
APPLICATION NO.	P17/V2002/FUL
SITE	Land to the East of Portway Cottages, Reading Road, East Hendred, Wantage, OX12 8JD
PARISH	East Hendred
PROPOSAL	Variation of Conditions(s) 8 on planning permission P15/V2560/FUL to remove the requirement for bus stops and associated works to be provided on the A417, to allow for the Toucan type crossing to become a Puffin type crossing and to require the provision of a two metre wide footway on the southern side of the A417 (rather than the approved foot/cycleway).
WARD MEMBER(S)	Proposed residential development of 46 dwellings (As amended by drawings and information accompanying agent's emails of 8 April 2016, 25 May 2016, 12 and 22 August 2016)
APPLICANT	Michael Murray
OFFICER	Mr Graham Flint Charlotte Brewerton

RECOMMENDATION

That planning permission be granted with the following conditions attached and subject to a variation of deeds application being submitted to update the S106 obligations.

Officers note that a number of pre-commencement conditions have been discharged on the original application and that works at this site are ongoing. Therefore the following conditions will be required to be implemented as per those details submitted and approved in writing by application P17/V0251/DIS.

- 1 : Approved plans
- 2 : Roads and footpaths prior to occupation
- 3 : Construction traffic management
- 4 : Hours of work
- 5 : Protection of archaeological feature
- 6 : Archaeological watching brief
- 7 : Access

- 8 : Off site highways works**
- 9 : Car parking area**
- 10 : No drainage to highway**
- 11 : Bicycle parking**
- 12 : Noise**
- 13 : Landscaping scheme (submission)**
- 14 : Landscaping scheme (implement)**
- 15 : Tree protection**
- 16 : Maintenance of open space/play areas**
- 17 : Materials (samples)**
- 18 : Sustainable drainage scheme**
- 19 : Boundary details in accordance with specified plan**
- 20 : Slab levels (dwellings)**
- 21 : No windows or rooflights (dwelling)**
- 22 : Obscured glazing (opening)**
- 23 : Time limit - full application**

Additional Condition

24 : All foliage from the Mather House site will be kept back inline with the boundary wall. Any overhang or encroachment onto the highway poses a safety hazard to site lines and the new footpath and must be kept free from obstruction at all times.

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is referred to planning committee as the officer's recommendation for approval differs from East Hendred Parish Council's objection.
- 1.2 This application seeks to vary Condition 8 of planning permission P15/V2560/FUL for the development of 46 dwellings on land to the East of Portway Cottages, Reading Road, East Hendred.
- 1.3 Condition 8 of the original planning approval (P15/V2560/FUL) sought off site highways works to be submitted to and approved in writing by the Local Planning Authority. The originally permitted scheme included bus stops with associated infrastructure, a toucan crossing and a cycle/footway along the A417 by condition at the request of OCC highways.
- 1.4 On submission of the technical drawings to OCC for the Section 278 (Legal agreement to enable off site highways works to be delivered on the public highway) it became apparent that the approved road design could not be implemented without causing conflict further along the A417.
- 1.5 As such this application has been submitted which seeks the removal of the bus stops along the A417, the change of crossing type from a Toucan (used by cyclists and pedestrians) to a Puffin (used by pedestrians only) and the provision of a 2m wide footway on the southern side of the A417 rather than the approved foot and cycleway (P15/V2560/FUL).

- 1.6 A signed legal agreement (S106) sets out the obligations of Pye Homes in the build out of this site. Should this application be considered acceptable then a Deed of Variation application will need to be submitted to ensure that the legal agreements are in line with the signed obligations, which were to include bus stops along this stretch of the A417 along with a reduction in the speed limit from 40mph to 30mph. The reduction in the speed limit has not changed and will still be implemented as per the approved plans along with the realignment of part of the A417.
- 1.7 The site, which lies within the Parish of East Hendred, is currently under construction, having had all pre-commencement conditions discharged (P17/0251/DIS). The site lies within the Lowland Vale landscape designation, with the North Wessex Downs boundary marked by the southern edge of the A417, opposite the site. A site location plan is **attached** at Appendix 1:

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 A summary of the responses received is set out below. Comments made can be viewed in full online at www.whitehorsedc.gov.uk

East Hendred Parish Council – Objection.

- No objection on the change of the Toucan to Puffin
- Strong objection to a 2m footway – too narrow – safety concerns due to heavy passing traffic
- Two heavy vehicles will have trouble passing side by side and will have to move over to the verge which will cause safety implications to pedestrians.
- consider the safety aspects of this proposed footway given that the only connection that residents from 45 houses will have to access the main village facilities is via this crossing and footway.
- The safety of both residents and someone with impaired mobility using this narrow footway with a large vehicle approaching should be of major concern to the Vale Planning Department and a safer alternative demanded. It would be a simple matter to widen the walkway if the wall bounding it was moved.
- Since the Pye 3 application was made the planning application for Greensands, immediately to the west of the Pye 3 site, has been approved for a further 65 houses. The increase from the 48 houses of the Pye 3 site to a total of 113 would more than double the potential number of users of this crossing and narrow walkway, which is expected to be agreed as the pedestrian link to the main village for the Greensands development
- Cllr Ed Vaizey supports the Parish Objection

Oxfordshire County Council Single Response - No objections. The Road Audit report advises that the proposed bus stops can not be implemented safely without causing conflict with the crossing. There are existing bus stops along White Road and an existing, albeit temporary, bus diversion into the village. Providing safe and convenient access from the Pye 3 site to White Road for pedestrians to gain access to public transport, which is satisfactory. No safety

concerns. The crossing is signalised so traffic will have to stop to ensure pedestrians can cross safely. There is sufficient room adjacent to Mather House to allow pedestrians safe passage into the village. Foliage will need to be cut back to ensure no overhang or encroachment onto the footpath.

The Section 278 and Section 78 agreements have already been signed by OCC. The Technical Certificates can be seen **attached** at Appendix 2.

Neighbour Object (2)

- Highway safety concerns on narrowness of footway
- The site line of 30 meters on the West approach is the absolute minimum required. It can be obscured a vehicle emerging from Portway cottages onto the A417.
- The White road/A417 junction is only 25 metres from the proposed crossing. The minimum requirement is 20 metres. This is however NOT a residential junction, it is a heavily used junction onto a very busy main road.
- The proposed crossing is on a bend at a point where the A417 is only 6 metres wide. The southern footway to the crossing is only 2 metres wide. Simply the crossing has been squeezed in by Glanville for Pye. The combined effect of these minimum tolerances makes this crossing dangerous.

Thames Travel – Object

- No change to the site to warrant removal of bus stops
- Proposal for removal of bus stops is in conflict with the wider development aims for this area
- Additional bus stops needed to meet increased use from developments
- No alternative provision for bus stops have been proposed

Stagecoach – Object

- Little evidence to justify removal of bus stops
- Bus stops should not be removed post consent, requirement of the original planning approval
- Rationale for this does not appear to be Transparent
- Bus stops were part of a strategic programme of improvements in public transport connectivity to support ambitious levels of plan-led growth
- Removal affects the provision of bus services
- Contributions for the bus stops have been sought to fund the planned strategy
- Removal of bus stops seriously undermines the evidential weight in favour of the original proposal.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P17/V0251/DIS](#) - Approved (06/09/2017)

Discharge of Conditions: 3 - levels, 4 - external construction materials, 5 - boundaries, 6 - landscaping, 7 - arboricultural method statement, 8 - off-site highway works, 9 - Travel Plan Statement and Information Pack, 10 -

Construction Traffic Management Plan, 11 - drainage scheme, 12 - drainage strategy, 13 - bicycle parking and bin storage, 14 - Archaeological Written Scheme of Investigation, 15 - Archaeological mitigation, 16 - traffic noise mitigation, 17 - windows to Plot 17 and 18 - open space and children's play area on planning permission P15/V2560/FUL - Proposed residential development of 46 dwellings

(As amended by information relating to conditions 4,5,6,13 and 17 accompanying agent's email of 15 March 2017, information relating to condition 11 accompanying agent's email of 3 April 2017, information relating to condition 8 accompanying agent's email of 23 May 2017, information relating to condition 6 accompanying agent's email of 16 June 2017 and as clarified further by agent's email of 10 July 2017 in respect of conditions 11 and 12, Construction Traffic Management Plan Revision B received in respect of condition 10 on 11 July 2017 and SudS Management and Maintenance document in respect of condition 11 accompanying agents email of 20 July 2017)

[VE17/259](#) - (26/07/2017)

Without planning permission the formation of accesses on a classified road.

[P17/V1534/FUL](#) - Withdrawn (11/07/2017)

Temporary construction access for 6 months in relation to the application: P15/V2560/FUL.

[P17/V0324/NM](#) - Approved (08/03/2017)

Non material amendment to application ref. P15/V2560/FUL(Proposed residential development of 46 dwellings) to omit carports provided for plots 2-6 and substituting carports with garages to plots 23-26, 31-34 and 35-42 (As amended by Drawing Nos: 2836.200 Rev L, .212 Rev D, .213 Rev D and .220 Rev F to increase the size of new garages)

[P15/V2560/FUL](#) - Approved (15/11/2016)

Proposed residential development of 46 dwellings (As amended by drawings and information accompanying agent's emails of 8 April 2016, 25 May 2016, 12 and 22 August 2016)

[P16/V0235/O](#) - Refused (30/09/2016)

Outline planning application for the erection of 75 dwellings (10 of which will be specialist accommodation for older people), communal hub for older persons accommodation, retention of the existing Bed and Breakfast and associated open space, with all matters reserved (as clarified by amended application forms accompanying agent's letter of 6 April 2016 that confirms this application seeks outline planning permission with all matters reserved and as further clarified by information accompanying agent's letter of 12 May 2016 and amended by Drawings accompanying agent's letter of 7 July 2016)

[P15/V2328/O](#) - Refused (21/01/2016) - Appeal allowed (18/04/2017)

Outline planning application for the erection of 75 dwellings (10 of which will be specialist accommodation for older people), communal hub for older person's

accommodation, retention of the existing Bed and Breakfast and associated open space, with all matters reserved save for that of access.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 None required

5.0 **MAIN ISSUES**

5.1 The main considerations in the determination of this application are whether road safety and the highway network would be adversely affected by the removal of highways infrastructure agreed as part of the planning approval for 46 Dwellings on Pye site phase 3 and whether the changes proposed to the crossing and footpath provision result in road safety concerns. Proposed plans can be seen **attached** at Appendix 3.

5.2 **Traffic, parking and highway safety**

On submission of the Section 278 agreement to Oxfordshire County Council Highways team it became apparent from the Road Safety Audit that the inclusion of bus stops along the A417 would cause safety concerns and conflict with the proposed toucan crossing from Pye 3 development to the village of East Hendred.

5.3 In discussion with OCC the applicant has sought the removal of the bus stops and associated infrastructure within the immediate vicinity of Pye site Phase 3, an obligation that was required from a signed S106.

5.4 It is understood from having spoken with OCC that the bus companies travelling along the A417 at present have diverted their existing bus routes from the A417 (when coming from Didcot to Wantage) and into the village itself. This is a temporary measure whilst the ongoing developments at Harwell and Milton take place and one that is to become remedied in 12 months time. At this time there are no bus services that stop along A417 in close proximity to the Pye developments.

5.5 There is an objection from Thames Travel and Stagecoach, the two local bus providers, who request that additional bus stops are required along the A417 due to the increased housing in this part of the district and that no provision for alternative stops have been made. In addition, they state that funding has been sought to implement such highway infrastructure.

5.6 The Committee Report of Application P15/V2560/Ful noted (at para 6.64) that *'The A417 is also an important public transport corridor, linking Wantage to Harwell. The Highways Authority have requested a proportionate contribution to the improvement of bus services along the A417 and this is again considered necessary as part of the mitigation of this scheme. Furthermore, bus stops on the A417 serving the site will be needed'*.

5.7 The situation has not changed, Officers agree that with the additional residential sites currently being built along A417 additional public transport infrastructure is required.

- 5.8 At the present time there are existing bus stops along White Road and further within the village itself. In the medium and longer term, it is expected that some buses will revert to travelling straight along A417. Once it is known when this will happen, the County Council will install a pair of bus stops on A417, to the west of the White Road junction. These will be funded using developer contributions held from the 'Pye 2' site. In addition to these monies there is also funding from the Greensands development, also an obligation sought through a signed S106. It is intended that as the Greensands site comes forward, contributions from that site will be used to provide bus stops, further east along A417. The Featherbed Lane Improvement Scheme will provide a new roundabout junction on A417 and the stops would be located to the west of this junction.
- 5.9 OCC have responded that at the present time, and whilst the buses are running on a temporary route, during the build out of these sites and the reconfiguration of the road, the bus stops cannot be implemented safely within the immediate vicinity of this development. Whilst it is noted that additional bus services will be needed along this stretch of road, the bus infrastructure sought as part of Pye 3 would provide an overprovision and cannot be implemented safely or without causing conflict to other improvements along this road.
- 5.10 The strategic plan-led growth in this part of the district needs access to safe and convenient public transport as highlighted within the Officers original report. Planned growth is ongoing with associated roadworks being put in place all along the A417, the most recent will be the highway improvements to Featherbed Lane, comprising road widening and the development of a new roundabout approved under application P15/V0774/LDP, it is considered that once the approved schemes have been implemented then this stretch of the A417 can be looked at comprehensively and the best location found for additional bus stop infrastructure.
- 5.11 Officers therefore consider that the removal of the bus stops from the Pye 3 development obligation is justified in this instance as there is a trigger from Greensands and Pye 2 for additional stops once the road network improvements have been implemented. Officers consider this is in accordance with Policy.
- 5.12 **Signalised crossing & Footpath**
The original Officers report (application P15/V2560/FUL) states (para 6.66) "... at the request of the Parish Council, with the support of the Highways Authority, the applicant has agreed to fund a reduction in the speed limit along this part of the A417 from 40MPH to 30MPH. Officers agree this is sensible, given the increase in housing facing the A417 on its northern side if this scheme were approved, and the plans for the roundabout at the Featherbed Lane junction to the east."
- 5.13 There is concern from neighbours and the Parish that the speeds currently being experienced along this stretch of the A417 are too fast to safely allow pedestrians to cross or to walk along the footpath being provided.

- 5.14 Officers note that there is a provision for the developer to provide a speed reduction from 40mph to 30mph along this stretch of the A417, from the Featherbed Lane junction to the end of Pye Phase 1 site. There is no change proposed to this obligation. Once implemented traffic will therefore already be slowing on its approach to this proposed crossing from Pye phase 3 than at the present time.
- 5.15 Pedestrians using this crossing will be approaching the crossing head on to traffic from both the new development and White Road. They will stop the traffic with the lights, cross the road and continue on their journey. Traffic will be stopped whilst at the crossing and slowly moving off once it is safe to do so. By which time pedestrians will have moved on.
- 5.16 The proposed changes from a Toucan crossing to a puffin crossing would maintain connectivity from the Pye phase 3, across the road and into the village to catch a bus at existing stops or to use village services. The distances to the existing bus stops on White Road are not impractically long, less than 400 metres. A comprehensive view about the provision and location of bus stops is being taken (ongoing discussions with the bus operators). OCC are satisfied that the changes to the crossing, from a Toucan which allows cyclists to ride over the crossing, to a Puffin ensuring that all users of the crossing would be walking, would not adversely affect the pedestrian links provided for by the original planning consent.
- 5.17 The changes from a cycle/footway to only a footway provision on the southern side of the A417 would not discourage use of this crossing. There is to be connectivity from the future Greensands development, through Pye Phase 3 and to the proposed puffin crossing. Signs and lighting will be placed around this crossing to indicate that bicycle users will need to dismount and walk a short distance before remounting and continuing on their journey into the village. OCC are satisfied with this.
- 5.18 The Parish Council have concerns that the 2m wide footway on the south of the A417 is too narrow when large vehicles are passing and would cause a safety concern for those using the crossing. Having discussed this with OCC, and walking along this stretch of road with the Highways Liaison Officer, there is a large overhang from the existing foliage located on the Mather House Site. This significantly reduces the amount of space that there is currently along this verge adjacent to the highway. However the space available to place a footpath here is sufficient for the creation of a 2m wide footway from the metalled road surface of the A417 to the boundary wall of Mather House in accordance with OCC guidance. With the removal of foliage, and ensuring that this is kept cut back (see the additional condition at number 24) so as not to reduce footpath space, OCC are satisfied that there is no safety concern with the width of the footway. The 2metres wide footway is compliant with design guidance.
- 5.19 In addition to this crossing being altered and the provision of a 2m wide footpath OCC have required that offsite works include improvements at the White Road junction to upgrade the paving's and dropped kerbs at this

crossing. Better crossing facilities here will further ensure safe and convenient access to bus stops and village facilities for all pedestrians.

- 5.20 OCC are satisfied that there would be no safety concerns with the changes proposed to this crossing. Officers are therefore satisfied that the changes proposed to the crossing, from a Toucan to a Puffin, and the provision of the 2m wide footway on the southern side of the A417 is safe and convenient in accordance with Highway Safety and Vale of White Horse planning Policy.

Other issues

- 5.21 A neighbour has commented that *‘the site line of 30m on the West approach is the absolute minimum required for the new 30mph limit...It can obscure a vehicle emerging from Portway cottages onto the A417’*. This situation has not changed in the submission of this application. A crossing was approved in this location on the original scheme, this application proposes to alter it from a cycle/footway to one used solely for walking. The Manual for Streets guidance, now widely used for roads having low speed limits (40mph and less) recommends that the Stopping Sight Distance for a vehicle travelling at 30 mph is 43 metres. The highway authority has required that a minimum forward stopping sight distance for east bound vehicles of 50 metres will be provided to the nearside signal head and the developer has agreed and confirmed that this will be provided. The forward stopping sight distance available to the offside signal head, which generally will be the first one to be seen, will be considerably longer, approximately 120 metres.
- 5.22 The A417 carriageway along the frontage of the Pye 3 site is to be slightly re-aligned northwards to improve the forward visibility to the new signalised crossing. This re-alignment will not result in any widening or narrowing of the carriageway. Opposite the site, the long hedgerow running along the south side of A417 has been allowed to grow forward such that it extends across the verge and to the carriageway edge. This is an encroachment into the highway and if it is determined that this will cause an unacceptable impediment to visibility along the carriageway, measures can be taken to have the hedge cut back, OCC officers note.
- 5.23 Concerns have arisen over the narrowness of the footpath and the possibility of moving the boundary wall of Mather House to assist in widening the footpath. We have discussed the prospect of achieving an improved footway link between the crossing and White Road by setting back the boundary wall or by providing an adopted link through the Mather House site. Officers at both Vale and OCC believe this is something that we should continue to pursue, however this is going to have to be done through negotiation with Greensands, not through an imposition on Pye 3. Whilst Pye are not the owners of Greensands, to the best of Officers knowledge, and the adjacent site is in a different ownership we therefore cannot request that these works take place under this application.
- 5.24 The ‘Pye 3’ Site is being developed for 46 dwellings, and not for 26 houses and therefore the development at Greensands of 65 houses will not almost triple the use of the crossing and footway. The total of 111 dwellings within the two

sites on the north side of A417 may be expected to generate only moderate numbers of pedestrian movements per day, perhaps in the order of 50. Officers are satisfied that this trip production and the provision being sought is adequate and would not result in severe harm or increased safety concerns.

6.0 CONCLUSION

6.1 Officers conclude that the variation of condition 8 of planning approval P15/V2560/FUL is approved for the reasons outlined above and that the condition can now read:

6.2 “Prior to the completion of 50 dwellings, a scheme for all off-site highway works, to include a timetable for their implementation, must be submitted to and agreed in writing by the local planning authority. The submitted scheme shall include the creation of a Puffin Type pedestrian crossing (and associated works), a shared footway/cycleway on the north side of the A417 and a linking 2.0 metres wide footway along the south side of the A417 and improved pedestrian crossing facilities in the form of tactile paving’s and dropped kerbs on White Road. The works shall be undertaken in accordance with the approved drawings and the approved works shall be implemented in full before the first occupation of any dwelling hereby approved.”

7.0 The following planning policies have been taken into account:

7.1 Vale of White Horse Local Plan 2011 (SOLP 2011) policies;

- CP01 - Presumption in Favour of Sustainable Development
- CP02 - Cooperation on Unmet Housing Need for Oxfordshire
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP05 - Housing Supply Ring-Fence
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP22 - Housing Mix
- CP23 - Housing Density
- CP24 - Affordable Housing
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP36 - Electronic communications
- CP37 - Design and Local Distinctiveness
- CP38 - Design Strategies for Strategic and Major Development Sites
- CP39 - The Historic Environment
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure
- CP46 - Conservation and Improvement of Biodiversity

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