

## **DRAFT CORE STRATEGY JANUARY 2011**

*Response of Eynsham Parish Council to the consultation on the Draft Core Strategy January 2011 and by reference to the Draft Strategic Housing Land Availability Assessment January 2010.*

### **APPENDIX 2**

#### **Land adjacent to Fruitlands (Draft SHLAA Stage 2 map 9, Site 180)**

##### **Consultation**

In November 2010 J. A. Pye (Oxford) Limited made an informal presentation to the Eynsham Parish Council planning committee. While it had no present intention to apply for planning consent, Pye said it was contemplating building a low density development of 20 dwellings on Site 180, with access off Fruitlands. Pye built the development in Fruitlands in the 1980s and said it has owned the adjacent site (Site 180) since the 1970s.

Eight of the dwellings, or 40%, were intended to be affordable homes (Core Strategy Policy CS10). The dwellings were intended to comply with Level 5 of the Code for Sustainable Homes (CS21) and be 'lifetime' homes, suitable for young couples being able to stay on living there when they became elderly (CS para 5.1).

Following this presentation, Pye's advisers continued the consultation by writing to the residents of Fruitlands asking for their views and enclosing concept drawings of the proposed development. The Parish Council posted a similar letter and the drawings on its website. As of the end of January 2011 this had been accessed 86 times.

At the end of January 2011 the Parish Council planning committee heard 12 residents of Fruitlands. The committee also received copies of eight letters from Fruitlands residents sent to the advisers to Pye in response to the consultation. All were against the proposed development.

The main grounds for objection were:

- Increase in traffic (CS1, CS3 and CS26). Fruitlands is already a narrow, inadequate, winding street with no pedestrian pavement and congested by on-street parking. The increased traffic would endanger the safety of existing residents. Pye informed the committee a transport survey showed Fruitlands could sustain the extra traffic of about 20-25 homes.

- Loss of amenity (CS1, CS3, CS23 and CS24). This is the only remaining woodland in Eynsham. The site is used by dog walkers and as a children's play area. It also links an unofficial footpath to Chilbridge Road. Residents identified the site as a home for various species of birds, insects and fungi as well as wildlife such as deer, pheasants, rabbits, foxes, squirrels and bats. Pye told the committee it had done a tree survey showing most are scrub that had grown up on a previously mostly open space but some of the more important trees would be preserved in the development. An ecology report had not shown up any protected species.
- Residents said the present sewer system was inadequate and could not cope with the additional houses.

Other objections included the site being too far from village amenities (CS26), putting an increased strain on those amenities, an increase in traffic noise from the A40 for existing residents (CS3) and the creation of a precedent for future development on the west side of the village (CS3).

The committee also heard a representative of Eynsham GreenTEA who, while not specifically objecting to development, was concerned that any houses would be built to the highest eco-standards (CS19 and CS21) and that fruit and nut trees and allotments would be provided.

## **SHLAA**

Stage 2 of the draft Strategic Housing Land Availability Assessment January 2010 refers to Site 180 and other identified sites to the west of the village:

"1.20 ...Land releases for housing in this area could lead to very large scale development which would destroy Eynsham's village character and its relationship with the surrounding countryside as well as overwhelm the existing village infrastructure.

"1.21 Further housing in the west would depend upon use of existing inadequate roads and would further increase traffic flows through the historic village centre or through existing residential areas. The area is distant from the existing primary school, to which there is poor pedestrian/cycle linkage."

The SHLAA Stage 2 Map 9 identifies Site 180 as a County Wildlife Site.

## Previous planning consent

Pye's application for planning consent for "the erection of 22 houses and public open space" (W.1150/81.L) at what is now Fruitlands, was appealed to the Department of the Environment and Transport following refusal by the District Council. A decision dated 11 May 1982 granting the appeal, the Secretary of State included the following conclusions by the inspector who conducted the inquiry:

"(3)...the proposed open space allocation [presumed to be Site 180] within the appeal site would effectively confine the residential development within well defined limits....

"(4) The principle of the use of the site as open space in whole or in part was at one time accepted but seems to have been abandoned largely as a result of concern at the cost of acquisition – a concern which the appellants' re-stated willingness to level, seed and dedicate the balance of the site should remove. I appreciate that acceptance of the appellants' offer is a contractual matter for the council or the Parish Council but the benefits of accepting dedication on these terms would seem to me to outweigh the burden of future maintenance costs which need not be more than minimal. Formal dedication of the land would also have the advantage of removing for the future the possibility of further pressure for residential development on the remainder of the appeal site.

"(7) The appellants have indicated their willingness to enter into a suitable agreement with either the council or the Parish Council to ensure the levelling and seeding of the balance of the site and its subsequent dedication as open space. Whilst a formal agreement to that end is clearly desirable and to be commended to the parties I consider that, in the context of this appeal, the position would be sufficiently safeguarded by the imposition of a condition precluding the occupation of any of the dwellings until such time as the balance of the site has been levelled, seeded and planted in accordance with a scheme to be agreed with the council."

Planning consent was granted subject to the following condition:

"(iii) Before the first occupation of any of the dwellings hereby permitted the open space to be provided on the site shall be levelled, laid out, planted and seeded in accordance with a scheme to be agreed with the local planning authority;"

It would appear that this condition was not complied with and no dedication of the site was made.

## **Conclusion**

In the absence of any positive support from Eynsham residents for development on the Site and in light of the statements made in the appeal decision for the Fruitlands development and the draft SHLAA (January 2010), the Parish Council does not support development on Site 180.