Planning application 17/00992/OUT – Land South West of Charlbury Road, Hailey

I write on behalf of Hailey Parish Council (HPC). HPC objects to the above outline planning application. This letter sets out the concerns of both the Parish Council and the wider community as evidenced by two Public Meetings which roundly condemned this proposal. Individual members of the community have also submitted in excess of two hundred objections to the proposal.

Here is a summary:

- West Oxfordshire District Council (WODC) is now able to provide a five year housing supply as evidenced by their Housing Land Supply Position Statement of May 2017: www.westoxon.gov.uk/media/1600381/Housing-land-supply-Position-Statement-May-2017.pdf
- This planning application conflicts with many of the saved policies in the prevailing 2011 Local Plan and the emerging Local Plan 2031 policies. National Planning Policy Framework (NPPF) paragraph 216 indicates that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given).
- Hence the policies in both the prevailing and emerging Local Plans have been referenced in these objections. In addition extracts from the emerging Hailey Neighbourhood Plan have also been referenced.
- Planning legislation requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. As there are no material considerations and this proposal conflicts with the prevailing and emerging Local Plans it should be rejected.
- The Local Plan 2031 already includes a large housing development (1,400 dwellings) within the parish, just south of the villages of Hailey and Poffley End.
- The identified housing needs (4,400 dwellings) for the Witney Strategic Development Area (SDA), which includes the parishes of Crawley and Hailey, is fully met by the proposals contained in the emerging Local Plan 2031.
- The so called windfall development opportunity of 304 dwellings contained within the Witney SDA numbers above, has already been consumed by the granting of other planning permissions. Hence the identified housing needs of the Witney SDA have already been taken up and this speculative proposal is simply not required – especially alongside the major proposal of 1,400 houses in south Hailey. The proposed development is therefore unnecessary and unsustainable.
- Although the site is in Crawley, it is immediately adjacent to the village of Hailey. It would have a detrimental effect on the setting and views contained in the Hailey Conservation area. It is a visually intrusive development in an open and sensitive landscape character area which destroys the integrity of the well-defined green edge to Hailey Village, disrespecting its scale, pattern and character and failing to integrate well with its existing built form.
- The site sits in open countryside, outside the natural and administrative boundary of Hailey. Any development here would conflict with policies H4 (Construction of new dwellings in the open countryside and small villages), H6 (Medium sized villages), NE1 (Safeguarding the Countryside), NE2 (Countryside around Witney and Carterton) and NE3 (Local Landscape...
Character) of the Local Plan. The equivalent policies in the Local Plan 2031 are contained in OS2 (Locating Development in the Right Places), H2 (Delivery of New Homes) and EH1 (Landscape Character).

- The adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole, as well as the policies contained in the prevailing and emerging Local Plans.

**Five year housing supply**

The following numbers are extracted from WODC’s Housing land supply Position Statement of May 2017 using the Liverpool method. The 5 year period commences on 1st April 2017.

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Basic 5 year requirement</td>
<td>3,300</td>
</tr>
<tr>
<td>B Backlog to be addressed</td>
<td>707</td>
</tr>
<tr>
<td>C Oxford unmet needs</td>
<td>275</td>
</tr>
<tr>
<td>D Total 5 year requirement</td>
<td>4,282</td>
</tr>
<tr>
<td>E PLUS 5% buffer</td>
<td>4,496</td>
</tr>
</tbody>
</table>

Anticipated supply 5,258 which is 17% OVER the requirement with the 5% buffer OR 2.3% OVER with a 20% buffer.

As required by the NPPF, WODC has demonstrated that it has a five year housing land supply. As a consequence the policies of the prevailing and emerging Local Plans should be used. As the application is contrary to many of these policies – see below - it should be refused.

During Stage 3 of the Hearings on WODC’s Local Plan 2031, this position will be considered by the Inspector on 20th July 2017 under Matter 16 – Five Year Supply of Deliverable Housing Land.

Additionally WODC has invited developers to provide information regarding the ability of any site in which they have an interest to contribute towards the five year supply (2017/2018 to 2021/2022) and which has been either: (i) allocated in the draft plan; or (ii) promoted by them during either of the Local Plan consultations.

It is anticipated that a report summarising these responses will be available prior to the commencement of Stage 3 of the Hearings on the Local Plan 2031 on 11th July 2017.

**Sustainable Development**

*NPPF paragraph 7 - There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

There is very little economic activity in Hailey. There is a care home, a pub, a car showroom and a hairdresser. There is no retail, manufacturing or service industry activity. This location is demonstrably not the ‘right place’ to build a development of this magnitude as there is little or no
local growth or innovative activity to support and the development does not contain any elements that would create economic activity.

- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being.

This is not a location that benefits from local services.

The needs of present and future generations are planned to be met by the provision of 1,400 houses to the south of Hailey village. In addition the emerging Hailey Neighbourhood Plan questionnaire identified that the community would like to see only 30 additional houses built within the parish during the period up to 2031. As already identified there are limited accessible local services. These and the health, social and cultural well-being needs of the community are predominantly met by Witney.

- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Hailey village falls within a Conservation Area. It is in an elevated and smoothly rolling landscape bounded by the Cotswold uplands (part of the Cotswolds AONB) to the north and the village overlies the southern fringe of oolitic limestone that dominates the geology in the north of the district. The northern edge of the Conservation Area runs along Priest Hill Lane which represents the southern boundary of the site. It is clear that the natural, built and historic environment of Hailey would not be enhanced or protected by this development; indeed it would have a detrimental impact on the Hailey Conservation Area.

**Conservation Area** development advice includes the following:

> Special care must be taken to ensure that views into and out of the Conservation Area, are not harmed.

The construction of 85 dwellings on the proposed rising land of the development would block views from the Conservation Area, including the horizon view of Leafield Parish church, from many parts of Hailey.

**Location and principle of development**

The site is located in Crawley but is immediately adjacent to Hailey (a medium sized village).

Policy H6 identifies the type of development that will be permitted in medium sized villages:

- a) **Infilling**
- b) **Rounding-off within the existing built up area, and**
- c) **The conversion of appropriate existing buildings**

Policy OS2 of the emerging Local Plan 2031 states that:

> Villages are suitable for limited development which respect the village character and local distinctiveness and would help to maintain the vitality of these communities.

Crawley is identified as a small village.
Policy H4 identifies the type of development that will be permitted in open countryside and small villages:

*Proposals will only be permitted if there is a genuine essential agricultural or other operational need for a full-time worker to live on the site.*

Here policy OS2 states:

*Development in the small villages, hamlets and open countryside will be limited to that which requires, and is appropriate for, a rural location and which respects the intrinsic character of the local area.*

It is evident that this proposal does not satisfy any of these overarching spatial policies. The site lies in open countryside, beyond the natural and administrative boundary of Hailey.

**BE1 Environmental and Community Infrastructure (OS5 – Supporting infrastructure)**

*Development will not be permitted unless appropriate supporting transport, service and community infrastructure is available or will be provided and appropriate provision has been made to safeguard the local environment. Contributions will be sought from the developers and / or landowners in accordance with Government advice. [OS2 is similar and makes reference to WODC’s Infrastructure Development Plan (IDP) and the Community Infrastructure Levy]*

The facilities available in Hailey are limited and in Crawley are even more so (only a pub). Hailey has a primary school, public house and a hairdresser. The primary school has insufficient capacity to accommodate the demand from this application without an expansion. Crawley and Hailey are both heavily dependent on Witney for major facilities such as supermarkets, secondary schools, leisure, health care etc. This proposal would inevitably add to the generation of additional day to day traffic due to the misguided location of the development.

Along with many villages in Oxfordshire, the withdrawal of bus subsidies has resulted in a reduction in the frequency of the only bus service through the village (the X9)

**BE2 General Development Standards (OS2 – Local Development in the right places)**

*The villages are suitable for limited development which respect the village character and local distinctiveness and would help to maintain the vitality of these communities.*

The emerging Hailey Neighbourhood Plan asked residents how many new houses they would like to see constructed in the villages during the period to 2031. The answer was 30. This is actually consistent with the rate of house building in the last thirty years – these developments have typically been of small closes of up to 15 houses. The proposed development of 85 houses is disproportionate and of a magnitude that does not form a logical component of the existing scale and pattern of development. It completely disrespects the character and local distinctiveness of the village.

**Transport**

Speeding through the village of Hailey on the B4022, particularly around the Primary School, has been a primary concern for many years. Although Hailey Parish Council has erected traffic calming measures at the edge of and through the village, safety concerns remain. The northern edge of the village – where this development is proposed – has the highest level of speeding. The B4022 dips down to the Delly End/ Priest Hill Lane crossroads from both directions. As a consequence northbound traffic accelerates out of the village and southbound traffic does not slow down as
quickly as it should. This is evidenced by the following traffic measurements contained in the Transport statement:

- **Average 85 percentile Speed**
  - **Site 3 B4022 30/50mph sign Northbound**: 45.3mph (speed limit 30mph)
  - **Site 3 B4022 30/50mph sign Southbound**: 44.3mph (speed limit 30mph)
  - **Site 4 Delly Hill Northbound**: 38.5mph (speed limit 30mph)
  - **Site 4 Delly Hill Southbound**: 38.5mph (speed limit 30mph)

The proposed traffic entrance for this site lies between these two locations and would inevitably increase the risk of accidents unless mitigation measures are taken.

In the event that permission is given for this development we strongly urge the installation of a mini roundabout at the junction of the B4022 with Delly End and Priest Hill Lane and the repositioning of the entrance to the development to this roundabout.

**Policy T1 (Sustainable Transport)**

*Priority will be given to locating new development in areas with convenient access to a good range of services and facilities and where the need to travel by private car can be minimised, due to opportunities for walking, cycling and the use of public transport, particularly where this would help to reduce traffic congestion on the routes around the Air Quality Management Area at Witney.*

As evidenced above, there are limited opportunities for local employment and any requirement for shopping, secondary school, leisure, health care etc. will result in travelling to Witney or beyond. This will result in a considerable addition to the existing traffic congestion in Witney combined with a further negative addition to the AQMA area around Bridge Street, Witney. Priest Hill Lane and Broken Hatch Lane, which border the site, lead to Crawley. Both roads are very narrow with few passing places and would not be recommended or safe route for additional traffic to follow. However, Crawley contains a river crossing which avoids the congested single river crossing in Witney. The anticipated additional volume of traffic from this development would inevitably aggravate the already prevailing difficult travel conditions through an existing ‘rat-run’ in Crawley village.

**Landscape**

**NPPF Section 11 (Conserving and enhancing the natural environment)**

Para 109 requires the planning system to *contribute to and enhance the natural and local environment...* and that *Valued landscapes should be protected and enhanced*

Para 110 states that *Plans should allocate land with the least environmental or amenity value.*

The site is at the bottom of a minor valley and surrounded by open countryside. It lies within the Wychwood Uplands Character Area. At the appeal 08/01844/FP the Inspector described the rolling site which contains the adjacent pumping station as ‘an important component of an attractive valley landscape’ and ‘constituting open and attractive countryside’

**Policy NE3 (Local Landscape Character)** states:
Development will not be permitted if it would harm the local landscape character of the District. Proposals should respect and, where possible, enhance the intrinsic character, quality and distinctive features of the individual landscape types.

Policy EH1 (Landscape Character) has similar wording.

The topography of the site is also an issue. As will be seen from a site visit, construction on the uphill slope of this site will dominate and disconnect the development from the village. It would have direct visibility into existing properties and an adverse impact on the residential amenity of existing occupiers.

This proposal is therefore contrary to both NPPF and Local Plan policies and should be refused.

Flooding
Although the site lies within Flood Zone 1, it is well known locally that the lower part of the site near the cross roads of Priest Hill Lane and Delly End with the B4022 regularly floods as does Priest Hill Lane itself. The development would inevitably contribute to a worsening of this situation. The proposal is therefore contrary to:

NE8 Flood Risk
New development ... will not be permitted within areas at risk from flooding which is likely to:

i. Impede the flow of water
ii. Result in the net loss of flood plain storage
iii. Increase the flood risk elsewhere

NE9 Surface Water
New development ... will not be permitted where the additional surface water run-off would result in adverse impacts such as an increased risk of flooding, river channel instability or damage to habitats unless appropriate attenuation and pollution control measures are provided.

EH5 Flood Risk
All sources of flooding will need to be addressed and measures taken to manage or reduce their impacts, onsite and elsewhere, incorporated in the development proposal.

Legal agreement required to secure
An agreement is required under Section 106 of the Town and Country Planning Act 1990 and / or under the emerging WODC Community Infrastructure Levy (CIL) to secure the following projects contained in Hailey Parish Council’s Infrastructure Development Plan (IDP):

- Replacement of Hailey Village Hall (estimated cost is £600,000 – based on the actual cost of a similar hall in Freeland)
- Replacement of Sports pavilion – 2 Team changing room plus officials – Traditional construction (estimated cost of £240,000 – Sports England)
- A ‘pelican crossing’ outside Hailey CE Primary School (£60,000 – Wiltshire CC estimate))
- A mini roundabout at the junction of the B4022 with Priest Hill Lane and Delly End – £10,000 (Wiltshire CC estimate)
- A bus shelter on Delly Hill (identified in OCC’s submission - £8,230)
Conclusion
This speculative application is contrary to many of the saved policies in WODC’s prevailing 2011 Local Plan as well as the policies contained in the emerging Local Plan 2031. It does not meet any identified housing needs in the Witney Strategic Development Area. The site is not within Hailey but would significantly urbanise and essentially remove a well-loved and attractive valley landscape (as described by the Inspector in APP/D3125/A/09/2111173) on the edge of Crawley. The development will contaminate the views and setting of the Hailey Conservation Area and provide a disproportionate amount of additional housing in the wrong place.

The adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole.

G. A. L. Knaggs
Chairman Hailey Parish Council
12th June 2017