

KEMPSFORD PARISH COUNCIL

Clerk: Mrs Teresa Griffin, Winterwood, Whelford, Fairford, Glos. GL7 4EB
Tel: 01285 713691 /0781 8626158 email: Clerk@kempsfordparishcouncil.net

Deborah Smith
Team Leader (Development Management)
Cotswold District Council
Trinity Road
Cirencester
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25th July 2017

Dear Deborah

Ref: 17/02224/FUL – Response to application

The Parish Council has considered the above application in full and what it considers to be the material planning issues in respect of the proposal.

We strongly object to the application and the detailed reasons that led to this decision are set out in the attached document.

Yours sincerely



Mrs Teresa Griffin
Clerk

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RESPONSE TO PLANING APPLICATION 17/02224/FUL

1. Public Consultation

- Details of the public consultation were only distributed to properties in Kempford and not to the parish as a whole.
- 2 weeks is insufficient time for due consideration and response for those without access to the internet.
- The consultation document did not go into sufficient detail; plan provided was an initial concept of development and was an indicative layout.
- The applicant has declined a public meeting which is unsatisfactory. Given the size of the proposed development a postal/internet consultation is not sufficient.

2. Conformity with Development Plans

The Planning Statement submitted by the applicant discusses the proposal in relation to the Development Plan and National Planning Policy Framework (NPPF).

2.1 Cotswold District Local Plan 2001 – 2011

The applicant has identified one strategic policy within the Plan - Policy 19: Development Outside Development Boundaries - as being directly relevant to the application.

The policy states –

- a) **Open market housing numbers likely to be permitted under this policy are small. In our view** 30 open market houses, as proposed under this application, is NOT a small number.
- b) **Development will not be permitted where it will lead to a material increase in car-borne commuting.** Kempford has no shops, no medical facilities, no employment opportunities and very limited leisure facilities. The only public transport is the number 76 bus between Highworth and Cirencester running between 10:18 and 14:20, and as such this is not an option for work, school or college commuting. There is virtually total reliance on private car ownership, and often more than one per household is necessary.

An additional 62 houses would be an increase in the development size of Kempford of around 16%. Based on a realistic assumption that the average property will have 2 cars (for which parking is allowed for), and that each car owner will make one trip per day (work, school, shops, health, leisure) this would equate to 124 departures and 124 arrivals per day. This is a material increase, and for many, there will be more than one trip per day so the above numbers are considered to be conservative.

- c) **Would not result in development that significantly compromises the principles of sustainable development.** Kempford is not a sustainable village for the reasons stated above.
- d) Despite commenting in their Planning Statement that only Policy 19 is relevant to the proposed development, the applicant then discusses how the other saved policies within the Plan are material and relevant.

In our opinion, as Kempford is not identified as a principle settlement within the Plan, the remaining saved policies are irrelevant. However for completeness we address below the specific points outlined in the applicant's Planning Statement with which we take issue:

d.1) Policy 21 – Affordable Housing

- The Parish Council is currently in the process of conducting a Housing Needs Survey in conjunction with Gloucestershire Rural Community Council, and therefore wishes to reserve final comment on the current need until this is completed. The survey results are expected in mid-August.
- At this stage, we would like to point out that the figures provided in **paragraph 7.31** of the Planning Statement do seem high. The report quotes 62 households registered for rental affordable housing as having an identified local connection with Kempford or the immediately surrounding parishes.
- We are interested in the actual number with a qualified local connection with Kempford. Having a 'desire' to live in a particular location does not justify a connection, and that market demand exists is not in itself a justification.
- Affordable housing still needs to be in a sustainable location.

d.2) Policy 34 – Open Space and Design

- The cricket ground is not a public space and is provided through a private agreement with the cricket club. There is no long-term guarantee to its future as the landowner has expressed an interest in selling.

d.3) Policy 38 – Accessibility to and within New Development –

- Vehicular access is inappropriate and unsafe, and does not have the capacity to accommodate the additional traffic movements.
- Ham Lane, originally a farm lane, is now the only access to the largest residential estate in the village. With the increase in home delivery and supermarket trucks there are regular problems with vehicles driving over resident's grass verges to pass parked cars. This has been reported to Gloucestershire Highways.
- The development will have a severe adverse impact on the existing highway network
- The Traffic Assessment Report submitted contains a number of inaccuracies and cannot therefore be relied on.

d.4) Policy 39 – Parking Provision

- We note that 116 allocated spaces and 55 visitor spaces will be provided. The layout of allocated spaces is such that in many cases vehicles will be parked behind each

other (bonnet to bumper). This can lead to residents choosing to park on roads outside their properties to avoid moving vehicles when the first car parked wishes to move. Has this point been considered, together with the impact it may have on the road network?

d.5) Policy 42 – Cotswold District Design Code

- The development should not be seen as an extension to the existing build form as the access is unsafe and unsuitable.

d.6) Policy 43 – Provision for the Community

- The applicant has requested a meeting with the Parish Council to discuss possible contributions to the community if further development is granted.
- A 'community wish list' has been provided, produced from the Parish Plan Survey, feedback from parish events and specific requests made to the Parish Council.
- None of the benefits identified within the list would resolve the underlying point that Kempsford is an unsustainable village. They look to improve safety and enjoyment for existing residents.

2.2 Emerging Cotswold District Local Plan 2011 – 2031

a) The emerging Local Plan has now completed a vigorous and detailed consultation process, and has been submitted to the Inspector for examination. Given this advanced stage it should carry significant weight when considering this application.

b) Paragraph 216 of the National Planning Policy Framework states '*decision takers may also give weight to relevant policies in emerging plans according to:*

1. *The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)*
2. *The extent to which there are unresolved objections, the greater the weight that may be given); and*
3. *The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).'*

c) As Kempsford is not defined as a Principle Settlement, the applicant has correctly identified Policy DS3 as being applicable to this application.

However, we note that in **paragraph 7.61** of their Planning Statement the applicant states that in their opinion little weight can be attributed to the plan due to a number of unresolved objections to this policy.

We have studied the individual responses and objections to the Reg. 19 consultation and focussed changes, and we disagree with the applicant.

It would appear that the majority of objections are from housing developers and planning consultants all seeking to maximise their options to develop within the district.

The policy has also been criticised for not providing a definitive number of units to which 'small-scale' development refers to.

Given the varying size of settlements outside of the main development boundaries, i.e. hamlets to quite large villages, that border principle settlements, we accept that a blanket number is not appropriate. However, within the Plan Glossary, Major Development as defined as being '10 or more dwellings or a site area of 0.5 hectares or more' in respect of residential development.

d) The applicant is critical of the change in policy wording within the Focussed Changes document in two respects:

- 1) the deletion of the criteria for development to be '*within or adjacent to*' a rural settlement, and
- 2) the change in heading from 'Residential development outside of the Principle Settlements' to 'Small-scale residential development IN non-principle settlements'.

We support the changes and consider that the amended policy DOES allow for realistic opportunities for rural areas. We also believe that by proposing access from John of Gaunt Road the applicant is seeking to imply that their proposed development is an extension to the existing settlement and not a stand-alone development.

e) In respect of the other criteria within Policy DS3 and the applicant's claim of compliance, we disagree for the following reasons –

- 1) - New residents would still need a car so unlikely to improve public transport facilities, particularly given its dependence on the County Council's subsidy.
 - Kempsford Primary School currently has some capacity in various year groups, but not all. They have informed the Parish Council that the recent announcement of the large re deployment that will be happening at RAF Fairford, when approximately 540 American personnel with an estimated 740 dependants will impact on the school.
 - The increase in population would not be enough to support the opening of a shop.
- 2) The current number of households within Kempsford (not the Parish), to which we distribute monthly Parish Newsletters is 394. 62 new homes would result in a 16% increase. This is **not** considered to be proportionate.
- 3) Although the location is bordered on three sides by existing development the density proposed would impact on the existing character of the rural settlement.
- 4) The recently delivered development at Top Road (Ref: 12/01469/FUL) provided much needed benefits in terms of open space, play facilities, car park and affordable housing. As such, it outweighed **other limited** impacts arising from the open-market housing associated with it. Having met the identified needs through this development we believe the proposed development will have an adverse cumulative impact on the settlement.

2.3 National Planning Policy Framework (NPPF)

We recognise that the NPPF is seeking to secure 'sustainable development' first and foremost, and we consider the emerging Local Plan compliant with the NPPF through its policies, and in particular reducing out commuting.

In paragraph 6.7 of their Planning Statement, the applicant makes reference to the delivery of houses and the need to provide a 5-year supply. The District Council currently has a 7-year supply.

3. Other Relevant Planning Decisions

The Applicant refers to the decision to permit 11 affordable units and 18 open-market dwellings at Kempsford (12/01469/FUL), and correctly states at that time the District Council could not demonstrate the required 5-year housing supply.

That application was very strongly supported by the Parish Council, School and local community. Importantly it also met the need for 11 affordable homes identified from a Housing Needs Survey undertaken in 2009. The community facilities provided met a recognised need, particularly in respect of sports and play facilities for the School and community, and the car park has resolved safety problems with parents and staff parking on the High Street by the School.

There was no adverse impact on neighbouring residents where access was concerned as a new access was provided on to Top Road.

4. Conclusions and Planning Balance

In **paragraph 8.1** the applicant state that the proposal is in accordance with all the relevant, framework compliant, policies within the Development Plan. We strongly disagree. In our opinion the applicant has looked to reduce the arguments against the proposal to a few simple statements, and set aside significant policies.

The development would have a significant adverse impact on the community, particularly through increased traffic within the village, and the proposed access through Ham Lane, Holford Crescent, Lancaster Road and John of Gaunt Road. These narrow minor roads are unsuitable for any additional traffic.

It will also increase pressure on the wider road network due to the lack of public transport.

Services and amenities in Fairford are already stretched and this is before the completion of site under-construction at London Road.

In **paragraph 8.6** the applicant accepts there is a potential adverse impact during construction, which could be mitigated through a Construction Environment Management Plan. Given the circumstances it is essential that some details of this plan are made available.

5. Benefits arising from the Development

The scheme benefits are identified by the applicant in **paragraph 8.7**. Our response is:

- there is no current requirement to ensure a housing supply above the 5 year (plus 5%) plan;
- having a high demand for affordable housing within the District does not justify unsustainable development; and
- the proposed open space does not meet the communities identified need and no information is provided on an 'equipped play area'.

In their Concluding Remarks the applicant implies that as the village is not within a designated Area of Outstanding Natural Beauty, it is acceptable to develop here. We find this remark inappropriate and entirely counter to our vision of supporting and improving our community and area.

6. Design and Access Statement

- Paragraph 3.1 – Wider Context**
The document states that the three major employment areas of Swindon, Cirencester and Oxford are all within easy reach of Kempford. This would appear to imply that Kempford is an ideal 'commuter' village and goes against the view of sustainability and inconsistent with the NPPF.
- Paragraph 3.2 – Local Context and Facilities**
The described allotments shown on the plan are not public allotments. There is currently no public allotment provision within the Parish.
- Paragraph 4.3 – Drainage and Flooding**
There are already issues with water pressure and drainage in the residential area adjoining the site and in other parts of the village. The sewage capacity is likely to be a serious problem. It is unsatisfactory for the application to rely on the relevant authority (Thames Water) and a Grampian condition. There have been instances in the neighbouring parish where such conditions have been ignored.
- Paragraph 6.4 - Access and Movement**
As stated above the access roads are narrow and too easily blocked by parking/traffic to allow for safe passage in the event of an emergency. An emergency access of 3 metres wide leading to Whelford Road has been included in the plans. In an email response to our request for further information on how this access would work in terms of preventing other vehicles using it, the applicant has advised it will be controlled (bollarded/gates). We would like further clarification that the 3 metre intended width is sufficient for this purpose.

The applicant has also advised that it is proposed to use the emergency access road on to Whelford Road for construction vehicle access, possibly using a one-way system, although further details will be provided at a later date.

Whilst we appreciate that Construction Method Statements can be agreed as a condition after permission is sought, we would like to raise the following points in respect of the proposed access –

- a. The access on to Whelford Road is in close proximity to the junction with Chapel Road and Top Road (known locally as ‘allotment’s corner’)
 - b. Safety concerns around this junction are recognised, and as such an improvement scheme is listed within the Gloucestershire Local Transport Plan (2015-2031) Capital Highway project delivery priorities.
 - c. Any increase in vehicle movements and HGV’s in particular around this junction would increase concerns.
 - d. The land on the adjacent side of the road to the proposed access is substantially lower than the road. The landowner has expressed concern over the possible collapsing of the road if regular HGV movements and manoeuvring was to occur in accessing and exiting the site.
- e) **Paragraph 6.5** - Landscape Strategy
There is no detail provided on future ownership of public green/open spaces and their maintenance.
- f) **Paragraph 8.2** – Conclusion
This states ‘The housing mix reflects the accommodation needs of the village’. We would be interested to learn how this view has been established given the lack of public consultation.

7. Transport Statement

There are a number of inaccuracies within the Transport Statement submitted as part of this application. The applicant has accepted that the language used was not the clearest and has therefore **made amendments** and a revised statement issued to supersede the original statement.

Having studied the revised statement we remain deeply concerned about the information, for example:-

Paragraph 5.1.4 of the above states ‘*approximately 78% will turn right onto Ham Lane from Holford Crescent and 22% will turn left, then 68% will turn left out of Ham Lane onto the High street and 10% will turn right*’.

Turning left from Holford Crescent leads to an unsurfaced pot-holed lane used by agricultural vehicles and 22% of vehicles definitely do not use this route.

We strongly disagree that only 10% of traffic will turn right on to the High Street from Ham Lane.

The estimated trip numbers contained within the Statement appear very low.

Given the above remaining inaccuracies within the Statement we question the equipment and procedures used to obtain the survey information. We request **that** a further independent survey is undertaken.

Kempsford Parish Council

25th July 2017