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Head of Planning and Sustainable Communities

FAO Catherine Tetlow

West Oxfordshire District Council

Elmfield

New Yatt Road

Witney OX28 1PB

Dear Ms Tetlow

**RE: - 15/03797/OUT Erection of up to 120 dwellings and provision of building for Class D1 use, together with associated works (means of access only)**

**AT: - Land South East Of Pinsley Farm, Main Road, Long Hanborough, Oxfordshire**

I write on behalf of Hanborough Parish Council. The Parish Council is **objecting** to the above outline planning proposal.

This objection letter sets out the Parish Council's concerns with the principle of a development of this magnitude in the location proposed as well as some of its details.

The concerns are summarised as follows:-

- **The magnitude of the proposed development is out of proportion with the existing village of Long Hanborough, would exceed infrastructure capacity within the village and would harm the wellbeing of the community.**
- **The economic, social and environmental benefits purported to stem from the development and mitigate against existing infrastructure limitations are aspirational, undeliverable and they lie outside the scope of reasonable obligations set out in government guidance.**
- **The location of the housing would cause significant harm to the appearance of the rural area in which it is proposed: failing to integrate well with the village of Long Hanborough and its surroundings by disrespecting the scale, pattern**

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**and character of the settlement. New housing would be distant from the village focal point, forming an incongruous dormitory satellite settlement that would force its inhabitants to add more traffic to an already congested route and use an access that had been described as highly dangerous in the Council's housing assessment.**

- **There are serious concerns in relation to the design and details of the proposal that ought to be flagged up at this outline stage.**
- **The combination of harm caused by the development would demonstrably outweigh any benefits that it may have and indicate through national and local planning policy that the proposal is unsustainable and should be refused.**

#### **Planning policy context**

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the policy framework comprising the National Planning Policy Framework (NPPF), saved policies of the West Oxfordshire Local Plan 2011 (WOLP 2011) and emerging West Oxfordshire Local Plan 2031 (WOLP 2031) unless other material considerations indicate otherwise.

The planning statement says that the saved LP2011 policies are out of date and that limited weight should be attached to emerging policies including the Council's Strategic Housing Land Availability Assessment (SHLAA). However, the thrust of the objectives contained within these policies such as the criteria for assessing locations of new housing and integrating new and existing development, amongst others, are still key material considerations and appropriate weight should be attached to them. It follows therefore that a decision on this application can only be made following very careful consideration of the critical question of whether a development of this magnitude and location in relation to Long Hanborough would be a sustainable way of meeting housing need.

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Paragraph 47 of the NPPF states that Councils should review their housing supply on an annual basis to ensure that there is a rolling supply to meet the five and ten year demand with additional buffers depending on the Council's record on meeting housing demand. The planning statement asserts that because it considers that the Council cannot demonstrate through an objectively assessed need in compliance with paragraph 47 that the presumption in favour of sustainable development contained within paragraph 14 of the NPPF is engaged. Paragraph 14 of the NPPF states that

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision-taking.”*

The same paragraph also states that

*“where the development plan is absent, silent or relevant policies are out-of-date, [it means] granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.”*

Even if the planning statement was correct in its assertions and the presumption in favour of sustainable development was engaged, it is not unqualified. Put simply the test in paragraph 14 means that development should be granted planning permission unless the adverse impacts of the development would significantly outweigh the benefits. The process of determining whether the development is sustainable and should be granted planning permission is therefore a question of weighing up the benefits and adverse impacts of any development proposals and comparing the two to establish if the adverse impacts significantly outweigh the benefits with reference to the NPPF.

West Oxfordshire District Council (WODC) is progressing with its new Local Plan (WOLP 2031) that will include policies setting out the key housing sites and locational housing policies with the Examination of its policies taking place at the moment. This plan seeks to provide for appropriate levels of housing throughout the District to comply with the requirements of the NPPF in terms of identifying appropriate housing sites. The overall objective of this plan making exercise is to demonstrate that the approach adopted by

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WODC constitutes an objective assessment of housing need in line with the requirements of the paragraph 47 of the NPPF.

Contained within the national and local policy frameworks are guidance on determining the scale or magnitude of new residential and other development within different locations and the importance of these for plan making and decision taking.

## **Magnitude of development**

The proposed development is primarily for 120 new residential units. Of course new housing is needed and it is acknowledged that there is a national housing crisis generally and that the delivery of new homes is currently failing to meet demand. It is also acknowledged that within West Oxfordshire there is a shortfall of housing. Consequently, the Parish Council is keen to emphasise that it is supportive and welcoming of proposals for sustainable development but has only reached the conclusion that this particular development would amount to significant harm after careful consideration.

The number of houses within the Parish of Hanborough was 1070 according to the 2011 census and even allowing for the construction of a further 100 homes as a result of recent planning decisions the proposed scheme would equate to an increase of over 10% of the homes in the Parish. This would be a highly material change to the character and dynamics of the village wherever it was located. Even if located in a manner that was central to the village core, rounding off an otherwise undeveloped area, extreme care would need to be taken to ensure that a development of this magnitude was achievable at all, and if so that it was achieved in a manner that did not overwhelm the village, dramatically alter its character and appearance or that of the surrounding area and in particular ensuring that the infrastructure needed to meet this scale of development existed or could readily be provided to adequately serve the expanded community. The effect on character and appearance is discussed in the location section and the infrastructure implications of the development are discussed below.

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## **Infrastructure**

WOLP 2011 Policy BE1 states that *'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.'*

The impact of the development upon local infrastructure is the subject of much concern within the village. The Parish Council has particular concerns with regards to the impacts upon local highway capacity and safety, upon Hanborough Manor School, Hanborough Station and upon Long Hanborough Surgery. All of these concerns are related to the capacity of these community facilities or infrastructure to absorb the demand that would be placed upon them as a result of a new satellite community, distant from the village, yet drawing on its services without mitigating against the harmful consequences in a meaningful or deliverable way. The consequences of unplanned residential growth of this magnitude and location on each of the facilities and infrastructure listed above are discussed in more detail below.

### Highway capacity

Of particular concern to the Parish Council is the impact of the development on local roads, notably of course the A4095. The Transport Assessment submitted with the application claims that the residual impact of the development on the highway network will be negligible. It is correct that government guidance in the NPPF at paragraph 32 states that planning permission should only be refused on transport grounds where the residual cumulative impacts of development are severe. However, the Parish Council would like to emphasise that the experience of their Parishioners on a daily basis is often already severe. Although the applicant has set out options for the proposed junction with the A4095, this will not reduce the impact of additional vehicular traffic in the wider area. Instead the provision of 120 new houses in a satellite community distant from the village will, for the most part, leave new residents little choice but to use their cars for most local journeys, including those to the school, surgery, pubs shop and other services within Long Hanborough adding to the often constant stream of traffic through the village and compounding the problems of separation between the north and south sides of the road and air pollution. Such an impact does not support the assertion that the proposed development is sustainable.

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Consequently it is very disappointing that the County in its consultation response has not objected to the application on highway safety or sustainability grounds. However, in their response the County does state that:-

*'it must be pointed out that where junctions are operating close to or over capacity, the prediction of the likely impact of further traffic increases by traffic models is known to be less robust. The junctions of the A4095 with Church Road in Hanborough itself and with the A44 south of Woodstock would appear to fall into this category, the former in particular experiencing severe congestion even now but especially in 2024. Because of this the county council considers that it is reasonable [that] the applicant should be proposing some form of mitigation for its impact.'*

On the one hand the response appears to acknowledge inadequacies in the modelling related to key local junctions, imply that some form of mitigation is required. However, in fact the response continues that:-

*'The county council does not believe that adding capacity to these junctions for general traffic is a sustainable solution to the existing capacity problems and the extra pressure likely to be brought to bear by the proposed development of 120 homes to the west of the rail station. In any case, such capacity improvements would be difficult to deliver at Church Road and arguably, at the A44/A4095 junction, in excess of what should be expected by the development.'*

In summary, this appears to say there is an existing capacity problem. The development of 120 homes will make it worse. It would be unsustainable to add capacity at these junctions and it would be unfair to require the developer to resolve the problem because the problem could not be solved by reasonable contributions from this development. It would seem that the problem was one of the overuse of the limited capacity of the local highway network. That would seem to emphasise the need to address demand on the network by resisting new major residential development in locations that are distant from service centres. That would seem to be a sustainable approach.

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It is unfortunate that the County has concluded that because, in its view, the impact of the development is not 'severe' in the sense required to attract a refusal reason on its own following guidance in paragraph 32 of the NPPF as mentioned above. The 'harm barometer' may have been revised or 'cranked up' by the government to foster growth in a slower economic period so that only development that is considered to result in 'severe harm' should be refused. But there is more at stake here. It is the series of individual developments combined with behavioural patterns over time that account for traffic flows. Therefore, when considering an individual site, particularly at outline stage, it is essential to take into account the cumulative impacts of other developments that would be harder to resist if they were similar in kind and scale in nearby locations rather than simply deciding if an individual proposal ticked the 'severe' box. Highway capacity is at a premium and should only be given away sparingly if we are serious about sustainability.

## Railway improvements

Much is made of the provision of land for new railway infrastructure in the application. The Parish Council has sought to clarify with the railway operator, First Great Western, exactly what plans exist for improvements at Hanborough Station. On the one hand a response from a customer relations advisor confirmed that having checked into this matter, 'there is no specific investment aligned to this station'. On the other hand a response from the Regional Development Manager confirmed the ongoing increase in passenger numbers and that the existing car park was at capacity. He confirmed that cycle parking would be increased and that there was a 'franchise commitment' to increase parking at the station in addition to the introduction of 'Super Express Trains by the end of 2018 along with greater frequency of departures by May 2017 and December 2018. All other improvements were 'aspirational'. Picking through these seemingly contradictory statements it is hard to arrive at the conclusion that there is a planned, budgeted and deliverable way of alleviating the serious parking capacity problem at the station which was failing to meet existing demand with the car park often full before 9am and leading to parking problems within the area.

The proposal will add additional passengers onto already oversubscribed trains. The provision of land for car parking and other purported railway station improvements is not part of the application other than the provision of the land through a section 106 agreement is

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offered if planning permission is granted. In the unlikely event that the land was secured as a car park, planning permission for it granted on a planning application that was yet to be submitted, funding for the construction allocated and budgeted then concern would surely be expressed that a 400 space car park will amount to a facility that would be substantially in excess of future need, would draw in rail commuter traffic unnecessarily, would add to congestion on the already congested A4095 but be a source of considerable revenue generation for the owner.

The proposal will not deliver any railway infrastructure benefits and in particular will not alleviate parking demand at the station or provide any other economic, social or environmental benefit. Given the unlikely provision of the car park, the land (along with the land upon which the D1 building is currently proposed) may well be the subject of a further application for housing. Until either of the above possibilities the more likely outcome would be that the land would be left unmanaged overgrown and potentially subjected to fly-tipping or other anti-social behaviour. The application does not contain any realistic methodology for delivering what is stated to be a significant benefit of the scheme. For the reasons set out above along with those given below, no weight can be attached to the provision of land for the car park in the weighing up of the benefits of the scheme.

## Education

Paragraph 72 of the NPPF states that “*The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.*” The paragraph concludes with the requirement that local authorities should “*work with schools promoters to identify and resolve key planning issues before applications are submitted.*” The lack of capacity at Hanborough Manor and other local schools is well known but this problem has not been **resolved** at all let alone resolved **before** the application has been submitted.

Turning to the application and its supporting statement under the heading of ‘Education’ at paragraph 8.81 it is stated that

*“The residential development for 50 dwellings on Land at Church Road (planning reference 14/1102/P/OP), for which the Council has resolved to grant planning permission, will provide opportunity for the Hanborough Manor School to expand.*”

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*This will provide capacity for the additional children from the Proposed Development; and the Applicant is willing to make a reasonable contribution towards these infrastructure improvements if it is necessary.”*

In fact the opposite is true. According to the consultation response from the Local Education Authority (Oxfordshire County Council) as part of the combined County response, it is stated under the Education section that the proposal will likely generate an additional 37 primary school children and that there is no capacity within the school to take these additional places. Expansion of the school is not currently possible although expansion that would be necessary to accommodate the additional schoolchildren resulting from the planning application where planning permission has been resolved to be granted at Church Road for 50 houses (reference 14/1102/P/OP) can be accommodated through the provision of land stemming from relocation of the nursery to the west of the school buildings. On this basis the County Council objects to the current proposal stating *‘Expansion of primary school provision in the area would be required as a direct consequence of this proposed housing. The response goes on to conclude that ‘Education therefore **objects** to this proposed development unless it can provide a solution to the site constraints at the primary school.’*

This approach accords with that advocated in the NPPF, quoted above, since the planning issues relating to school expansion have not been resolved **before** the application has been submitted. The application is therefore premature at the very least.

It is worth noting that there is also a current planning application for new housing on the Witney Road by Pye (reference 15/02687/OUT). This application follows on from an earlier scheme (reference 14/1234/P/OP) that was refused but is now at appeal. In an attempt to try and overcome the impact upon Hanborough Manor School an application has been made to form a new playing area to serve the school so that the school may be able to expand onto its existing playing field. It is also worth noting that the CEO of Eynsham Partnership Academy, Andrew Hamilton, has recently commented upon the playing field application to clarify his position on the series of housing developments and how they may affect Hanborough Manor School. Although Mr Hamilton makes clear that as a service provider he must take a neutral stance, he wished to emphasise that there would be a long list of

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logistical difficulties to overcome even to arrive at a position where the school had the undesirable position of being able to expand onto its own playing field and needing to use a remote playing field for its pupils. He therefore summarised the position in relation to the potential eventuality of a large housing development in long Hanborough thus necessitating a significant school expansion as follows:-

- *“if Pye’s planning applications for housing development in Long Hanborough are granted, and*
- *if these developments produce large numbers of additional school age children, and*
- *if Oxfordshire decides it wants to provide school places for these children by expanding Hanborough Manor School, and*
- *if the School therefore needs additional classrooms and playing field space, and*
- *if adjacent playing field space from the HPA cannot/will not be provided, and*
- *if remote playing field space can be provided close to the school, and*
- *if all the above listed logistics (and any more determined by OCC) can be delivered on, and*
- *if the School can see a viable way to cover the additional costs and organisational difficulties caused by the non-ideal additional playing field space required, as listed above,*

*Then, and only then, would the Academy support the proposal outlined in the application.”*

The applicant is therefore relying upon educational infrastructure that does not exist, where school expansion just to meet the school place demand of the approved Church Road housing would be problematic and where further expansion necessitated through approval of this application or the Pye application on the Witney Road would involve resolving a much more serious logistical problem. A solution to that problem would be dependent upon the school expanding onto its own playing field and displacing playing field activities to a more distant location. Even if that serious problem could be overcome and the capacity problem **resolved** that would, in itself, have a negative impact in terms of school teaching logistics and wasted journey times for pupils.

However, given the prematurity of the application having regard to the complete lack of a **resolution** to the serious educational capacity problem, the proposal would represent a form

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of development that places an unsustainable demand upon school places because it would displace schoolchildren from the village to be taught in schools outside of the Hanborough Manor School catchment area which would fail to achieve a cohesive community, add to road congestion and be harmful to the wellbeing of those affected families.

## Healthcare

The Parish Council also has concern in relation to the capacity of Long Hanborough Surgery and the impact upon it if the proposed development is approved. The applicant has included within the application a site upon which a D1 non-residential building is applied for.

Dr. Neil Rust of Long Hanborough Surgery has commented on the application recently and addressed the issue of the proposal for the relocation of the surgery. He states as follows:

*"I have written previously regarding recent planning applications in Long Hanborough, to highlight the severely restricted capacity for medical care in Long Hanborough. The Long Hanborough Surgery is already significantly below the recommended size for our current population, and the increase in population from a development of this size would have a significant impact on our ability to continue to care for our existing patients as well as the new residents. There is no scope to enlarge the existing premises, and the car park is woefully inadequate. A new development with its centre approximately 1 mile from our surgery would inevitably require patients to drive to the surgery, compounding this problem. This application makes no attempt to address this issue.*

*Although I understand that the site offers space that could potentially be used for a new surgery, the location is so far removed from the village centre to make this impractical for our population, a high proportion of whom are elderly and with mobility difficulties. There has also been no suggestion regarding funding for such premises and it is unrealistic to expect funding to be made available by NHS England at this time of financial crisis in the health service. I would urge the committee to ensure that this application is rejected until the problem of medical capacity has been properly addressed."*

Given that there is clearly no mechanism for the delivery of a relocated surgery in terms of funding or any rational argument as to why the existing health centre would consider it

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appropriate to relocate to this location so far from the focal point of the village, nor any desire from the existing surgery to relocate it would seem that a surgery was never likely to be constructed on that land. One could also suggest that there would be no likelihood of any building of D1 use ever being constructed there adding to the suggestion that approval of this application would ultimately result in approval of additional housing on the D1 land as well. The applicant offers an alternative by way of a cash sum to 'increase capacity'; albeit the quote from Neil Rust explains that capacity cannot be provided. The reasonable conclusion to be drawn is that there will be an unsustainable adverse and unmitigated impact upon local surgery capacity so that patients will have to drive to another surgery elsewhere.

## Mitigation offered by the applicant

Having assessed the components of infrastructure that would be adversely affected by the development including local highway capacity, railway facilities, education and healthcare, the conclusions reached are that these facilities will not adequately meet the demand created in a sustainable way. However, the applicant claims in section 8 of the application statement that the proposed development is *wholly sustainable* because it **delivers** a series of economic, social and environmental benefits.

Firstly, under the heading of economic benefits are included the inward investment through the cost of the development, providing new homes, supporting new economic activity, construction jobs, a wide range of job opportunities, and the provision of land for railway infrastructure as well as New Homes Bonus Funding. Secondly, under the heading of social benefits it is stated that the scheme will deliver 50% affordable homes (subject to viability), the provision of the D1 land use is replicated here, green infrastructure leading to a high quality physical environment, layout to follow the 'secured by design' theme, access to facilities using non-car transport modes along with repeating that land is provided to facilitate improvements at the station. Finally, under the heading of environmental benefits it is stated that there will be a high quality design that reinforces local character and distinctiveness, on-site biodiversity enhancements and new green infrastructure and open space.

However, the inward investment generated, the construction jobs created, the affordable housing provided and the New Homes Bonus achieved would be derived on any site and the proposal provides nothing by way of explanation that this would not be the case. Those

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elements of the proposal are therefore not benefits and neither are the other aspects of the scheme that are touted as benefits such as design, providing some biodiversity features, other green infrastructure and open space for recreation. They are all simply policy requirements that would need to be met on any site to make the development acceptable.

Making the development acceptable by complying with the raft of policies that exist to ensure appropriate residential standards and environments is simply the necessary exercise of designing a development proposal in a way that complies with the controls that exist in the public interest and avoid residue of adverse impacts that the wider community would have to suffer financially, economically, socially or environmentally. Leaving aside the principal of development, achieving these policy requirements simply places the details of a development proposal in the acceptable category.

The Parish Council would also wish to note that the combination of recent development of affordable housing through the development of some 'rural exception sites' within the village, and the likely provision of another 18 affordable units through the recent Church Road scheme would likely clear the list of households seeking affordable housing in the village.

As explained above, the land for railway development and the D1 use that is applied for do not, in themselves, provide any benefit because the provision of the land does not address the capacity issues that have been identified, neither is there any commitment to developing them by any party, nor could the provision of those facilities, in the way that they are described by the applicant, be reasonably said to be sustainable solutions for the village. Other purported benefits such as job opportunities in the D1 building as well as the new station entrance buildings with ancillary retail facilities / coffee shop or newsagent; a taxi/bus/drop-off (kiss and ride) facility; a south western approach to a new footbridge; and additional car parking and landscaping are little more than fantasy and should be disregarded in assessing the application.

In conclusion, there are no additional benefits that can be said to be actually **delivered** by the proposal only some as yet undeveloped land with a question mark over its future. The application is really left with the fact that it will provide much needed housing but the adverse impacts that are described in detail above and below cannot be alleviated through mitigation or compensation to make them acceptable.

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In the NPPF under the heading of ‘*Ensuring viability and deliverability*’ at paragraph 176 government guidance states that

*“Where safeguards are necessary to make a particular development acceptable in planning terms (such as environmental mitigation or compensation), the development should not be approved if the measures required cannot be secured through appropriate conditions or agreements’.*

The guidance continues in the same section at paragraph 177 to state that

*“It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion’.*

Having regard to the evidence provided to demonstrate the inability of Hanborough Manor School and Long Hanborough Surgery to expand to meet the anticipated demand upon services and the problems with finding solutions to capacity issues on the local highway network and the car park at Hanborough Station, it is disingenuous to suggest, as the applicant does, that appropriate mitigation is provided through financial contributions or the gift of land.

The offer of land for railway infrastructure improvements through a planning obligation, whilst unfunded and not forming a part of the application, may well be seen as a benefit and there is no denying that improvements are needed at the station. However, for any weight to be given to this offer there is a series of tests set out in the NPPF and reiterated in the National Planning Practice Guidance (NPPG). Paragraphs 203 and 204 of the NPPF under the heading of ‘*Planning conditions and Obligations*’ states that

*“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.*

*Planning obligations should only be sought where they meet all of the following tests:*

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.”*

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It should be abundantly clear that the provision of land to serve as a 400 space car park and other railway infrastructure is not necessary to make the development acceptable and certainly not directly related nor fairly and reasonably related in scale and kind. Any approval of the scheme based upon the provision of this railway land would most likely be **unlawful** having regard to the provisions of the NPPF and NPPG.

The Council as decision maker is respectfully asked to determine the application on the basis that there are no **deliverable and lawful** benefits to secure the necessary mitigation against the serious adverse impacts of the proposal upon local infrastructure.

## Location

The question of the appropriateness of the location of new housing is a key material consideration in the determination of this application.

## Relationship to the village

In preparing the emerging local plan and seeking to provide appropriate levels of new housing, the Council's housing assessment (the SHLAA) has assessed a number of potential housing sites including the application site. This site is described as 'land south west of Hanborough station' and listed as site number 333. The assessment is summarised as follows:-

*"This is an elevated prominent site, adjacent to the Cotswolds AONBs. Its development would be an unacceptable intrusion into the outstanding open countryside of the Evenlode Valley, would destroy views of the ancient Pinsley Wood, and would be seen from many vantage points. Set on the far outskirts of the village, it would always be an outlier and could never be integrated with the built-up area of the village. It is distant from services and facilities in the village centre.*

The assessment concludes that although the site is available, it is not suitable or achievable as a housing site. The Parish Council fully endorses the assessment and conclusion but would like to elaborate upon the District Council's own concerns in relation to location.

If the village of Long Hanborough had an 'envelope' it would enclose the part organic and part linear form of the village with the bulk of the village including its core to the west and a

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long and narrow strip stretching out eastwards along the A4095. For a development to be said to be within this envelope it should respect the form of the village, for example by rounding off an area to complement the existing form. In this way an urban extension to the village would position itself for the most part in a manner that allowed the occupants of the development to gain access most easily to the principle goods and services provided within the settlement without relying on car journeys to do so.

In the planning statement there is reference to Long Hanborough being a 'Secondary Centre' in WOLP 2011 and a 'Rural Service Centre' in WOLP 2031 in both instances new housing developments are appropriate subject to certain criteria. At paragraph 2.10 of the statement the applicant asserts that Long Hanborough is a linear settlement '*stretching .....to Hanborough Business Park in the east*'. In fact this is not the case. Reference to any on-line map such as Bing or Google maps shows that the continuous linear strand of the village to the east of its centre comes to an end on the northern side of the A4095 shortly after its junction with Park Lane whilst the continuous development on the south side comes to an end some 100 metres before the crest of the bridge over the railway. It is therefore inaccurate to say that the location of the site is within the built up area of Long Hanborough. The statement at paragraph 2.10 also erroneously claims that development of the site would not expand the built up area of the village beyond its easternmost point.

Given the location of the site outside of the built up area of Long Hanborough the designation of the village in terms of the District's hierarchy of settlements is irrelevant. It is obvious that a new housing estate of 120 homes is not appropriate or sustainable in a greenfield site remote from local services. Given that the site is indeed outside of the built up area of the village, the benefits of locating new housing development within such centres is lost if in fact, as is the case here, the site lies outside of that centre.

The proposal would in fact extend the built-up area of the village into the important open gap between the existing edge of the village and Hanborough Business Park. Local Plan Policy BE2 only permits development where it is *well-designed and respects the existing scale, pattern and character of the surrounding area*. The proposal would represent a significant extension of the village into open countryside, an illogical car-bound peripheral location for village expansion and, given the magnitude of development, would in fact amount to a new dormitory satellite settlement: distant from the village but still relying on it for services. The

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proposal achieves the opposite of the policy objective as it entirely disrespects the existing scale, pattern and character of the surrounding area. As the Council's SHLAA listing of the site notes, *it would always be an outlier and could never be integrated with the built-up area of the village.*

Although the statement at paragraph 2.11 claims that village services are 'within walking distance', most are in fact well over a kilometre away up the hill, well beyond what many people might conveniently choose as a comfortable distance to walk, particularly for convenience goods, such that a car journey would be taken to access them.

## Visual amenity

The SHLAA assessment quoted above also comments on the visual qualities of the area and notes that the open countryside of the Evenlode Valley is outstanding. The site is relatively elevated in relation to the main road. From this main public vantage point the development would be seen as an incongruous feature within the countryside. The attractive green gap between the edge of the village and the embankment to the railway line and framed on either side by traditional stone walling field boundaries would be lost in favour of a junction apron with housing estate stretching out. This would obscure the attractive backdrop of the ancient Pinsley Wood which currently complements the setting of the Area of Outstanding Natural Beauty nearby. This urbanisation of the countryside on the edge of the AONB is wholly out of character, damaging its visual qualities and amounts to significant visual harm that should be resisted.

## Site access

WODC's SHLAA assessment quoted above also emphasises the dangerous access. As noted above, the application proposes extensive junction improvements to alleviate some of the concerns. However, the access can still only provide a maximum visibility splay extending some 70 metres to the east due to the obstruction to visibility caused by the railway bridge. Whilst this distance is within likely braking distances for cars approaching the access from the east and travelling over the bridge, those cars will then be travelling downhill from the crest of the bridge, drivers may be distracted by oncoming traffic, visibility may be impaired due to it being dark and rainy and the braking ability of cars would be impaired in the wet. For what will be a relatively major junction, particularly so if the car park is in full

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use, this is an undesirable access point at best and its criticism in the SHLAA to be expected.

As mentioned earlier under the heading of highway capacity, the County Council has not objected to the proposed access (albeit some disparaging comments are made) and the conclusion is that 'severe' harm to highway safety would not occur. However, the test of severity in highway safety terms for a planning application is not the same for the assessment of a site at the plan making stage. This means that a site that had, for example, an access that was significantly harmful, but falling short of being severely harmful, would hopefully be judged by any reasonable person as surely being undesirable as a location for new housing and to be discounted in favour of safer more suitable choices. WODC were right to reach this conclusion and it is anticipated that this site will not be concluded as being appropriate when housing sites are considered within the ongoing Examination of the emerging local plan.

## **Concerns about the details of development**

### Design

Included with the application is an 'Indicative layout plan'. The plan shows the potential layout of the site with its focus upon the area of land that is made available for a large 400 space car park to serve the railway station on the other side of the railway track and embankment. There is no explanation of how the car park will be developed. The car park is outside the red-edged area of the site and therefore not included within the application for planning permission. Nor do the lists of matters to be covered through a legal agreement that would form part of any planning permission granted contain any mechanism for delivery of the car park other than making the land available so that it could be funded by alternate means. The result is that there would be a large housing development that focussed itself upon an empty space that was blighted by the unlikely provision of a station car park.

Moreover, in the absence of the car park being developed, the design would focus itself on this empty and perhaps neglected land. It would be an unattractive focal point for the residents of the new homes, may be subjected to the antisocial behaviour described in the

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Infrastructure section under the Railway Improvements heading and would be a problem that they would be able to do little about.

The layout plan also shows the potential public open space to the south-west of the site. The space is peripheral to the site and therefore not easily accessible to most residents. It would not fulfil the role of public open space insofar that it would not allow any kind of sport or playing of games and at best would be amenity land between the housing and the open countryside.

The distributor roads within the estate lead to dead ends or partly enclose the edges of the development which tends to extend the circulation route needlessly unless the purpose is to facilitate a possible extension of the development even further into the countryside at a later date onto the land edged in blue on the site location that is within the applicant's control.

Many of the houses are served by rear parking courts or parking barns. Parking to the frontages would be more appropriate, would allow greater separation between facing windows and at least a modicum of front garden and it would remove the need for most of the access roads leading to the rear parking courts which are seen as wasted space. The County Council in its consultation response has also criticised the provision of rear parking courts for the reasons mentioned above.

Overall the design is poor with buildings shoe-horned into tiny plots, representing overdevelopment in many cases mostly due to the amount of wasted space through the access roads to parking and distributor roads.

## Living conditions

The design weaknesses identified above also filter through into the living conditions of the occupants of the housing set out in the design. The frontages would be often hard onto the street, with little or no front garden, there would be an enclosed environment in the street which itself would be littered with on street parking as people would choose to park there rather than the rear parking courts: a problem likely to be compounded by rail commuter parking given the problems discussed above in terms of the car park ever being developed.

For the most part rear private gardens are also small, barely the size of the footprint of the house. This minimal private open space is not well supplemented with public open space in

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meaningless pockets in peripheral locations providing no actual likely amenity for residents. As a whole there would be a deprived provision of private and communal space adversely affecting the social cohesion of the development.

The over-reliance upon parking courts would mean parking areas not being overlooked and leading to an increased likelihood of crime and antisocial behaviour contrary to the principles of secured by design.

## Affordability

The application indicates the numbers of different sized housing but there appears to be a significantly higher proportion of both smaller and larger dwellings. In particular, the number of 1 and 2 bed dwellings is stated to total 64 representing 53% of the total. This compares to the mix of dwellings set out in the emerging WOLP 2031 which indicates that in order to provide a balanced housing stock there should be 33% 1 and 2 bed dwellings. The figure proposed is therefore 20% higher which is significant. The oversupply of smaller units also results in an undersupply of larger 3 and 4 bed dwellings. The two concerns are that the proposed mix would not result in a balanced housing stock and might lead to a significant number of smaller units being allocated as affordable housing. Whilst it is appreciated that these details would be the subject of a reserved matters application, it would be wrong not to flag these concerns up at this stage.

## **Conclusion**

Turning back to the presumption in favour of sustainable development that is the golden thread running through the planning system and set out in paragraph 14 of the NPPF, that test indicates that development proposals should be approved (without delay) unless:-

*“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole...”*

This letter demonstrates within its various sections that the development proposal would indeed result in a series of adverse impacts. It is on land that has been assessed as unsuitable by WODC, it is of a magnitude that is out of proportion with the village and has an alien pattern and character to it, in a location in open countryside away from the built up area

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of the village and distant from its focal point and local services, it would overwhelm a number of elements of village infrastructure including the local primary school, village surgery as well as adding traffic to an already congested road. The development would result in significant harm to the character and appearance of the village and AONB setting though its prominence, urbanising of a green gap and obstructing views of Pinsley Wood. It would amount to an alien dormitory satellite to the village that was poorly designed with unsatisfactory living conditions and that could never integrate with the village, harming the wellbeing of both communities. The significant adverse impacts that would result from the application are unmitigated through the range of undeliverable '*benefits*' or the offer of land which itself cannot be considered as an obligation, being unrelated and out of scale and kind with the development proposed.

The level of harm identified through these adverse impacts therefore significantly and demonstrably outweighs any benefits of the scheme when assessed against the NPPF as a whole and it follows that the proposal does not constitute sustainable development and should be refused.

The application is extremely unpopular with the village and is generating widespread concern with around 150 letters of objection. The Parish Council has outlined its concerns in relation to the proposal. The summary of these concerns is set out in the bold bullet points at the head of this letter and in the conclusion above. WODC is respectfully requested to refuse this application for all of those reasons listed above and to defend its decision at any subsequent appeal.

Yours sincerely



Martin Armstrong MRTPI