



Drayton Parish Council

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Minutes of the Meeting of the Planning Committee of Drayton Parish Council

Held on Tuesday 29th September 2015, at 7:00pm at the Caudwell Day Centre, Gravel Lane, Drayton, OX14 4HY



Present: Richard Williams (Chairman); Colin Arnold; Patricia Athawes; Matthew Lowy; Richard Wade
In Attendance District Councillor: Stuart Davenport; **County Councillor:** Richard Webber
David Perrow (Parish Clerk); Christopher Price (Deputy Parish Clerk).

The meeting had the following documentation available:

- Planning Application (VWHDC Planning Application **Ref:** [P15/V2077/O](#) **Land Rear of 10 Halls Close (Blue Cedar)** The papers had been circulated beforehand to members of the Planning Committee for them to study the plans.
- The VWHDC notification to Drayton Parish Council (attached)
- The Drayton Neighbourhood Development Plan (Referendum Copy)

- 1. Apologies for Absence:** There were no apologies for absence, all the Planning Committee Members being present.
- 2. Public Participation.** 4 members of the public were present, including representatives from the Halls Close residents.
Stuart Davenport outlined the current position with the VWHDC Local Plan, which was undergoing examination. Whilst the Local Plan was still not in place and the 5 year land supply requirement was not in place, the Drayton NDP was both up to date and in force. He reserved his position on the application, awaiting further information from VWHDC and respondents to the planning application consultation.
Richard Webber also reflected on the Local Plan's examination. He pointed out that the current SoS for Communities and Local Government, Greg Clarke, was a strong supporter of Neighbourhood Planning and that he had written to him about this application. [A reply was received on 7th October and is supportive of NDPs in Drayton's position]. The local MP, Ed Vaizey, is also supportive and has responded to the application recommending its refusal. Cllr Webber also pointed out that as far as the housing supply was concerned Drayton and all the neighbouring villages (Sutton Courtenay/Milton/Steventon/Marcham/ East Hanney) were taking new housing developments and that the housing supply shortfall was not from lack of site allocations, but lack of actual development of those sites already approved.
Paul Mayhew-Archer made the point that if the Drayton NDP was overturned then the public would lose faith entirely in neighbourhood planning and local democracy would be undermined.
Daniel Scharf commented on the Local Plan status and the fact that the situation would only become clear, and the housing supply figure set when the Local Plan Part II (covering the villages) was available in 2017-18. Against the Drayton NDP he raised the issue as to whether the proposed Halls Close development represented an extension to the village, and therefore whether it complied with the NDP. He suggested that the Parish Council should concentrate on arguments about 'harm in the breach'
- 3. (a) Declarations of Interest:** None
(b) Dispensations: None received
- 4. Details of Application: Land Rear of 10 Halls Close (Blue Cedar) Planning Application.**
Ref: [P15/V2077/O](#) **Location:** 10 Halls Close Drayton Abingdon OX14 4LU
Outline application on Land to the Rear of 10 Halls Close, Drayton to provide up to 28 no. dwellings with all matters reserved except access

5. Applicant's contention that the Drayton NDP should be laid aside due to lack of VWHDC's 5 year housing supply and Local Plan not yet in place.

- (a) The case law cited by the Applicants (Blue Cedar) were judged not to be relevant to the Drayton NDP position. In the Broughton-Astley case the issue was about a site not allocated in the NDP when the local authority only had a 4 year and supply. The Local Authority rejected the application and this was supported by the High Court. If anything the case supports the Drayton NDP position
- (b) The **Crane Case** is a more relevant case to the Drayton NDP position where the judge says: **{Richard Williams to provide bullet points}**.
- (c) Although VWHDC does not have its 5 year land supply in place, Drayton has allocated 3 sites in the village totalling in excess of 250 houses, against a notional VWHDC allocation of 200. The NDP outlines the increase in the housing target over the last few years, and how Drayton has responded positively. Surrounding villages (Sutton Courtenay/Steventon/Milton/Marcham/East Hanney) – and South Abingdon - have also had a large number of sites/houses approved in recent months. This is against the context of the severe traffic constraints in this area between the Ock Street Bridge in Abingdon and the A34 – a constraint recognised in the VWHDC Local Plan allocation to this area, and by OCC Highways.

6. Previous Public consultation/approaches to Drayton PC

It was pointed out that the Blue Cedar application was one of three other sites in the village rejected under the NDP – the others being Fisher Close and Long Meadow. If the Blue Cedar application was to be given precedence over these by being approved, then these developers/landowners would have been unfairly treated and would, in all likelihood, also put in planning applications. The NDP's land zoning of the village would therefore be completely wrecked and the work of the Sustainability Appraisal rendered void.

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

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

- (i) The proposed development is an extension to the current village and therefore contravenes the Drayton NDP Planning Policy LF2:
“**PLANNING POLICY P-LF2: BOUNDED DEVELOPMENT.** Development that does not extend the village's boundaries (see Figure 4) through ribbon development along roads to the adjacent settlements of Abingdon, Steventon, Sutton Courtenay and Milton, will be supported, subject to compliance with other policies in the Neighbourhood Plan”.
- (ii) The site is not an allocated site under the Drayton NDP:
“**PLANNING POLICY P-H1: SCALE OF DEVELOPMENT AND SITE ALLOCATION**
The Neighbourhood Plan allocates land for residential development on the following sites:
 - Manor Farm (3.98ha) for approximately 50 dwellings
 - North of Barrow Road (8.17ha) for approximately 65 dwellings
 - South of the High Street (9.64ha) for approximately 140 dwellingsAll dwelling numbers are approximate and will be reviewed at the planning appl stage based on the need to provide smaller homes.
Each of these three sites is described in the Plan (below) with their site requirements.
- (iii) The number of houses had been increased from 20 to 28 without explanation
- (iv) The layout of the proposed estate is poor, with poor connectivity. It is not clear what the open space is for, and the layout allows for no meaningful use of this space
- (v) Out of the 28 houses only 11 are for the over-55s. It is not clear how this qualifies the development as being for the elderly, or how the developers will limit or enforce the over 55s rule on first and subsequent purchasers. Over 55s are still economically active and can be expected to go to work until at least 68 (the new retirement age). This renders untrue the applicants transport statement that cars will not add to peak traffic

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

(b) Traffic Issues, including junction with High Street. Parking – Transport Statement

- (i) The traffic assessment for the development is poor and needs to be replaced by a more realistic/true assessment of traffic from the proposed development and impact on the village. There is already evidence available from Thames Valley Police about speeding into and out of Drayton village, and movement of HGV and agricultural vehicles through this part of the village.
- (ii) Since the new estate roads are not to be adopted by OCC it is unclear whether Biffa lorries will be willing to enter the estate (they have refused to use other such private roads in Drayton because they are not insured or indemnified to do so). If this is the case, wheelie bin storage will need to be at the entrance to the new development, for which there is no provision, and such communal waste facilities will not be in keeping with the style of the development or the desire to attract older residents.
- (iii) Numbers of vehicle trips created by the proposed development at peak times are understated
- (iv) There is already a problem with traffic emerging from Halls Close, particularly at peak times (but also whenever the A34 is blocked), and particularly whenever turning left
- (v) The Halls Close turn has restricted views for those turning left, and safe emergence from Halls Close is already impeded by cars which have to park on the High Street.
- (vi) The road accident statistics quoted are out of date. In the last 2 months there has been a serious accident (a 3 car pile up) on the Sutton Courtenay Road just east of Halls Close, and a fatal crash on the Milton Road, which is an accident black-spot. Traffic from Halls Close can be expected to prefer turning east across the oncoming traffic to reach the A34 and workplaces at Milton Park and Harwell/Culham to avoid congestion both in Abingdon at the Ock Street bridge or at Steventon/Milton Heights.

(c) Site, Ground and Topography – current land use as garden?

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

(d) Flood Risk and Drainage, and Utilities

- (i) Thames Water have stated that the sewage from such a development cannot be supported by the current sewage works and have asked for a Grampian Condition to be applied to any planning consents. VWHDC should note that on the three approved sites under the Drayton NDP over 250 additional houses will be connected into the Drayton water supply and sewerage system, and that precedence should be given to the connection of these developments.
- (ii) The information supplied by Thames Water to the developers is incomplete and inaccurate. There have been several reported instances of sewage overflows in the area in recent years, and VWHDC should pay attention to those cited by local residents
- (iii) Neighbouring farmers are concerned about the drainage from the site and inadequacy of field drains to take additional runoff. The applicants SUDS scheme needs careful examination to ensure that there is no outflow from any development of the site which would cause flooding on adjacent farmland in winter.

(e) Ecology and Trees planting

- (i) The site is a paddock, not a garden as stated
- (ii) Residents report that at least one tree has already been removed in recent years, and the VWHDC should take immediate steps to assess the remaining trees on the site and apply Tree Preservation Orders as appropriate to protect the remaining biodiversity.
- (iii) The layout of the proposed development is poor as regards open space, and more should be done to replace and increase both the biodiversity and utility of the site's open space.
- (iv) The following Planning Policy in the Drayton NDP should be applied:

“PLANNING POLICY P-S1: BIODIVERSITY

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

(f) Historic environment

- (i) Drayton village is at the centre of important historic sites which feature locally the Sutton Courtenay Saxon Palace complex and the Drayton Cursus. Whilst the site is not known to contain any listed remains, a full archaeological survey should be undertaken before any development of the site is considered.

(g) S106 requirements

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

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

(h) Drayton NDP Planning Policies relevant to the application

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

LF2 linked with PH1

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

DECISION: Drayton Parish Council **OBJECTS** to this application for the following reasons :

1. Not an allocated site under the Drayton NDP (Drayton NDP policy PH-1)
2. If permitted will extend the boundaries of Drayton Village (contrary to NDP Policy LF-2)
3. Case law cited is not relevant to Drayton NDP’s current status as a recent, up to date and in force Neighbourhood Plan. If anything, the case law cited supports the Drayton NDP, as does the Crane case.
4. To lay aside the Drayton NDP when it is recent and up to date would undermine local democracy and destroy neighbourhood planning. This view is supported by both the local MP (see Ed Vaizey’s submission) and by the current Minister for Housing and Local Government in the DCLG (see letter)
5. Whilst the applicants argue that the VWHDC has not yet met its 5 year housing supply target, Drayton has met its housing requirement as indicated to it by VWHDC (quote from NDP and VWHDC). In this sub-region, which is constrained between the A34 and Abingdon, many housing sites have been approved and the transport and sewerage/water systems are and will be under severe strain.
6. If planning permission is approved, Drayton PC would still require adherence to the other policies in the NDP (see list in 7 (h) above), including s106 contributions at an equivalent level as the other sites which are approved under the plan, and including a proportionate contribution to traffic calming measures and other village projects aiming at sustainability
7. The VWHDC should note the specific points made in Minute 7 (i-g) above

The meeting concluded at 9.00pm

Signed:

Date: 2nd November 2015

Name: Richard Williams

**Role: Chairman,
Drayton Parish Council Planning Committee**