale, therefore the application is consistent with the expectation of Policy GS1.
- 5.3 Core Policy 3 of the emerging Local Plan Part 1 identifies Drayton as a "larger village". Core Policy 8 says that, in addition to the proposed strategic housing allocations, 1,696 dwellings remain to be identified in the Abingdon-on-Thames and Oxford Fringe Sub-Area and will be allocated through the Local Plan 2031 Part 2 and Neighbourhood Development Plans, or will be permitted through the normal development management process.
- 5.4 The DNP allocates three sites for housing in Drayton, totalling about 250 houses, however the DNP does not seek to prohibit development on sites other than those allocated, and it does not impose a 'cap' or 'ceiling' to sustainable development elsewhere. Policy P-LF2 of the DNP states: "*Housing 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.*"

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- 5.5 The site is within the defined settlement boundary of the DNP, and in addition to Policy P-LF2, paragraph 110 of the DNP states: *“it makes sense to consolidate the village within the existing built ‘envelope’, rather than encourage the linear spread of the village outwards beyond its existing boundaries...”*
- 5.6 Drayton Parish Council has strongly objected to the principle of the development because the site is not allocated for housing in the DNP. The Parish Council say that the DNP already provides for 25% + growth in the village over the next 15 years and further sites of this scale are not required at this time and would undermine the sustainable development of the village.
- 5.7 Whilst the concerns of the Parish Council are noted, as set out above, the DNP does not impose a cap to housing numbers, and the application site is within its defined settlement boundary, where Policy P-LF2 supports new housing in principle. In addition, the principle of the development is supported by both the existing and the emerging Local Plans. The principle of the development is therefore acceptable.

### **Use of Land and Cumulative Impact**

- 5.8 The NPPF identifies the need to protect the best and most versatile agricultural land from development (paragraph 112), however the site is too small to be useful in practical terms for agricultural purposes. The site comprises an extended garden for No. 19 East Way, however this dwelling has another garden area to its south which measures well over 300 sq.m. Given these points there is no objection to the proposed use of the land.
- 5.9 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. Through the preparation and adoption of the DNP, it has been ascertained that the village can expand by 250 dwellings in a sustainable manner. The addition of a further eight dwellings to this would represent a 3% increase beyond the allocations of the DNP, which is not considered significant. Furthermore, no technical consultee has raised objection to the scheme based on its cumulative effects with other development in Drayton or the wider area.

### **Locational Credentials**

- 5.10 Drayton is classified as a larger village in the adopted Local Plan (Policy H11). Drayton offers a range of services including two pubs, shops, a post office, community facilities, a primary school and access to public transport. The Town and Villages Facility Study Update 2014 confirms that Drayton ranks 20th of all settlements in the district in terms of community facilities.
- 5.11 The NPPF requires the need to travel to be minimised and the use of sustainable transport modes to be maximised (paragraph 34). Policy P-WP1 of the DNP requires new housing to be well-connected both within the site and with the rest of the village by way of footpaths and cycle ways.

Drayton Parish Council consider the site is too remote from many village

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5.12 facilities, and that the proposal is therefore contrary to DNP policy P-WP1.

5.13 Officers do not agree that the site is too remote from village facilities. The Institution of Highways Transportation guidelines for providing for journeys on foot (2000) recommends 400m as a desirable walking distance but it does also advise distances up to 1200m are acceptable. The site lies within the existing built limits of the village and is some 550 metres from the post office, 500 metres from the Wheatsheaf Inn, 350 metres from the recreation ground, and within a kilometre of the primary school. All of these facilities can be accessed by pedestrians easily via existing footpaths.

5.14 Bus services operate along the B4017, and these link Wantage to Oxford via Harwell, Didcot and Abingdon. There is a bus stop at the end of East Way, in very close proximity to the site. The close proximity of Drayton to Abingdon is also an important factor, with Abingdon being the largest settlement in the district.

5.15 In terms of its location relative to existing facilities, the ease of footpath links to those facilities and the availability of regular bus services, the proposal is considered a sustainable form of development and provides the opportunity to minimise travel and maximise the use of non-car modes of transport.

### **Affordable housing and housing mix**

5.16 The Government's position set out in the Ministerial Statement dated 28 November 2014 is clear that on small scale developments, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 sq.m, affordable housing and tariff style contributions should not be sought.

5.17 As this development is for eight units and the total gross floorspace is shown on the plans to be 995.2 sq.m, developer contributions and affordable housing cannot be sought in this instance.

5.18 It is noted that Drayton Parish Council has requested that the development provides for affordable housing and other contributions and obligations, however given the Government's position, it would not be reasonable to request any.

5.19 In terms of the housing mix, Policy H16 of the Adopted Local Plan requires 50% of market houses to have two beds or less, and this development only provides 25%. However, as stipulated at paragraph 47 of the NPPF this policy is out of date as it is not based on recent assessments of housing need.

5.20 The application proposes the following housing mix:-

	1 bed	2 bed	3 bed	4+ bed	Total
SHMA %	0	2 (25%)	4 (50%)	2 (25%)	8

5.21 The Oxfordshire Strategic Housing Market Assessment 2014 (SHMA) is the most recent assessment and estimates the following open market dwelling requirement by number of bedrooms (2011 to 2031) for the District:

	1 bed	2 bed	3 bed	4+ bed	Total
SHMA %	5.9%	21.7%	42.6%	29.8%	100%

5.22 The proposed mix is as SHMA compliant as possible given the number of units and the effect each unit has on overall percentages.

5.23 Drayton Parish Council has objected to the proposed mix, as they consider Drayton already has sufficient larger (4/5/ bed) housing, and that the DNP favours smaller houses. In terms of this point it is noted the proposal does provide for smaller housing, and 75% of the houses/bungalows proposed in this development have two or three bedrooms. Overall the proposed mix is considered acceptable, and it would not be reasonable to insist on additional smaller units.

### **Design and Layout**

5.24 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.

5.25 Planning Policy P-LF3 of the DNP states: “*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*”. The Drayton Design guidelines set out a number of general design principles regarding housing style and scale, streetscape, density, sustainability, design for a safe and secure environment and other design issues.

5.26 A number of local plan policies and advice set out with the adopted Design Guide seek to ensure high quality developments and to protect the amenities of neighbouring properties (Policies DC1, DC6, and DC9).

5.27 The context of the site is that it is surrounded by existing residential development on three sides, and to the north it adjoins another large garden area. Given this, the site is visually well contained.

### **Site and Setting**

5.28 The Drayton Design Guidelines state that houses of 1-2.5 storeys are the norm in the village. It defines the housing to the west of the site as predominantly bungalows, with a few detached houses and a formal building line (Character Area C), while the housing to the east of the site is defined as predominantly large detached housing with an informal building line (Character Area A). The proposed development comprises 2 two storey detached houses, 4 two storey semi-detached houses, and two semi-detached bungalows. This fits with the existing Character Area context set out Drayton Design Guide, and generally reflects the scale of existing development within the immediately surrounding area.

- 5.29 Principle DG26 of the Council's Design Guide states that density should be appropriate to the location. The DNP Design Guidelines recognise that infill development are often denser than some of the existing development in the village, and it recognises the necessity for this.
- 5.30 The density of the proposed development is higher than some of the surrounding existing development, particularly the houses to the east and northeast of the site, however it is comparable to the density of the housing to the west, and is acceptable overall given the need to secure an efficient use of land.

### **Spatial Layout**

- 5.31 The proposed houses are laid out around a central parking/access court in order to create public fronts and private backs, which is a well-established principle of good design, supported by design principle DG54 of the Council's Design Guide.
- 5.32 The proposed dwellings are arranged in a reasonably informal manner, with variations in frontage widths and plan forms which is considered an appropriate design response suitable for this edge of village location, consistent with principle DG78 of the Council's Design Guide.
- 5.33 The houses are all orientated with windows facing south, so they gain maximum light and passive solar gain, consistent with the Drayton Design Guidelines. The Parish Council has requested a planning condition for solar panels to be fitted to the roofs of the dwellings, however such a condition is not required to make the application acceptable, and is therefore it is not reasonable to recommend such a condition.
- 5.34 The Council's Architect's Panel assessed earlier iterations of the design and generally supported the proposed layout, but noted that the focal view from the site entrance could be improved by setting back the garage at the end and enlarging green space, possibly with specimen trees and some seating to act as a meeting point for residents. The garage for Plot 4 was subsequently moved to alongside the dwelling and a specimen tree put into its place, which is supported.
- 5.35 The layout has been amended since the Architects Panel last commented, but the design principles discussed at the Architects Panel have been retained, and the further changes to the layout (largely as a result of the provision of bungalows instead of houses) are considered a further improvement to the design which will ensure the development better fits with the existing built context around the site.

### **Built form**

- 5.36 The built form of the development comprises 2 two storey detached houses, 4 two storey semi-detached houses, and two semi-detached bungalows. As

stated above, this fits with the existing Character Area context set out Drayton Design Guide, and generally reflects the scale of existing development within the immediately surrounding area.

- 5.37 The development adopts a simple form, with rectangular floorplans and pitched roofs, consistent with principle DG52 of the Council's Design Guide. The Parish Council consider the design to be unimaginative, however officers consider that the variety of houses provided (detached, semi-detached and semi-detached bungalows), will make the design interesting.
- 5.38 The Drayton Design Guide states on Page 15 that: *"Use of warm orange brick, for part of any development...would help contextualize new housing"*. The proposed palette of materials includes red/orange facing brickwork, some areas of roughcast render and red clay roof tiles. The palette of materials is considered to be reflective of the character of the area as established through the Character Study submitted with the application (as amended). A condition is recommended to ensure the final choice of materials is appropriate and of a high quality. Overall the proposed materials are high quality and suitable for the site, consistent with design principle DG62 of the Council's Design Guide and the expectations of the Drayton Design Guidelines.

### **Residential Amenity Surrounding Development**

- 5.39 15 letters of objection were received from neighbours in relation to the original proposal and 10 objections were received in relation to the most recent amendments. Their concerns relate to a number of matters which are covered in other sections of this report. Some neighbours have raised concerns about the impact on their amenity.
- 5.40 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.
- 5.41 The proposed layout orientates the dwellings north-south, and there are no habitable room windows in the eastern and western elevations, therefore there will be no overlooking to the neighbours to the east and west. The dwellings are set back from the eastern and western boundaries of the site, with the closest relationships being between the house on Plot 1 and No. 15 East Way to the east, and between the house on Plot 5 and 35 Steventon Road, where distances of over 15 metres to flank walls are achieved in both cases, which is acceptable. There are two garages situated close to site boundaries, however as these are single story in scale with a maximum height of 5.5 metres to the ridge, these do not cause concern with respect to over dominance.
- 5.42 In terms of the mobile homes to the south of the site, officers did have concern regarding overlooking, and the scheme was amended to provide bungalows instead of houses to avoid this issue, which is welcomed. First floor bedrooms



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within Plots 5 and 6 will overlook a garden for one of the mobile homes (No. 5 Eastway Mobile Home Park), but they will not directly overlook any habitable room windows, and this is acceptable on balance.

- 5.43 The development will result in additional vehicles, cyclists and pedestrians using East Way and the private driveway which currently only serves No.s 15 and 17 East Way, and this will result in some degree of additional noise and disturbance to existing occupiers, and also a degree of overlooking to No. 21 East Way as their house and rear garden directly overlooks the private driveway. However, noise and disturbance from vehicles will be largely limited to peak times in the morning and early evening with a total of approximately 42 vehicle movements over a 24 hour period. Vehicles, cyclists and pedestrians will be passing by No. 21 East Way rather than looking directly into the property from any habitable room. Whilst it is accepted that there will be a degree of disturbance and overlooking, these impacts are not considered as significant as to justify refusing the application.
- 5.44 Several neighbours have raised concern that the development itself will cause light and noise pollution. Whilst it is appreciated that there will be some light and noise from the occupied development, this is likely to be minimal, and the use of the site for residential purposes is compatible with the existing residential context of the area. A landscaping condition is recommended and this requires lighting details, which will give the council some control over the positioning of lighting to ensure glare and nuisance to neighbours is avoided.

### **Within the development**

- 5.45 Within the development there is overlooking across the shared access. This type of overlooking is often unavoidable, and it is noted that most of the windows affected are staggered so direct overlooking is minimised. There is some overlooking from the neighbours into the proposed gardens, however this is often a consequence of new development, and appropriate boundary treatment (to be agreed by condition) can minimise this.
- 5.46 The proposed dwellings all provide adequate internal floor space and garden size and overall the standard of amenity for future occupants is good.

### **Landscape and Visual Impacts**

- 5.47 The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109). This site falls within the Lowland Vale, which is a local landscape designation. Policy NE9 of the Local Plan seeks to protect the long, open views that characterise this part of the district.
- 5.48 The site is visually well contained, as it does not front onto a road and is surrounded by existing development on three sides. It is noted that there is a housing allocation to the east of the site, which has approval (subject to a legal agreement) for 140 houses. This is a much larger single field and its development will impact the landscape to a greater degree than this proposal. Given these points, the proposal will not result in an adverse visual impact on the landscape.

- 5.49 Policy P-LF6 of the DNP requires proposals for new development to include tree and shrubbery planting where possible to reduce the impact of the built form and ensure that development is in keeping with the existing rural character of the village.
- 5.50 A number of trees are to be removed to make way for the development, including a row of 18 Field Maple along the proposed access driveway into the site.
- 5.51 The Council's forestry officer has assessed the proposal, and considers that the visual impact from the removal of the line of 18 Field Maple will be significant as these are visible from the Bridleway. He noted however that as they are located beneath a series of overhead cables, their life expectancy and future management will be determined by the clearance required from the overhead electricity cable, and their loss is acceptable on balance.
- 5.52 A detailed landscaping condition is proposed and within this mitigation for tree removal will need to be provided, particularly along the access road to the site which is visible from the bridleway.

### **Flood Risk and drainage**

- 5.53 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).
- 5.54 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.

### *Surface Water*

- 5.55 A watercourse is located adjacent to the access road entrance, to the south east of the proposed development. Thames Water surface water sewers are located within the East Way bridleway to the south of the site. These existing surface water sewers discharge into the aforementioned watercourse.
- 5.56 The site is located within flood zone 1, which has the least risk of flooding, therefore the main risk of flooding from this development relates to surface run off in times of rainfall.
- 5.57 The application is supported by a Flood Risk Assessment (FRA) which has been amended to address issues raised by the Council's drainage engineer. The FRA concludes that the site is not suitable for infiltration methods, and

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therefore it is proposed to utilise permeable paving within the driveways and access road to convey flows from site to the watercourse located adjacent to the access off East Way, where discharge will be restricted to the Greenfield run-off rate.

- 5.58 The council's drainage engineer has confirmed that the revised FRA is sufficient in demonstrating that a sustainable surface water drainage system is feasible, and has no objection subject to a condition for a fully detailed sustainable surface water drainage scheme to be agreed and implemented prior to occupation.

### *Foul Water*

- 5.59 Foul sewage is to be disposed of via the mains sewer. The council's drainage engineer has no objection subject to a fully detailed foul water drainage strategy to be approved in consultation with the water authority. Officers are aware that there may be a local capacity issue in the foul sewer network, however Thames Water has not commented on the application, and in any event the developer will be required to upgrade the network as necessary before the development can be occupied.

### **Traffic, parking and highway safety**

- 5.60 Adopted local plan policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely.
- 5.61 Policy P-T1 of the DNP requires a detailed Travel Plan to be provided that incorporates a robust strategy for reducing traffic volume. Direct mitigation measures such as car-pooling are encouraged.
- 5.62 Access to the site is via East Way, an unadopted bridleway of unknown ownership (Drayton Bridleway 1 (192/1)). Objectors including the Parish Council have expressed concerns regarding the condition, width, ownership and safety of the bridleway.
- 5.63 With respect to the ownership of East Way, the applicant has served the required notices, and the red line site plan includes East Way to show a right of way over this land and into the site. This level of information is satisfactory to assess the application, and it is noted planning permissions can be granted on land not wholly owned by the applicant. The owner of the site will require a private right of access in order for vehicles to use the bridleway.
- 5.64 In terms of the condition of East Way, the bridleway is currently in a very poor state of repair, and is clear it will need to be upgraded if it is to accommodate any increase in vehicle use. An East Way upgrade plan was submitted early in the application process, and the County Council Highways Liaison officer and the County Council's Countryside access officer objected to it. Since that time there has been significant discussion regarding this issue, which resulted in the applicant submitting a schedule of upgrade works, along with an amended upgrade plan (**attached** at Appendix 2), which includes a commitment to maintain the upgraded bridleway for 10 years.

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- 5.65 The County Council Highways Liaison and Countryside Access officers have reviewed the revised East Way Improvement Plan and schedule, and are satisfied that it provides for an upgrade that would benefit all users of the bridleway, and that it provides an adequate basis for a s278 agreement with the County Council, as Local Highway Authority, to deliver the improvements.
- 5.66 The application is supported by a Transport Statement (TS), which predicts that the site will generate low levels of vehicular trips, with some 42 movements over the course of a 24 hour period. The TS that predicts the impacts on local roads and junctions to be minor given the proposal is only for eight houses. The County Council Highways Liaison Officer has reviewed the methodology and conclusions of the Transport Statement and found them to be sound.
- 5.67 A number of objectors have raised concern that the additional traffic using the bridleway will result in safety issues for other bridleway users, however this has not been raised as a concern by the Highways Liaison Officer.
- 5.68 Objectors have noted concern regarding dust from the new bridleway surfacing, however given that most of the new surfacing will be self-binding gravel the dust created is not expected to be significant.
- 5.69 Officers note the DNP requirement for a Travel Plan, however given that this is not a major application and the traffic impacts are minor, it would be unreasonable to require a travel plan in this instance. It is also important to reiterate how well this site is located in relation to local facilities, which in itself should promote non car modes of transport.
- 5.70 The development provides for a minimum of two parking spaces per dwelling and a turning head within the site. The Highways Liaison Officer has no objection to the proposed access, parking and layout in principle subject to a condition to ensure garages are retained for parking, but has requested a plan showing visitor parking, vehicle tracking, and a small amendment to the proposed rumble strip on the driveway to the development.
- 5.71 The applicant has provided vehicle tracking information and the Highways Liaison Officer noted that at access and egress, from the proposed private drive onto the bridleway, the tracking seems to conflict with the presumed existing geometry but given the East Way bridleway improvements proposed by the application are indicative this could be revised as part of the Section 278 agreement to remove the issue. A condition is proposed to ensure the amendment to the rumble strip is secured. Regarding the visitor parking, it is noted that all the two and three bed dwellings have at least two parking spaces, with the detached houses having four spaces each. The introduction of additional parking spaces would be to the detriment of the quality and quantum of landscaping provided, and on balance the parking provision is acceptable.

### **Ecology and Biodiversity**

- 5.72 Paragraph 118 of the NPPF requires biodiversity impacts to be adequately mitigated. DNP Policy P-S2 states that developers are required to protect and

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enhance the natural environment where possible, and for habitat loss to be offset.

- 5.73 The council's countryside officer has confirmed the existing habitats on the site are common and widespread with semi-improved species poor grassland dominating with scattered ornamental trees. He confirmed that surveys of land adjacent to the eastern boundary for reptiles and amphibians were negative and it is likely these species are absent from the site.
- 5.74 As the site clearance necessary to construct the development is likely to lead to a net loss of biodiversity, the Countryside Officer recommended a condition requiring a biodiversity enhancement strategy as mitigation. The DNP Design Guide states that applicants should be required to provide bat, swallow and other bird boxes on site and encourage such wildlife into eaves and gable ends where feasible. Officers will expect the biodiversity enhancement strategy to make provision for these, where feasible, accordingly.
- 5.75 One of the objectors has commented that they have seen frogs, newts, wild birds and badger very near the site, some of which are protected by law. In light of this, and to be sure the development will not adversely affect any protected species, it is considered necessary to attach a condition to any approval requiring an ecology survey (to include a mitigation scheme, if required) to be submitted and approved prior to commencement of the development.
- 5.76 Whilst officers are aware that normally ecology surveys should be submitted and considered as part of a planning application, officers are also mindful of NPPG Paragraph 007 which states that Local Authorities should take a pragmatic approach in fulfilling statutory obligations that minimises delays and burdens. It is also noted that in this case, the Countryside officer considers the site is fairly unlikely to contain protected species. If Members are minded to approve this application but are uncomfortable about the use of a planning condition for an ecology survey, they may wish to delegate authority to officers to approve the application pending submission of a survey.

### **Financial contributions**

- 5.77 The Government's position set out in the Ministerial Statement dated 28 November 2014 is clear that on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 sq.m, affordable housing and tariff style contributions should not be sought.
- 5.78 As this development is for eight units and the total gross floorspace is shown on the plans to be 995.2 sq.m, developer contributions and affordable housing cannot be sought in this instance.

## **6. CONCLUSION**

- 6.1 The development plan supports the principle of housing in this location. The development would bring a disused piece of land in a sustainable location into

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use, and will provide an additional eight dwellings contributing toward the district's housing supply.

- 6.2 The proposed houses have been sensitively designed and will not detrimentally harm the character and appearance of the immediate area or the wider Lowland Vale. The application presents a satisfactory layout and design, and whilst there will be some minor impacts on neighbouring properties, these are not so unreasonable to justify refusal of the application.
- 6.3 The proposal provides for an acceptable scheme of improvements for the bridleway, an acceptable level of parking and manoeuvring on site, and will have only a minor impact on the road network. Drainage proposals are acceptable subject to conditions, and the biodiversity and potential but unlikely ecology impacts can be mitigated subject to conditions.
- 6.4 Overall, the development is considered to amount to sustainable development, and whilst there will be some adverse effects, these do not outweigh the benefits. Consequently, the application is recommended for approval subject to conditions.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2011:

- GS1 - Developments in existing settlements
- 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
- DC14 - Flood Risk and Water Run-off
- DC12 - Water quality and resources
- H11 - Development in the Larger Villages
- H15 - Housing Densities
- H16 - Size of Dwelling and Lifetime Homes
- H17 - Affordable Housing
- NE9 - The Lowland Vale

Draft Local Plan 2013 Part 1:

- 1 – Presumption in favour of sustainable development
- 3 – Settlement hierarchy
- 4 – Meeting our housing needs
- 7 – Providing supporting infrastructure and services
- 8 – Spatial strategy for the Abingdon on Thames and Oxford Fringe Sub-Area
- 22 – Housing mix
- 23 – Housing density
- 24 – Affordable housing

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- 26 – Accommodating current and future needs of the ageing population
- 33 – Promoting sustainable transport and accessibility
- 35 – Promoting public transport, cycling and walking
- 37 – Design and local distinctiveness
- 39 – The historic environment
- 40 – Sustainable design and construction
- 41 – Renewable energy
- 42 – Flood risk
- 43 – Natural resources
- 44 – Landscape
- 46 – Conservation and improvement of biodiversity

### Neighbourhood Plan

The Drayton neighbourhood plan has been to referendum, and is 'made'. It therefore carries significant weight as per paragraph 216 of the NPPF. The following planning policies are relevant to the proposal:

- P-LF2 – Bounded development
- P-LF3 – Building design guidance
- P-LF4 – Conservation Area
- P-LF5 – The historic environment
- P-LF6 – Additional greenery - new developments
- P-WP1 – Connected development
- P-T1 – Travel plans
- P-S1 – Local Building Materials
- P-S2 – Biodiversity
- P-H1 – Scale of development and site allocation
- P-H2 – Affordable housing
- P-H3 – Contributions

Vale of White Horse Design Guide 2015

National Planning Policy Framework (NPPF)

Planning Practice Guidance

The Conservation of Habitats and Species Regulations 2010

The Localism Act

The Human Rights Act 1998

The Equality Act 2010 (Section 149)

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