

<b>APPLICATION NO.</b>	<a href="#">P24/V1017/PIP</a>
<b>SITE PROPOSAL</b>	Land at Townsend Road Shrivenham Permission in principle for residential development of single-storey dwellings
<b>AMENDMENTS</b>	None
<b>APPLICANT</b>	NRA Developments Ltd
<b>APPLICATION TYPE</b>	PERMISSION IN PRINCIPLE
<b>REGISTERED</b>	8.5.2024
<b>TARGET DECISION DATE</b>	26.7.2024
<b>PARISH</b>	SHRIVENHAM
<b>WARD MEMBER(S)</b>	Katherine Foxhall Viral Patel
<b>OFFICER</b>	Katherine Canavan

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1.0 **INTRODUCTION**

- 1.1 The application is referred to Planning Committee at the request of the ward member, Councillor Katherine Foxhall.
- 1.2 The application site is located on the southern side of Townsend Road in Shrivenham, between the dwellings of Acorn Way and Holkham House. The site is undeveloped and sits opposite residential development, including a new housing development, on the western edge of Shrivenham. The area of land extends roughly 80m in width and 65m back from the highway.
- 1.3 There are three trees on the site that are protected by way of Tree Preservation Orders. There are no other site constraints relevant to the proposal.

2.0 **PROPOSAL**

- 2.1 The application seeks Permission in Principle (PIP) for residential development on the site. The proposal is envisaged to comprise a small group of single storey dwellings, approximately 4-5 dwellings in total. The applicant has indicated that they would be designed as single storey at the technical details stage.
- 2.2 The PIP application follows an appeal decision on the site for 25 entry-level dwellings, which was dismissed in March 2023. Previous to this, an outline application for 15 dwellings was refused in 2016. It is noted that both the appeal site and outline proposal covered much larger areas and extended further back into the site.
- 2.3 Copies of the plans accompanying the application are **attached** at **Appendix 2**. Other documentation associated with the application can be viewed on the council's website at: [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Full versions of the representations can be found on the planning application pages on the council’s website [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

3.1 **Statutory Consultee responses**

<i>Representation</i>	<i>Comments</i>
Shrivenham Parish Council	<p><b>Objection</b> Given the timing of the inspector’s assessment of character on the southern edge of Townsend Road, the 10 dwellings had already been permitted; it is argued that the development should not have commenced, and therefore the change in character to which the inspector refers, has not lawfully been implemented and should not form a material consideration.</p> <p>Other buildings on the southern edge of Townsend Road are located on spacious plots and are generally loose knit in character. The site is outside the built limits of Shrivenham and is characterised as being part of the countryside at the edge of Shrivenham. There are no other policies that add weight to housing in this location, and the principle of residential development on site is therefore contrary to the development plan.</p>

3.2 **Council - professional officer comments**

<i>Representation</i>	<i>Comments</i>
Drainage Engineer	<b>No objection</b> (principle matters – flood risk and drainage)
Tree Officer	<b>No objection</b> (principle matters – tree protection)

3.3 **Public responses**

8 representations were received in objection to the proposal; 1 representation was received in support; and 1 as a general comment requesting clarification on various technical matters. The representations are summarised below:

<i>Representation - Object</i>	<i>Comments</i>
Impact on character	<p>The Bovis development was permitted long before the appeal was considered, and was therefore factored into the appeal decision. The 10 dwellings at the end do not contribute positively to the character of the area. The south-west of Townsend Road remains semi-rural in character.</p> <p>Additional housing would erode the beautiful, rural character of Shrivenham.</p>

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Future development	Concerns that this application may be a gateway to a subsequent application for further development at the rear of the plot.
Lack of need and infrastructure	No need for additional housing when such major developments are underway in the village. Local infrastructure, including schools, healthcare facilities, and public transport, is already under considerable pressure. There is not the infrastructure to support any more people and vehicles in this village.
Traffic, congestion and parking	Increase in traffic, in addition to the traffic impact from recent development along Townsend Road. The increased number of vehicles will put additional strain on the already limited parking spaces and narrow roads, posing a risk to pedestrian safety.
Biodiversity	Risk to bats on the site

<i>Representation - Support</i>	<i>Comments</i>
Scale of development	It is regrettable that the attractive open grazing land would be lost, but a small number of bungalows is certainly preferable to the high density of properties previously proposed, and appears to meet a need within the village.
Local need	The NDP was informed by a survey which found there was interest in smaller 2-bed properties designed to meet the needs of local older residents. A small development of 2-bed properties would allow residents to downsize and stay in their beloved village. It is recognised that the proposal meets the Shriveham Housing Needs Survey (2017) requirements for bungalows for elderly residents and those wishing to downsize.
Character	It is positive that these properties are only proposed for the section of the field closest to the road, and for a small number and that they are single-storey. The properties would not be seen from the road and be a pleasant, discreet and safe environment. A small development would enhance the character of the site.

4.0 **RELEVANT PLANNING HISTORY**

Application Number	Description of development	Decision and date
4.1 <a href="#">P21/V2264/FUL</a>	Demolition of existing structures and construction of Entry Level Exception Site comprising 25 no. one, two and three bedroom affordable dwellings, vehicular and pedestrian accesses, internal access road, resident and visitor	Appeal dismissed (06/03/2023)

	parking, pumping station, landscaping and public open space, boundary treatment and associated works.	
<a href="#">P20/V3210/PEJ</a>	Develop a parcel of land to the south of Townsend Road for 30 affordable dwellings as an 'entry level exception site' as defined in paragraph 71 of the NPPF, and to include landscaping, public and private amenity space, new accesses (pedestrian and vehicular) and associated infrastructure.	Advice provided (07/04/2021)
<a href="#">P16/V2344/O</a>	Proposed residential development for 15 new dwellings with new road within site, vehicular and pedestrian access.	Refused (17/11/2016)
<a href="#">P12/V2669/DIS</a>	Discharge condition 3 of planning permission P12/V1894/HH.	Approved (12/02/2013)
<a href="#">P12/V1894/HH</a>	Opening up of new access/egress gateway.	Approved (08/11/2012)
<a href="#">P75/V1003/O</a>	One dwelling (Acorn Way, Townsend Road, Shrivenham).	Refused (18/08/1975)
<a href="#">P75/V1002/O</a>	Residential development (32 dwellings), (Townsend Road, Shrivenham).	Refused (17/03/1975)

5.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 The proposal would be below the threshold to be considered EIA Development.

6.0 **POLICY & GUIDANCE**

6.1 **National Planning Policy Framework and Planning Practice Guidance**

6.2 **Development Plan Policies**

**Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:**

CP01 - Presumption in Favour of Sustainable Development

CP03 - Settlement Hierarchy

CP04 - Meeting Our Housing Needs

CP37 - Design and Local Distinctiveness

CP42 - Flood Risk

CP44 - Landscape

A Regulation 10A review (five-year review) for Local Plan Part 1 (LPP1) has been completed. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.

**Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:**

DP16 - Access

As the ‘Development’ policies in LPP2 are more site specific, they are generally not relevant to the consideration of this PIP application and would be more relevant at the Technical Details Consent (TDC) stage.

### **Emerging Joint Local Plan 2041**

The Council is preparing a Joint Local Plan covering Vale of White Horse and South Oxfordshire, which when adopted will replace the existing local plans. Currently at the Regulation 18 stage, the Joint Local Plan Preferred Options January 2024 has limited weight when making planning decisions. The starting point for decision taking will remain the policies in the current adopted plans.

### **6.3 Neighbourhood Plan**

The Shrivenham Neighbourhood Plan was made (adopted) as part of the district council’s development plan on 18 May 2021. The policies relevant to the proposal are:

- Policy H1: General requirements for development
- Policy H2: Housing Mix
- Policy H3: Sites within the built up area
- Policy H5: Housing for elderly and younger residents.
- Policy LC2: Landscape setting
- Policy HE2a: Green environment – existing trees
- Policy HE3: Hedgerows, trees and Ancient Woodland
- Policy HE4: Biodiversity

### **6.4 Supplementary Planning Guidance/Documents**

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

### **7.0 PLANNING CONSIDERATIONS**

- 7.1 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development. This approach separates the consideration of matters of principle for proposed development from the technical detail of the development.
- 7.2 The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second (‘technical details consent’ - TDC) stage is when the detailed development proposals are assessed.
- 7.3 A decision on whether to grant permission in principle to a site following a valid application must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise.

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7.4 The scope of permission in principle is limited to:

- **Principle/Location**
- **Land Use**
- **Amount of development**

7.5 **Principle/Location**

The development plan comprises the Vale of White Horse Local Plan 2031 Part 1 (LPP1) and Part 2 (LPP2) and Shrivenham Neighbourhood Plan. The Council's Local Plan: Part 1 sets out the spatial strategy and strategic policies across the Council area to deliver sustainable development.

7.6 Policy CP3 of the LPP1 devises a settlement hierarchy approach, with each tier having a different strategic role. The policy seeks to direct development to sustainable locations, taking account of access to services and facilities, and accessible transport routes.

7.7 Policy CP4 (meeting our housing needs) states that in the Larger Villages, limited infill development may be appropriate within the existing built areas of these settlements. Proposals for limited infill development will be supported where they are in keeping with local character and are proportionate in scale and meet local housing needs, and/ or provide local employment, services and facilities. These principles are drawn through to the housing policies of the Neighbourhood Plan: H1, H2, H3 and H5.

7.8 Section 4.12 of Policy CP4 of the LPP1 identifies that a number of sources of housing supply will ensure a continuous supply of housing delivery across the plan period including sites that will come forward through the development management process in accordance with the policies set out in the Local Plan 2031. These are sometimes known as 'windfalls'. CP4a of the LPP2 updates the windfall supply from 840 to 1000 for the plan period.

7.9 *Infill development*

This PIP application follows an appeal decision on the site for 25 entry-level dwellings, which was dismissed in March 2023. The following plans indicate the appeal site area, and the PIP site area under consideration.

P21/V2264/FUL overlaid with PIP  
site area

P24/V1017/PIP - PIP site area



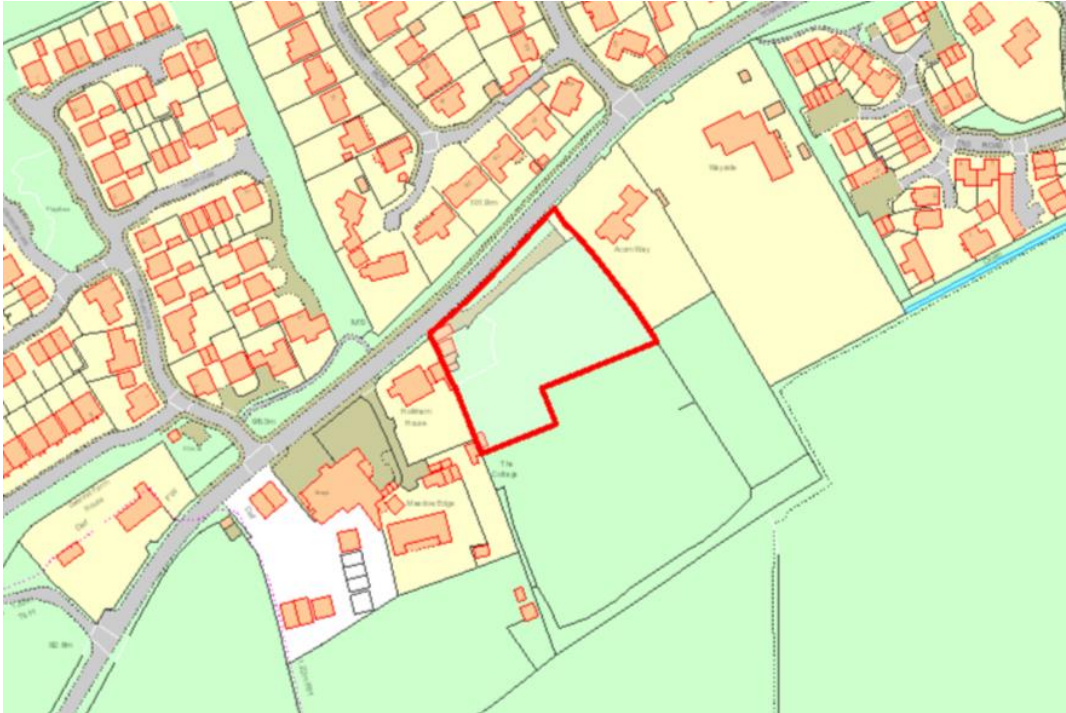
- 7.10 Regard has been had to the conclusions of the appeal inspector in relation to infill development, and in terms of how it would apply to the reduced site area.
- 7.11 *Appeal reference: APP/V3120/W/22/3295297 (6<sup>th</sup> March 2023):*

*Point 9: There was discussion at the hearing about whether the site should be considered within the settlement which is unsurprising given its location, character and the extent of recent developments. In my view, the site can currently be considered to fall outside of the settlement's built limits but there is a certain vulnerability to this aspect which may further change on implementation of the additional consented development on this side of Shrivenham.*

*Point 11 [...] There is no defined settlement boundary for Shrivenham on the accompanying policies map but the policies require that developments must take place on sites adjacent or well related to the existing built up area of the settlement. Unallocated developments are intended to be limited to providing for local needs.*

- 7.12 The character of the southern edge of Townsend Road is loose knit, and much lower density than the character of the northern side of the road, or of the residential development to the east of Wayside. Consequently, the development proposed under P21/V2264/FUL, and subsequently dismissed at appeal, did extend into open countryside, and the character was at odds with the loose knit development on the southern edge of Townsend Road. However, the current site area has been drawn back towards the highway from the area considered at appeal, and does not extend as far south into the site. It also comprises a lower density and smaller number of units and appears to sit alongside existing dwellings that front onto Townsend Road. The southern boundary of the proposal site is no deeper than the rear boundary of Wayside, Meadow Edge or the neighbouring development for 10 dwellings opposite Buckland Drive, and is now more closely aligned to Acorn Way.





- 7.13 The reduced area shown in the PIP application is enclosed by buildings on three sides, is more akin to the adjacent site areas, and subject to the layout put forward at TDC stage, could be designed to have a similar building line and density. In this manner the site would amount to development on a site 'adjacent and well related to the existing built-up area of the settlement'. This would therefore overcome the policy conflict identified at appeal and associated with the previous application. In conclusion, residential development on the site area, as identified in the current PIP application, would not amount to development in the open countryside and, based on the reduced site area, would be within the built limits of the settlement. The principle of residential development in this location complies with Policies CP3 and CP4 of the LPP1 and Policies H1, H2, H3 and H5 of the Shrivenham Neighbourhood Plan.
- 7.14 *Scale of development*  
Shrivenham is classified as one of the larger villages within the district, and has a limited range of facilities, services and access to sustainable modes of transport. As clarified in Policy CP3, unallocated development will be limited to providing for local needs and to support employment, services and facilities within local communities. This is drawn through to NDP policy H5 which supports the development of homes that would meet the needs of elderly residents or provide starter homes for first-time buyers, as identified in the NDP housing needs survey.
- 7.15 The 'permission in principle' route restricts the number of dwellings to a maximum of 9, the floorspace to 1000sqm, and the site area to 1 hectare. The number of units proposed here is 4-5, and the site area measures 0.49ha. The proposal is below the PIP threshold, and on this basis the development is still considered to be modest and proportionate in scale.
- 7.16 Concerns have been raised that the proposed 4-5 dwellings are not required to meet local need. While the design of the properties cannot be considered at this



stage, the supporting statement indicates that the dwellings would be single storey with the aim of serving the older population of the village.

**7.17 Conclusion**

Having regard to the points above, the development would now be classed as small-scale infill development that meets the needs of the local community and would be of a scale that meets the PIP requirements. The principle of development within the area marked red on the location plan would comply with the spatial strategy and housing policies within the development plan.

**7.18 Land Use**

While the southern side of Townsend Road is still relatively loose-knit and more rural in character than the northern edge, the site is surrounded on 3 side by residential development and predominantly residential in this edge of settlement location. There are no neighbouring uses that would conflict with the proposed residential use or put at risk future occupiers' residential amenity.

**7.19 Amount of development**

The indicative site plans show that there is sufficient space to accommodate 4-5 dwellings and suitable amenity space on the site, and in a layout that is broadly compatible with the rural character of the village. The development accords with this aspect of the PIP assessment criteria. The proposal number of units is below the PIP threshold of 9 units.

**7.20 Technical details**

Technical officers have been consulted on the matters of drainage and protected trees. None of these planning matters presented an 'in principle' conflict with policy. Where these matters relate to technical issues, these would be considered as part of any subsequent 'technical details consent'.

**7.21 Community Infrastructure Levy**

CIL would be charged on any new residential floorspace, if permitted, however the floor area and total charge could not be worked out until the TDC stage when the final floor plans are provided.

**7.22 Pre-commencement conditions**

It is not possible to impose conditions on permissions in principle, as set out at **Appendix 1**.

**8.0 Other Relevant Legislation**

**8.1 Human Rights Act 1998**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

**8.2 Equality Act 2010**

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

**8.3 Crime and Disorder Act 1998**

In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will/will not undermine crime prevention or the promotion of community safety.

**9.0 PLANNING BALANCE AND CONCLUSION**

9.1 By virtue of the depth of the site, the relationship with adjacent dwellings and the rear building line on the southern side of Townsend Road, the site is located within the built limits of the settlement and meets the policy requirements for residential development in smaller villages. There is sufficient space to accommodate a maximum of 5 units on site in a manner that responds appropriately to the established, loose-knit character of this part of the village.

The principle of development in this location, and of the proposed amount conforms to the spatial strategy, and the proposed development is compatible with surrounding land uses. The development accords with the development plan and the national planning policy framework.

**10.0 RECOMMENDATION**

**Grant permission in principle**

**No conditions**

***Advisory notes***

- 1. Minimum / maximum number of dwellings should range from 1 to 5**
- 2. Technical details consent is required**
- 3. CIL**

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**Officer:** Katherine Canavan

**Email:** [Planning@southoxon.gov.uk](mailto:Planning@southoxon.gov.uk)

**Tel:** 01235 422600

**Appendix 1**

**Recommended Conditions (full text):**

It is not possible to impose conditions on permissions in principle.

**Advisory notes (full text)**

1. In accordance with Article 5A of the Town and Country Planning (Permission in Principle) Order 2017 (as amended) the minimum number of dwellings which are in principle acceptable is one (1) and the maximum number of dwellings which are in principle acceptable is five (5).
2. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed. The granting of technical details consent has the effect of granting planning permission for the development. Other statutory requirements may apply at this stage such as those relating to protected species, drainage or listed buildings etc. Technical details consent can be obtained following submission of a valid application to the local planning authority. An application for technical details consent must be in accordance with the permission in principle that is specified by the applicant.
3. The development to which this permission relates may be liable to pay the Community Infrastructure Levy (CIL) as set out in the Vale of White Horse District CIL Charging Schedule. Once the planning decision has been agreed or confirmed a Liability Notice will be issued to the nominated person/company liable for CIL, or landowner(s). CIL Form 5 is required to be submitted to the Local Planning Authority PRIOR to the commencement of development where a liable development is granted by way of general consent. In the event the person providing CIL Form 5 is not the landowner then a CIL Form 2 shall also be submitted to the Local Planning Authority to assume liability BEFORE development commences. A commencement notice (CIL Form 6) must be submitted BEFORE development commences. The Local Planning Authority will send a Demand Notice to the person/company liable for CIL when the Commencement Notice is received. Failure to follow the CIL procedures could result in the full amount being due on the day of commencement, surcharges, and the removal of relief if eligible. Guidance on CIL is available on the planning portal website <http://www.planningportal.co.uk/cil> or the council's website <http://www.whitehorsedc.gov.uk/cil> together with the process for paying CIL.