

Appeal Ref:

APP/V3120/A/13/2210891

Land off Highworth Road, Faringdon

known locally as

Humpty Hill

Rob Stewart

on behalf of

The Friends of Humpty Hill

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Introduction

1. The Friends of Humpty Hill are a local group recently established to protect this site, referred to as Land off Highworth Road, from development. The site will be referred to as “Humpty Hill” throughout this document.
2. The Friends of Humpty Hill were granted Rule 6 status to allow an additional point to be brought to this appeal above the points of refusal brought by The Vale of The White Horse District Council (VWHDC). That additional point is the amenity value of the site, both physical and visual.
3. For the purposes of simplification I will attempt not to replicate the work of the VWHDC. As such I will omit technical details such as a site description on the assumption that the parties involved are fully aware of such details. I have also referred to, but not provided, copies of the Local Plan 2011, The Draft Local Plan to 2031 and the Faringdon Neighbourhood Plan as these documents are available on the internet.
4. Further to this, although The Friends of Humpty Hill fully support and agree with the VWHDC points of refusal I will keep the scope of this statement to only amenity value. I do, however, wish to reserve the right to question the other parties on all the points during the enquiry if needed.
5. I have provided some photographs of Humpty in use (appendix 3). I wish to reserve the right to submit further photos as they are collected.

The history and nature of Humpty Hill as a local amenity.

6. Humpty Hill has been an amenity space for as long as anybody locally can remember. It is unique. Not only are the views from Humpty exceptional, the tranquil setting on fringe of the town is something really quite special. It is not only the steep southern end of the site that is held so special. The flatter part to

the north probably enjoys more use during the summer months, in particular during school holidays.

7. Humpty is frequented daily by walkers, with and without dogs, not only for exercise, but for the general enjoyment of such a wonderful place. Over the years these walkers have carved an informal footpath around the perimeter of the site. The highway footpath to the east of the site not only forms an important connection between the Highworth and Lechlade roads, but is also a key amenity walk at the edge of the town. The views from these footpaths extends several miles. On a clear day the the Cotswolds can be seen.
8. Humpty enjoys a unique topography. The steep hill, flattening into its own little valley gives it its famous winter status. As soon as the snow falls Humpty is full with local people, adults and children, with sledges, skis and snowboards. No other local space offers this facility.
9. It is perhaps Humpty's accessibility which makes its so valuable. Being located halfway along the western edge of the town, with direct highway access from both the north and the south, it is probably within a 10 minute walk for half the towns population.
10. The accompanying 71 statements (appendix 1) describe some of the activities Humpty Hill entertains and the long history of this usage. One local person has stated knowing Humpty to have been in community use since at least 1960.

Statement of Case.

11. The Friends of Humpty Hill feel that this appeal should be dismissed as the proposed development is contrary to the Adopted Local Plan 2011 Policies: **DC9, L1 and CF1**, and **Paragraphs 9, 70 and 74** of the National Planning Policy

Framework (NPPF). Further to this due consideration should be given to Local Plan Policy **GS1** and **Paragraphs 7, 76, 77, 109, 110 and 216** of the NPPF.

Policy DC9 - development will cause harm to the wider environment in terms of visual intrusion:

12. Footpath No. 207/2 runs along the eastern edge of the site. This footpath enjoys extensive views to the North and East. Footpath No. 207/1 runs adjacent to the site to the North and continues West into National Trust owned open countryside, from where Humpty Hill forms a major part of the vista and setting of Faringdon. The bridleway which runs from the Lechlade road to Badbury Hill through Step Farm (appendix 2), also National Trust land, enjoys views of Faringdon to the south east. Humpty Hill is central to this view. These ways form part of the Oxfordshire County Council "Faringdon Circular Walks No. 1" and the Faringdon Walkcard "Walk No.6" (appendix 2). They are not only used as a means of getting from one place to another. They are key amenities used by local people for walking and countryside enjoyment substantially because of the view. The proposed development would, in the case of footpath 207/1 and the bridleway, substantially damage the current visual amenity. In the case of footpath 207/2, completely destroy the view from the footpath, thus destroying the amenity:
13. The viewpoint and parking area on Highworth Road enjoy panoramic views to the west and north of the open countryside. To the east the view is of the Faringdon roof scape and the historic Folly Tower beyond. This viewpoint was clearly constructed so that local people could enjoy this view. Humpty Hill, being in the foreground, is a key part of this vista, forming the setting of Faringdon and the listed Folly Tower. This view is key to the approach to Faringdon from the Highworth Road. The proposed development would substantially damage the

visual amenity from this viewpoint and the setting of Faringdon and the Folly Tower from the Highworth Road.

Policy L1 - development will cause or add to a deficiency in local playing space:

14. Paragraphs 10.14 to 10.17 of the Local Plan recognises playing space as being land suitable for play and quotes a standard from the National Playing Field Association of the requirement for play space per population. The results of a 2002 VWHDC survey on play space is shown. In that survey Faringdon is shown to have a deficiency in play space. Paragraphs 10.18 and 10.19 goes on to make it clear that the policy will apply to both private and public play spaces and departure from it will only be considered where a replacement of equivalent or greater community benefit can be provided or where an alternative of equal or better value can be provided.
15. There is no question as to Humpty's status as a community play space. The 71 statements (appendix 1) make it clear that this piece of Oxfordshire has been used by a variety of people, for a variety of past times and recreation for a very long time (since at least 1960). Humpty is highly valued and there is nowhere else which provides this amenity. Loss of this would leave this side of the town with no play space at all.
16. There is a key point regarding the topography of Humpty Hill. The steep slope at the southern end flattens towards the middle of the field. This allows the hill to be safely used for sledging and skiing. This would not be possible on a site which did not have this specific land form. There is no other site locally which offers this topography.
17. The proposed development does include an area of amenity space and retains some of the informal footpath around the perimeter of the site, however, this will not provide the amenity which is currently enjoyed.

Policy CF1 - development will cause the loss of land in community use:

18. The policy and the supporting text make it clear that the council wish to resist any development that would result in the loss of existing community facilities, unless those facilities can be replaced as part of the proposal or are available elsewhere.
19. As stated above, although the proposal does contain an amount of open space and retention of some of the informal footpaths, it will still result in the destruction of Humpty Hill and it's amenity as it is known today. There is no other comparable provision. Humpty Hill is unique.

NPPF Para 9 - Quality of life:

20. This paragraph states that pursuing sustainable development should seek to improve the conditions in which people take leisure. The loss of this amenity would be contrary to this guidance.

NPPF Para 70 - Delivering recreational facilities:

21. This paragraph seeks to guard against the loss of valued facilities. It also states that an integrated approach should be used when considering the location of new housing. The VWHDC have historically allowed an gentle expansion of Faringdon. However, it is clear that several large developments will almost certainly take place around the edge of the town in the next 5 years (Sandhill, Fernham Fields, Steeds Farm and Highden Farm). These will amount to an approximate 25% increase in the size of the town. Expansion at a speed far greater than ever seen before. Surely an integrated view would be that in light of these planned developments, this amenity play space is too valuable to lose.

NPPF Para 74 - Protection of existing open space:

22. This paragraph makes it clear that existing open space should not be built on unless it is surplus to requirement or will be replaced. Neither is the case in this instance.

Other considerations.

23. Both the accompanying text and the wording of policy GS1 make it clear that development must not be at the expense of important open space, both within the towns (defined by development boundaries) and in the villages. Surely it must be considered that as the development boundaries are currently out of date this protection of important open space extend to cover this site.
24. Both the ministerial foreword and paragraph 7 of the NPPF speak of sustainability meaning not only providing housing but also ensuring that this is not at the cost of the quality of life of future generations. There can be no question that if Humpty Hill were lost the quality of life of those who live near it and use it would be degraded. As such I think the sustainability of this site, which has not yet been questioned, should be. A development which causes a substantial net loss of amenity land cannot be considered sustainable.
25. Humpty Hill has been designated “Local Green Space” in the draft Faringdon Neighbourhood Plan under paragraphs 76 and 77 of the NPPF. Paragraph 216 allows this to be given weight in any decision making.
26. Paragraphs 109 and 110 of the NPPF make it clear that plan makers should seek to protect valued landscapes and allocate land with the least amenity value. This would suggest that that Policies NE7, DC9, CF1 and L1 of the Local Plan 2011 are in full accordance with the NPPF and that this site is not suitable for development.
27. A current, duly made, Town Green application exists on this site.

Conclusion

28. Humpty Hill is of exceptional value to this community. It is unique, well used, tranquil, beautiful and irreplaceable. Both the Local Plan and the NPPF carry a theme of protection for valuable landscapes, open spaces and amenities.
Although parliament intended that the NPPF allow more development, it clearly did not intend this to be at the expense of such open spaces and amenities.
29. Paragraph 14 of the NPPF grants a presumption in favour of sustainable development (if this proposal can be called such) unless the adverse impacts outweigh the benefits or specific policies in the framework restrict development. The proposed development fails both these tests. The framework does suggest that development should be restricted. Further to this if an integrated view is taken of the housing land supply situation within the district, in light of the recent publication of the Draft Local Plan 2031 and the Draft Faringdon Neighbourhood Plan, it must be considered that the gain of just 94 dwellings cannot outweigh the loss of this amenity.