

APPLICATION NO. SITE	P21/V3524/FUL Land West of Faringdon Road, Stanford in the Vale
PARISH PROPOSAL	STANFORD IN THE VALE Variation of condition 1 (approved drawings) on application P18/V2056/RM changes to site layout (Residential Development for up to 100 dwellings with associated access). <ul style="list-style-type: none">○ <i>To include home office space in 13 out of 100 dwellings of the previously approved homes</i>○ <i>Updates to the soakaway shape in central open space area</i>○ <i>Re-position hoggin footpath by plot 84 to link to parcel to the south (the Former Seven Acres Site)</i>○ <i>Re-position of the adoptable footpath (taken to boundary opposite plot 66)</i>○ <i>Removal of garages from some plots (1 and 2 bedrooms), Types A, A2, R, S</i>○ <i>Updates to the tree survey</i>○ <i>Access details have been shown (following the technical approval of s278)</i>○ <i>Widening of the road by plots 57-49</i> (As per amended plans and documents submitted in April 2022)
WARD MEMBER(S) APPLICANT OFFICER	Nathan Boyd David Wilson Homes Southern Hanna Zembrzycka-Kisiel

RECOMMENDATION

It is recommended that authority to grant planning permission is delegated to the head of planning subject to the following planning conditions:

Standard Conditions

1. Approved plans

Pre-commencement above slab level

2. Sustainable Urban Drainage Scheme
3. Updated Biodiversity Mitigation & Enhancement Strategy
4. VALE NEWT CONDITION 1
5. Landscaping details (S38 and S278 works)

Pre-occupation

6. Noise Mitigation
7. Access as agreed
8. Visibility Splays as agreed
9. New Estate Roads to Highway Authority specification
10. No occupation until drainage scheme implementation
11. Boundary Details

Compliance

12. Tree Protection
13. Road Safety Audit
14. Off-site highway works
15. Construction traffic management plan
16. Residential Travel Plan
17. Travel Information Pack
18. Protected Species strategy
19. Foul Drainage Strategy
20. Contamination Risk Assessment
21. Tree protection
22. Landscaping Scheme (Implementation)
23. Details footpath link
24. Maintenance of Open Space/Play Areas
25. Landscape Management Plan
26. No Drainage to Highway
27. Electric Vehicle Charging Points

Informatives

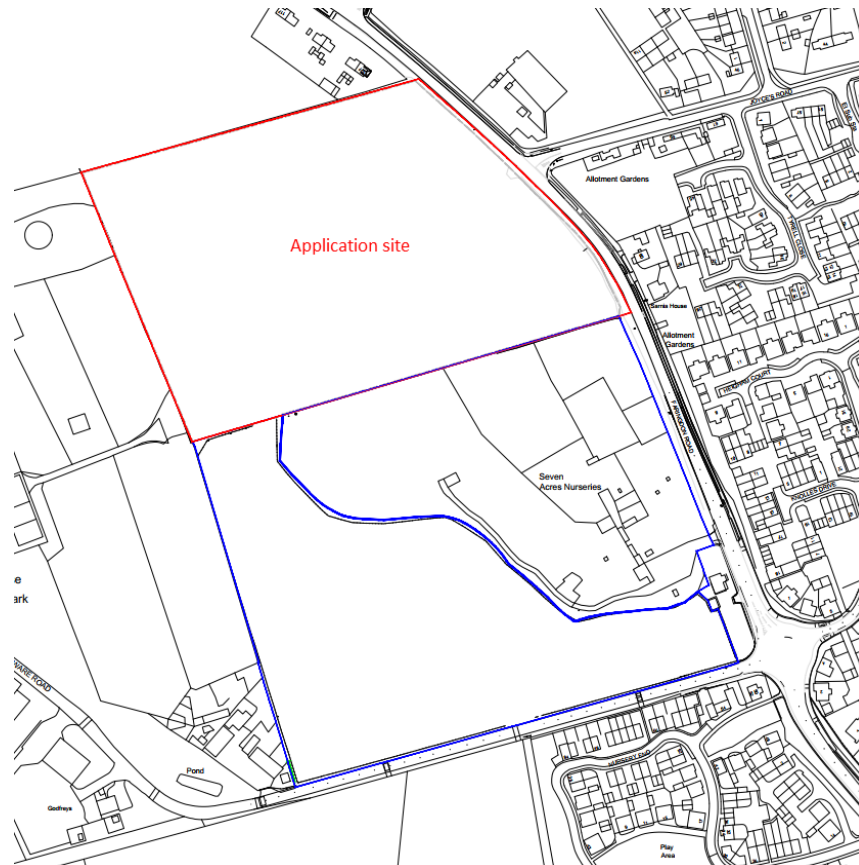
28. Planning Obligations
29. Superfast Broadband

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is presented to planning committee due to an objection from Stanford in the Vale Parish Council.
- 1.2 The application site is a single field of around 4.85 hectares in agricultural use, with an access from the A417- Faringdon Road, and forms a part of a wider housing allocation known as *Land West of Stanford-in-the-Vale*, in the Local Plan 2031 Part 1.
- 1.3 To the south of the application site is 78 dwellings consented in 2018 (ref. P18/V2031/RM) currently under construction. A planning application (ref. P21/V2334/FUL) for 82 dwellings (known as Former Seven Acres Nursery Site) has been recently approved by the Planning Committee, subject to completion of

Legal Agreement s106. All three schemes form part of the same strategic allocation. The location plan is **attached** at Appendix 1.

- 1.4 This application seeks to vary planning condition 1 (approved plans and documents) attached to planning permission P18/V2056/RM for the development of 100 dwellings with associated infrastructure.
- 1.5 Condition 1 lists the approved documents which must be complied with when implementing the consented planning proposal. Since planning permission being granted for the Reserved Matters application in 2020, and in light of the shift to working from home, the applicant proposes to update 13 out of 100 consented dwellings, by offering more home office space. The changes maintain the approved Housing Mix and Affordable Housing provision.
- 1.6 Further to that, the following amendments to the approved Reserved Matters scheme have also been sought:
 - *Updates to the soakaway shape in central open space area*
 - *Re-position hoggin footpath by plot 84 to link to parcel to the south (the Former Seven Acres Site)*
 - *Re-position of the adoptable footpath (taken to boundary opposite plot 66)*
 - *Removal of garages from some plots (1 and 2 bedrooms), Types A, A2, R, S*
 - *Updates to the tree survey*
 - *Access details have been shown (following the technical approval of s278)*
 - *Widening of the road by plots 57-49*
- 1.7 A map below illustrates the location of the application site in relation to the previously consented schemes:



1.8 *Amendments to the scheme*

Initially, it was proposed to update 22 dwellings (by including additional home office space), however the scheme now proposes to update only 13 out of 100 dwellings.

1.9 Since the submission of the application, the scheme was also amended to address technical issues raised by the Landscape Architect, Forestry Officer, OCC Highway Engineer, Waste Team, and the Stanford in the Vale Parish Council.

1.10 The amended layout plan is **attached** at Appendix 2. All other plans and technical documents are available to view online at www.whitehorsedc.gov.uk.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of the most recent responses received is below. All comments can be viewed in full online at www.whitehorsedc.gov.uk.

<p>Stanford in the Vale Parish Council</p>	<p><u>Final comments to be provided at the meeting</u></p> <p><u>First Consultation (January 2022)</u></p> <p>Objection, for the following reasons:</p> <ul style="list-style-type: none"> Housing mix: proposed home offices are simply renamed bedrooms; this will have an impact upon SHMA mix and is considered unacceptable
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<p>Residents</p>	<p><u>Re-consultation (April 2022)</u> One letter raising the following concerns has been received:</p> <ul style="list-style-type: none"> • The amendments have not addressed our previous concerns with regards to the noise, disturbance • Our privacy is still impacted due to our property being very exposed to the sites under construction <p><u>First Consultation (January 2022)</u> One letter of support and one letter raising the following concerns have been received:</p> <ul style="list-style-type: none"> • Disturbance and noise generated by the construction works • Our privacy has been impacted due to our property being very exposed to the sites under construction
<p>Oxfordshire County Council – Transport Development Control</p>	<p><u>Re-consultation (April 2022)</u> No objection, points raised in the initial comments have been satisfactorily addressed</p> <p><u>First Consultation (January 2022)</u> Objection</p> <ul style="list-style-type: none"> • The original footways are required to be reinstated • Footways within the site are required to be provided as and shown as a bound surface • Changes in relation to access need to be clarified
<p>Oxfordshire County Council – Lead Local Flood Authority</p>	<p><u>Re-consultation (April 2022)</u> No objection</p> <p><u>First Consultation (January 2022)</u> No objection</p>
<p>Oxfordshire County Council – Archaeology</p>	<p><u>Re-consultation (April 2022)</u> No objection</p> <p><u>First Consultation (January 2022)</u> No objection</p>
<p>Countryside Officer</p>	<p><u>Re-consultation (April 2022)</u> No objection</p> <ul style="list-style-type: none"> • The schemes are similar, and as such are unlikely to result in a material change to previously agreed biodiversity metric calculations, but some changes to individual plots may impact the delivery of individual biodiversity features.

	<ul style="list-style-type: none"> I would prefer for any approved BEP to be specific and consistent with the underlying scheme. <p><u>First Consultation (January 2022)</u> Holding objection</p> <ul style="list-style-type: none"> A revised Biodiversity Enhancement Plan (BEP) will need to be submitted to reflect changes in the proposed layout of the development No amendment to the GCN habitat impact plan is required.
Drainage Engineer	<p><u>Re-consultation (April 2022)</u> No objection</p> <p><u>First Consultation (January 2022)</u> No objection</p>
Forestry officer	<p><u>Re-consultation (April 2022)</u> No objection, subject to condition</p> <ul style="list-style-type: none"> Implementation of the tree protection measures shown on the Tree Protection Plan <p><u>First Consultation (January 2022)</u> No objection</p> <ul style="list-style-type: none"> Tree Protection Plan is generally acceptable. However, the key on the plan requires an amendment to show the Tree and Hedge Protection Fencing as a pink line, so that it is consistent with the fencing on the plan
Environmental Health Protection Team -Air Quality	<p><u>Re-consultation (April 2022)</u> No objection</p> <p><u>First Consultation (January 2022)</u> No objection</p>
Environmental Health Protection Team - Contaminated Land	<p><u>Re-consultation (April 2022)</u> No objection</p> <p><u>First Consultation (January 2022)</u> No objection</p>
Environmental Health Protection Team -Noise	<p><u>Re-consultation (April 2022)</u> No objection, subject to condition</p> <ul style="list-style-type: none"> adequate mitigation with regard to the impacts of traffic noise from the A417 as per approved RM. <p><u>First Consultation (January 2022)</u> No objection, subject to condition</p>

	<ul style="list-style-type: none"> adequate mitigation with regard to the impacts of traffic noise from the A417 as per approved RM.
Landscape Architect	<p><u>Re-consultation (April 2022)</u> No objection</p> <p><u>First Consultation (January 2022)</u> Holding objection</p> <ul style="list-style-type: none"> Plot 94 is located closer to the play area, 18m rather the expected 20m offset The street tree of plot 93 is now located in the garden rather than in the street. There is space of the tree associated with plot 93 and 89 to be planted in the street rather than in the rear gardens.
Waste Management Officer (District Council)	<p><u>Re-consultation (April 2022)</u> No objection</p> <p><u>First Consultation (January 2022)</u> Holding objection</p> <ul style="list-style-type: none"> Bin collection points for plots 23-24 and 25-28 at the end of the drives at the site roads are required
Housing Team	<p><u>Comments received (May 2022)</u> No objection</p> <ul style="list-style-type: none"> Having reviewed the submitted plans and proposed variations, I confirm we would have no objections. The amendments related solely to market house types, there is no change to AH layout, mix or tenure as approved under the RM and proposals conform with the extant outline Legal Agreement.
Community Infrastructure Officer & 106 Officer	<p><u>Re-consultation (April 2022)</u> No objection</p>
Crime Prevention Design Adviser	<p><u>Re-consultation (April 2022)</u> Comments received:</p> <ul style="list-style-type: none"> Surveillance: <ul style="list-style-type: none"> - some house-types still lack ground floor windows Defensible space:

	<ul style="list-style-type: none">- concerns are maintained• Lighting:<ul style="list-style-type: none">- a detailed lighting plan should be provided <p><i><u>First Consultation (January 2022)</u></i></p> <p>In the received comments concerns have been raised with regards to:</p> <ul style="list-style-type: none">• Rear access routes:<ul style="list-style-type: none">- the rear access route for plot 56 is secured as close to the front fascia of the property as possible• Surveillance:<ul style="list-style-type: none">- some house-types lack ground floor windows• Defensible space:<ul style="list-style-type: none">- defensible space and planting must be provided where private boundaries adjoin the public realm• Lighting:<ul style="list-style-type: none">- a lighting plan should be provided
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RELEVANT PLANNING HISTORY

3.0

3.1

[P21/V2970/DIS](#) - Approved (08/04/2022)

Discharge of conditions 7(residential travel plan) & 8(residential travel information pack) on application P16/V1589/O.
(Residential development of up to 100 dwellings with associated access).

[P19/V3237/RM](#) - Other Outcome (20/03/2020)

Reserved Matters application following outline approval P16/V1589/O for residential development for up to 100 dwellings with associated access - Land West of Faringdon Road, Stanford-in-the-Vale.

[P20/V0030/FUL](#) - Approved (19/03/2020)

Erection of temporary sales suite with associated planting, parking & advertising/signage. (Number of flag poles reduced from seven to four as shown on drawing numbers H7902F-SLP-01 rev.A and H7902-SML-01 rev.A, received 17 February 2020).

[P18/V2056/RM](#) - Approved (28/02/2020)

Residential Development for up to 100 dwellings with associated access (as amended by drawings and information received 30 May 2019, 01 August 2019, 01 October 2019 and 18 November 2019).

[P18/V0917/PEJ](#) - Advice provided (26/07/2019)

Reserved matters application for residential development for up to 100 new homes following outline P16/V1589/O (As per amended plan received 22 June 2018)

[P17/V0510/NM](#) - Approved (03/03/2017)

Non material amendment to application ref. P16/V1589/O - (Residential development of up to 100 dwellings with associated access) to correct condition 9 to read "Prior to the commencement of the development above slab level, a fully detailed sustainable surface water drainage scheme of the development shall be developed in accordance with the Flood Risk Assessment ref: 70019477 dated October 2016 prepared by WSP and submitted to, and approved in writing, by the District Planning Authority. The approved scheme shall be implemented prior to the occupation of any dwelling to which the scheme relates and shall include a fully detailed management and maintenance plan for the lifetime of the development."

[P16/V1589/O](#) - Approved (22/12/2016)

Residential development of up to 100 dwellings with associated access (As amended by Drawing No: 16476-02a (Site Access) and Biodiversity Information accompanying agent's email of 10 August 2016 and further clarified by Flow and Pressure report accompanying agent's email of 8 September 2016 and Flood Risk Assessment and Utilities and Foul Drainage Assessment Issue 3 accompanying agents email of 6 October 2016) Planning Application History

3.2 **Screening Opinion requests**

A screening opinion was carried out in 2014 for a larger site area which included the current application site. The negative screening opinion assessed 290 dwellings being delivered across three sites; the current proposal comprises 100 dwellings on the site.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The proposal is below the EIA threshold of 150 dwellings and on a site area no greater than 5ha and is not located within a sensitive area. It is therefore considered the proposal is not EIA development.

5.0 **MAIN ISSUES**

5.1 The main issues are:

- The principle of development
- The principle of varying planning conditions
- Condition 1 – changes to the approved drawings / plans
- Technical matters
- Legal agreement
- Planning conditions

5.2 **Principle of Development**

The site forms a part of an allocation for the residential development in the Vale of White Horse Local Plan 2031, Part 1. An outline permission and reserved matters for a housing development, were granted in 2016 and 2020 respectively. There are no material changes in planning policy and the established principle of the proposal remains acceptable.

5.3 **The principle of varying planning conditions**

When planning permission is granted, development must take place in

accordance with the permission and conditions attached to it, and with any associated legal agreements.

5.4 New issues may arise after planning permission has been granted, which require modification of the approved proposals, and under Section 73 of the Town and Country Planning Act 1990 an application can be made to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

5.5 **Condition 1 – changes to the approved drawings / plans**

This condition agreed drawings / plans by which the development would be implemented. It is proposed to update 13 house types, by including additional home office space and to:

- Update the soakaway shape in central open space area
- Take the Hoggin footpath by plot 84 to connect to the parcel to the south, and adoptable footpath to boundary opposite plot 66
- Remove the garages from some plots (1 and 2 bedrooms), Types A, A2, R, S
- Update the tree survey
- Show the details of the access (following the technical approval of s278)
- Widen the road by plots 57-49

5.6 The table below illustrate the proposed changes to the housing schedule:

Approved Accommodation Schedule (2020)				Proposed Accommodation Schedule (2022)			
Accommodation Schedule				Accommodation Schedule			
Market				Market			
Type R	1BH	4	1 Bedroom House	Type R	3	1 Bedroom House	
Type A	P286	17	2 Bedroom House	Type S	1	1 Bedroom House	
Type B	P382	2	3 Bedroom House	Type A2	4	2 Bedroom House	
Type C	P341	19	3 Bedroom House	Type A	13	2 Bedroom House	
Type D	H336	11	3 Bedroom House	Type B2	2	3 Bedroom House	
Type E	H469	1	4 Bedroom House	Type K	4	3 Bedroom House	
Type F	H456	1	4 Bedroom House	Type D	10	3 Bedroom House	
Type G	H421	4	4 Bedroom House	Type C	13	3 Bedroom House	
Type H	H577	3	5 Bedroom House	Type C2	3	3 Bedroom House	
Type J	H588	3	5 Bedroom House	Type G	4	4 Bedroom House	
TOTAL		65		Type F	1	4 Bedroom House	
Affordable				Type E	1	4 Bedroom House	
Type L	SF58/59	4	1 Bedroom Maisonette	Type H	3	5 Bedroom House	
Type M	SH51	20	2 Bedroom House	Type J	3	5 Bedroom House	
Type N	SH56	10	3 Bedroom House	TOTAL	65		
Type P	SH55	1	3 Bedroom House	Affordable			
TOTAL		35		Type L	4	1 Bedroom Maisonette	
TOTAL		100		Type M	20	2 Bedroom House	
				Type N	10	3 Bedroom House	
				Type P	1	3 Bedroom House	
				TOTAL	35		
				TOTAL	100		

5.7 Market Housing

The Parish Council raise concerns about the proposed size of the first-floor home offices and consider them to be renamed bedrooms, which would have an unacceptable impact upon the SHMA Mix.

5.8 A single bedroom as defined by Nationally Described Space Standards (NDSS) has a floor area of at least 7.5m². The amended plans illustrate that the first-floor home offices are smaller than a single bedroom as defined by NDSS.

5.9 As such, it is considered by your officers that the proposed changes do not vary the previously approved SHMA Mix. The addition of first floor home office space in the 13 out of 100 previously approved dwellings is considered acceptable.

5.10 **Design and Layout**

Core policy 37 of the LPP1 states that new development must demonstrate high quality design that responds positively to the site and its surroundings, creating a distinctive sense of place through high quality townscape and landscaping that physically and visually integrates with its surroundings.

5.11 It sets out further design criterion for streets and movement, green infrastructure, social inclusion and safe communities, climate change resilience and that development must be visually attractive, with scale, height, massing, and materials appropriate to the site and surrounding area. Core policy 38 of LPP1 sets out more detailed design criterion required for strategic and major development sites.

5.12 The scale, mass and appearance of the proposed residential dwellings follow the Urban Design and Architectural Principles approved under the Reserved Matters Application ref. P18/V2056/RM. The amended house types would not have a harmful impact upon the residential amenities of the neighbouring/future residents. The housing mix, garden areas mix, landscape strategy and storey heights have all been maintained as previously approved.

5.13 The layout of the proposed scheme has not been materially altered, when compared to the previously approved scheme. A single access road serves the site with cul-de-sacs leading off it. There is a road within the centre of the site, that links this application with two proposals located to the south (ref. P18/V2031/RM and P21/V2334/FUL). Houses face the roads providing enclosure. There is some scope for landscaping including frontage lawns, low-level shrubs and some tree planting. The proposed development is relatively enclosed as the boundaries are strongly delineated by the existing vegetation that includes semi-mature trees and hedgerows.

5.14 The proposed changes relate mainly to the internal layout and positioning of the 13 dwellings within their plots, removal of some of the garages, widening the road by plots 57-49 and minor repositioning of the footpaths, to allow better connectivity to the neighbouring sites. These changes would not cause a material harm to the approved layout, and therefore are considered to be acceptable.

5.15 **Technical matters**

Matters of traffic generation, flood risk and drainage, landscape impact and trees, affordable housing, archaeology, ecology, air quality, noise and contamination were previously assessed in detail on the outline and reserved matters applications and were considered acceptable. Officers consider the changes proposed in this application do not result in any material change to these matters.

5.16 Biodiversity

The Countryside Officer has no objection to the proposal. However, to reflect the proposed changes to the previously approved scheme, it is considered that the Biodiversity Enhancement Strategy (BES) will need to be updated. This can be secured through a planning condition.

5.17 Noise

The approved Reserved Matters application (ref. P18/V2056/RM) scheme was supported by the acoustic report. The scheme approved in 2020 was considered acceptable, subject to the mitigations proposed in the acoustic report being implemented.

5.18 The Environmental Health Officer has assessed the current proposal and confirmed that the proposed changes are acceptable, subject to the previously requested noise mitigation being implemented with the current scheme. This is considered reasonable and can be secured through a planning condition.

5.19 **Legal Agreement and financial contributions (CIL)**

The original application was accompanied by a S106 legal agreement which secured affordable housing and financial contributions for highways infrastructure, education, community and leisure and a deed of variation is not required. Given that there was an increase in the floor area (created by the Section 73 application) from the original proposals by additional 371.00m² an updated CIL contributions of £96,170.33 will be required to be paid by the applicant.

5.20 **Planning conditions**

Government advice confirms that where an application under Section 73 is granted, the effect is the issue of a new planning permission. A decision notice describing the new permission should be issued, setting out all the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under Section 73 should also repeat the relevant conditions from both the outline and reserved matters planning permissions, unless they have already been discharged.

5.21 It is therefore necessary to review all conditions originally imposed under both the P16/V1589/O and the P18/V2056RM, and those that have been already discharged to ensure they remain relevant to the new proposal. The list of conditions at the beginning of this report reflects this assessment.

6.0 **CONCLUSION**

- 6.1 This application has been assessed against the development plan, the National Planning Policy Framework (NPPF) and all other material planning considerations. In considering the application, due regard has been given to the representations received from statutory and other consultees. These have been taken into account in assessing the overall scheme.
- 6.2 The application site is identified in the adopted Vale of White Horse Local Plan 2031, part 1 as an allocated site for residential development. The changes sought to the previously imposed conditions are considered acceptable. There are no technical concerns with the application, subject to the recommended conditions. The proposed development is sustainable development and should be approved.

POLICY & GUIDANCE

Vale of White Horse Local Plan 2031 Part 1 policies:

- CP01 - Presumption in Favour of Sustainable Development
- CP04a - Meeting our Housing Needs
- 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
- CP20 - Spatial Strategy for Western 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
- CP47 - Delivery and Contingency

Vale of White Horse Local Plan 2031 Part 2 policies:

- DP16 - Access
- DP17 - Transport Assessments and Travel Plans
- DP23 - Impact of Development on Amenity
- DP25 - Noise Pollution
- DP26 - Air Quality
- DP27 - Land Affected by Contamination
- DP28 - Waste Collection and Recycling

DP33 - Open Space

DP34 - Leisure

DP39 - Archaeology and Scheduled Monuments

Neighbourhood Plans

A neighbourhood plan area was designated in 2014, but a draft plan has not yet been published. Accordingly, no weight can be given to this plan at this time.

Supplementary Planning Guidance/Documents

Vale of White Horse Design Guide

Developer Contributions (SPD)– Delivering Infrastructure to Support Development (November 2021)

National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (NPPF)

The National Planning Practice Guidance (NPPG)

Other Relevant Legislation

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.

Equality Act 2010

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

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