



## DRAYTON (ABINGDON) PARISH COUNCIL

[www.DraytonPC.org](http://www.DraytonPC.org)

**Planning Application P15/V2828/FUL. Close End House 19 East Way Drayton  
Abingdon OX14 4JZ - Development of 8 dwellings and new access road**

### 1 Preamble

The Drayton Neighbourhood Plan successfully passed its referendum in March 2015. Local support for the three housing sites identified as potential development sites in the Plan was affirmed by a 90.8% 'Yes' vote.

This site at the rear of Close End House, East Way is **NOT** one of three sites in Drayton village identified in the Drayton Neighbourhood Development Plan as being suitable for housing development within the Plan period.

The Drayton NDP, being less than a year old, is up to date and has now been adopted by VWHDC into its Local Plan by being 'made' - brought into force on 15<sup>th</sup> July 2015. There has been no material change in circumstances which merit a re-assessment of the Drayton NDP at this time, and a rigorous review schedule is in place to ensure regular review and to invoke a review should there be any such material change.

### 2 Summary of Response

**Drayton Parish Council OBJECTS to this application and recommends that VWHDC rejects the application for the following reasons:**

**2.1 The Close End House, East Way site is NOT an approved housing development site under the Drayton Neighbourhood Development Plan (NDP), which is an adopted part of the VWHDC Local Plan and which is recent and up to date.**

Approval of the application would be in contravention of the Drayton NDP **PLANNING POLICY P-H1: SCALE OF DEVELOPMENT AND SITE ALLOCATION** which states:

*"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 dwellings*

*All dwelling numbers are approximate and will be reviewed at the planning application stage based on the need to provide smaller homes".*

Since the NDP is recent and up to date, and has a review process which has as yet no need to be invoked (there being no material change in circumstances), additional sites for approval should not be entertained at the current time.

**2.2 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.** This view is supported by Drayton’s Local MP (Ed Vaizey), and by the Minister for Housing and Local Government (Brandon Lewis MP) who writes (see letter at Appendix A) that:  
*“Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted”*

**2.3 Housing Supply.** 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, against a notional VWHDC allocation of 200 for the planning period. The Drayton NDP outlines the increase in the Drayton housing target over the last few years, and how Drayton has responded positively to these increased demands for additional housing .(see p56 of the Drayton NDP) where it states that:

*“139. An appendix to the IHSP (Vale’s Interim Housing Supply Policy) listed all the large villages in the VWHDC area and allocated to each the number of new houses needed to be built to cope with ‘proportionate growth’ over the 15 year Plan period. The figure for Drayton was 68, to which should be added the 18 homes already granted planning permission on the Manor Farm site some 16 years ago. This total of 86 has to be understood as a largely notional figure. In 2013 it became apparent that the Vale’s lack of a 5-year land supply, and the pressure from central government to build more houses in the south-east generally, meant that any numbers previously quoted must be treated as very provisional. In Spring 2014 the VWHDC identified the land South of High Street Drayton as a ‘strategic site’ with a development of up to 200 houses – a designation now revised to exclude this as a strategic site in the latest VWHDC Local Plan 2031, Part 1 Publication Version . Including this as an allocation in Spring 2014, Drayton’s housing allocation therefore rose over the 2 year planning period of the neighbourhood plan process to over 200 houses, taking account of the planning permission already approved at Manor Farm. “*

**2.4 Small but Significant Development** Though a small scale development by VWHDC definitions, This proposed development is large and significant in village terms. 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.

**2.5 No Material Changes.** Nothing material has changed in respect of the site and its poor vehicular access since the two previous planning applications were refused

**2.6 Access via East Way is inadequate** and ill-defined in the application (see details below)

**2.7 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

**2.8 Safe and secure access and turning** for refuse, delivery and emergency vehicles cannot be assured by the developer.

2.9 **Drainage of the site is problematic**, and the drainage information provided in the application is inadequate

2.10 **Water supply, Sewerage and Electricity supply** in this area are already sub-standard

2.11 **The Design of the houses is poor** and does not comply properly with the Drayton Design Guidelines

### **3. Specific Planning Issues**

#### **3.1 Road Access via East Way: Ownership/Surfacing/Maintenance/Construction access, etc.**

- (a) It is not clear from the details submitted how East Way is to be widened and safe vehicular access ensured. There are no recorded public vehicular rights along this route, and anybody wishing to drive a vehicle along it will be required to demonstrate a private right of access. East Way itself is in indeterminate ownership, so it is unclear how the applicants will be able to give notice to anyone in order to secure vehicle access. As a bridleway use by vehicles is an offence under the Road Traffic Act. The strip of land south of East Way in front of 2-10 East Way (including the trees and hedges) which might be used to widen that stretch is owned by the relevant householders, and the applicants have not demonstrated any agreement with these householders to acquire any easement or permissions for vehicles to pass.
- (b) If clear vehicle access rights cannot be demonstrated then mortgage lenders may be reluctant to make loans on any new houses, and their value will be reduced. If an owners or owners subsequently emerge for parts of East Way then vehicle access may be denied. The applicants for the housing development South of High Street, adjacent to this site, declined to use East Way as a road access to their site for this reason.
- (c) No details are given as to how the East Way surface will be protected during construction from damage caused by the passage of construction vehicles. Unless the surface is to be made up first, existing residents may have their access compromised by damage to the existing surface/or to their vehicles
- (d) If the road is widened as is proposed by the applicants, this would change the nature of East Way, which is an historic bridleway in a rural setting. It would urbanise the south and east of Drayton without great compensating benefit to the village or Vale.
- (e) There are no specific details given of the surface treatment intended for East Way or how/who would be responsible for future maintenance once East Way is widened and resurfaced. If the integrity of the new surface is to be maintained then drains would be needed to take away surface water, but the plans contain no provision for road drainage.
- (f) There is no provision for pavements, or safety provision for pedestrians. Increased vehicular traffic would put pedestrians, horse riders and cyclists at risk. The route is already a walking route to school for Drayton Community School primary schoolchildren. If the South of High Street (140 houses) development is approved, East Way will be a main access out of that site for pedestrians and cyclists to Steventon Road, since a new through footpath and cycle way is planned to link High Street to East Way and Steventon Road as part of that development.
- (g) Parking on East Way cannot be prevented or enforced, which will compromise the planned access and impede refuse, delivery and emergency vehicles

- (h) The turning circle planned is not guaranteed to be available at all times, and might be parked up. Refuse lorries and other large vehicles cannot be guaranteed to be able to turn and exit the site. There is already a run of houses on Abingdon Road Drayton where Biffa will not take their refuse vehicle over a private road, meaning that residents have to wheel their bins to the main road each week.

### 3.1 Number, type and layout of houses proposed

- (a) The number of houses planned varies in the documentation between 7 and 10. It is assumed that the application is for 8 houses
- (b) The Drayton NDP favours smaller houses so that young people can afford to live in the village and older people can downsize. The village already has sufficient larger (4/5 bedroom) houses for sale and to be made available in the other three large developments approved under the NDP. If this development goes ahead it should be required to be smaller housing (1/2/3 bedroom) for sale or rent.  
88. A recent (May 2012) housing survey of residents identified the need for affordable housing to meet the needs of first-time buyers and to allow people to live nearer to other family members. It also identified the need to allow young people to stay in the village and for those nearing retirement to downsize and remain in the village, as well as for warden assisted housing for the elderly. [Drayton NDP]
- (c) The site is remote from many village facilities, and extra housing located here with access only via East Way will promote car use to visit shops and other central village facilities. As such the application does not fully comply with Drayton NDP policy which states:  
**“WORK AND PLAY PLANNING POLICIES PLANNING POLICY P-WP1: CONNECTED DEVELOPMENT** *Proposals for new housing must ensure that the new homes are well connected both within the site and with the rest of the village by way of footpaths and cycle ways (especially to amenities such as the school, bus stops and shops).”*
- (d) The reference to the Drayton Design Guide is welcomed. However, whilst the application documents housing styles and materials already in use in the area there is little evidence of these been applied imaginatively or creatively to the actual housing designs proposed for the new housing. The facias are plain, flat and boring, and the door and window designs also flat and basic. The Drayton NDP states:  
**“PLANNING POLICY P-LF3: BUILDING DESIGN GUIDANCE** *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 (see Annex D).”*
- (e) The south facing orientation of the houses is to welcomed. However, if the value of this is to be realised than solar panels should be required to be fitted in the roofs and this should be a condition of any planning permission. Retro-fitting of solar panels at the expense of the house-owners would destroy the aesthetic of the design of the houses, and add unnecessarily to the cost for the householder. If panels are not retro-

fitted or fitted by some owners and not others then the value of the south orientation in the design would be lost. The Drayton NDP states at para 82:

82. To help achieve both the sustainability goals of the Neighbourhood Development Plan and the wider objectives of national and international emissions obligations such as the Climate Act 2008 and 2016 Zero Carbon Target, all developments in Drayton should help reduce the Parish's carbon footprint through the promotion of:

- high levels of energy conservation in the construction and use of new buildings;
- the use of local building materials;
- the reuse of rainwater and minimization of the amount of impermeable ground cover;
- the use of sustainable energy sources – solar, wind, ground-source heat pumps, biomass;
- the use of local forms of power to minimize power loss through the national grid;
- the promotion of low CO<sub>2</sub> transport options.

### **3.2 Traffic Issues**

- (a) The VWHDC Local Plan Pt. 1 points to the limitations of housing developments between the south of Abingdon and the A34 due to the poor and overloaded road network and lack of an Abingdon southern by-pass. OCC had also recognised this problem in the past with restrictions on the size of housing developments in this area. The additive traffic volumes from approved and proposed developments in Drayton, South Abingdon, Steventon and Sutton Courtenay remain of great concern to residents, and require investment in transport infrastructure by OCC, the Highways Agency and government.
- (b) The traffic survey information provided with the application is inadequate and should be repeated with more accurate and realistic survey work
- (c) If the development goes ahead 8 houses will add 16 or more cars to the Drayton traffic system. At peak times the road system around Drayton is already congested, particularly when the A34 is blocked.
- (d) The proposed junction between East Way and the new spur to the proposed development is blind and without redesign for safety could endanger pedestrians/horses other vehicles using East Way
- (e) Access north towards Abingdon/Sutton Courtenay will be a difficult right turn across the Steventon Road south bound traffic, particularly at commuting times
- (f) Egress from East Way onto Steventon Road is blind at times when a bus is stopped at the bus layby at the end of East way
- (g) A safe pedestrian crossing and/or traffic calming will be needed on Steventon Road if the development is allowed. Increased pedestrian access across Steventon Road to the primary school, and to and from bus stops on Steventon Road is becoming more dangerous with the increased traffic flows

### **3.3 Flood Risk and Drainage, and Utilities**

- (a) Residents report that the ground water is only 16 inches below the surface. This bears out the VWHDC Drainage Officer's concerns that insufficient information has been

provided by the applicants on the drainage conditions. The surrounding farmland is often flooded. If the surface has to be raised for building housing then a great deal of building materials will need to be brought to site via East Way

- (b) The present sewerage system is inadequate, both the local sewers and the sewage plant in Drayton
- (c) The electricity supply in this area of Drayton is variable.
- (d) There are low cables across East Way. Telegraph poles will need to be moved and rewired at greater height if the development is permitted
- (e) Water pressure is already low and variable in this area

### 3.4 Ecology and Trees planting

- (a) **Ecology.** 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.”

- (b) The 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.
- (c) **Trees.** The retention of key trees and commitment to compensation by planting replacement trees and hedges should be a planning requirement if permission is granted

### 3.5 Historic environment

**Drayton village** is at the centre of important historic sites which feature locally the Sutton Courtenay Saxon Palace complex and the Drayton Cursus. The OCC archaeologist is being relied upon to provide supervision in these matters for the local community. His comments on the application have not yet been lodged.

### 3.6 S106 requirements

- (a) relevant s106/CIL contributions will be required as outlined in the Drayton NDP P-H3 and Annex E:
  - i. **“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”.
- (b) A safe pedestrian crossing and/or traffic calming will be needed on Steventon Road if the development is allowed.

#### **4. Drayton NDP Planning Policies relevant to the application**

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

P-LF2, P-LF3, P-LF4, P-LF5, P-LF6  
P-WP1  
P-T1  
P-S1  
P-H1 to P-H4 inclusive

### **DRAYTON NDP EXECUTIVE SUMMARY: POLICY LIST**

#### **SECTION A: PLANNING POLICIES**

**LOOK AND FEEL PLANNING POLICIES PLANNING POLICY P-LF1: CREATION OF VILLAGE GREEN ON THE MANOR FARM SITE** The proposed development of the Manor Farm site, allocated in policy P-H2 should include the creation of a new green open space on the site. The space should have an open aspect on its western side to create a visible connection between the east and west of the village, with an avenue of trees leading up to the green from Hilliat Fields. It should reflect the rural and agricultural nature of the Conservation Area, in which it is located.

**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.

**PLANNING POLICY P-LF3: BUILDING DESIGN GUIDANCE** 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 (see Annex D).

**PLANNING POLICY P-LF4: CONSERVATION AREA** Any development in or adjacent to the Drayton Conservation Area should conserve and enhance the character and appearance of the Conservation Area and its setting.

**PLANNING POLICY P-LF5: THE HISTORIC ENVIRONMENT** The Parish's designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place. Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

**PLANNING POLICY P-LF6: ADDITIONAL GREENERY - NEW DEVELOPMENTS** Proposals for new development should wherever possible include tree and shrubbery planting

to reduce the impact of the built form and ensure that development is in keeping with the existing rural character of the village. Due note should also be taken of the VWHDC's Adopted Local Plan 2011 Policy DC6 and any updating of this policy in the VWHDC's Local Plan 2031. (see <http://www.whitehorsedc.gov.uk/sites/default/files/Contents.pdf>)

**PLANNING POLICY P-LF7: A34 NOISE REDUCTION** Development proposals to the north-west, south-west or west of the village (see Figure 6) should include (where appropriate) measures to alleviate noise from the A34 such as the protection of amenity spaces from excessive noise levels and orientating rooms away from the roadway.

**WORK AND PLAY PLANNING POLICIES PLANNING POLICY P-WP1: CONNECTED DEVELOPMENT** Proposals for new housing must ensure that the new homes are well connected both within the site and with the rest of the village by way of footpaths and cycle ways (especially to amenities such as the school, bus stops and shops).

**PLANNING POLICY P-WP2: BUSINESS DEVELOPMENT** Proposals for B1 and B2 uses offering local employment are supported particularly on sites which have been considered for residential development but have not been specifically allocated for that purpose. Proposals should ensure that there is no adverse effect on local traffic volumes, amenity of neighbouring properties, the character of the area, air quality or noise levels. Change of use of retail or employment development to alternative uses will be resisted.

**PLANNING POLICY P-WP3: RETAIL PARKING** Any new retail or business development must include adequate parking provision in accordance with Oxfordshire County Council's standards. Proposals to improve car parking facilities to serve existing retail establishments will be supported.

**TRANSPORT PLANNING POLICIES PLANNING POLICY P-T1: TRAVEL PLANS** Development proposals which give rise to an increase in traffic will be required to put in place detailed Travel Plans. Developers are required to provide robust evidence that each and every proposal, as set out in their Travel Plan, is feasible and will significantly reduce traffic volume. Direct mitigation measures such as car sharing and car pooling will be positively encouraged.

**SUSTAINABILITY PLANNING POLICIES 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.

**HOUSING PLANNING POLICIES 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 dwellings All dwelling numbers are approximate and will be reviewed at the planning application stage based on the need to provide smaller homes. Each of these three sites is described in the Plan (below) with their site requirements.

**PLANNING POLICY P-H2: AFFORDABLE HOUSING** Developments must meet the minimum requirement for Affordable Housing set out in the VWHDC Local Plan to meet District-wide need. All such Affordable Housing should be visually indistinguishable from and fully integrated with other housing in that development.

**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.

**PLANNING POLICY P-H4: EXTERNAL FACILITIES** All future housing developments must have adequate car and cycle parking facilities for both residents and visitors in accordance with Oxfordshire County Council standards. New housing development should aim to provide the following external facilities: for storage of waste recycling bins and waste water run-off from roof guttering.

## Appendix A: Letter from Brandon Lewis MP, Minister for Housing and Local Government with the Department for Communities and Local Government



Department for  
Communities and  
Local Government

Cllr Richard Webber  
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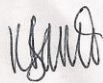
*Dear Cllr Webber,*

Thank you for your email of 18 September to the Secretary of State, the Rt Hon Greg Clark, about neighbourhood planning and planning applications. I am replying as Minister for Housing and Planning. As I hope you will appreciate, I cannot comment on individual cases. However, I am happy to set out the general position.

Once a neighbourhood plan has passed referendum and is brought into legal force by the local planning authority, it attains the same legal status as the Local Plan. At this point it becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.

An emerging neighbourhood plan may be a material consideration when determining planning applications. Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say on whether the neighbourhood plan comes into force, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan. The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. All representations on the proposals should have been submitted to the local planning authority by the close of the local planning authority's publicity period. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it.

Neighbourhood planning continues to go from strength to strength. Over 1600 communities have embarked on the process, and over 330 full draft plans have been published. The average yes vote at referendums has been 88%. This degree of progress reflects tremendously on communities such as Drayton that have made use of the powers created by the Localism Act.

  
MP **BRANDON LEWIS MP**

SIGNED ON BEHALF  
OF MINISTER IN  
HIS/HER  
ABSENCE