

Supplementary Papers

Planning Committee

held in the The Ridgeway (main hall first floor), The Beacon, Portway, Wantage,
OX12 9BY

on Wednesday, 18 March 2015 at 6.30 pm

Open to the public including the press

5. **Urgent business** (Pages 2 - 13)

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent.

Addendum Report

Item 9

Planning Reference: P12/V0299/O. Land at Grove Airfield, Denchworth Road, Grove

Update

Additional responses:

1. Grove Parish Council:

The amendment to the outline planning application should be refused for the following reasons:

- The central access point is being pushed 75 metres towards the southerly most access point and therefore could cause local traffic congestion especially around the local centre and new Primary School.
- The revised access point south of Savile Way could increase flood risk to this area
- No updates have been provided regarding the original 65 conditions set by the Planning Committee on 4 December 2013 and especially those that refer to Environmental matters.

2. Oxfordshire County Council:

No objection; subject that prior to any planning permission being granted, the appropriate infrastructure and funding to provide for and mitigate the impacts of the development, as considered with the main application, are secured.

The amended proposals for the access from Newlands Drive are considered to be acceptable in principle and so too the amendment to the proposed footpath for Denchworth Road (to the north of the site).

3. Further responses have been received from local residents, a total of 15:

The comments which relate to the amendment concern traffic congestion in and around Newlands Drive and the integration of the existing and proposed communities. There is concern that by removing the direct link between Savile Way and the local centre this will affect the integration of the existing and proposed communities.

Other comments have been made in respect of the principle of development, loss of wildlife, location of greenspace, density and height of housing, environmental safety

Officers Response

In respect of Grove Parish Council:

Traffic congestion: The original vehicular access from Newlands Drive was to provide direct links between the existing and proposed local centres. This original proposals would have brought the traffic to Savile Way and to the proposed local centre to at the same point on Newlands Drive, which is also where the first primary school is located. Officers consider the revised access will not increase congestion as the points of access and egress will be at different points on Newlands Drive and this consideration is shared by the Highway Authority.

Flood risk: There is no evidence that moving this access will cause any increase to flood risk. An addendum to the Environmental Statement was submitted with the amendment advising that the proposed surface water drainage arrangements remain as assessed within the 2012 ES and 2012 Further Information. The amendment to the access will not lead to any likely significant effects therefore the conclusions in the earlier studies remain valid.

The Environment Agency have responded to the amendment and have no objection.

Conditions: Part 2 of the main report updates on both the S106 and conditions. The resolution by Planning Committee 4 December required conditions (or S106 obligations) in respect of sustainable construction for residential and non-residential properties. These matters are covered in the conditions.

Other matters: The masterplan and integration of communities are covered in paragraph 5 of the main report. The report identifies that links to the existing centre are important yet the proposed access is not inconvenient and conditions for further design work will ensure the movement strategy and access to facilities works well and that quality civic spaces can be provided. The exact details of the highway works will be required by condition and S278 agreement. Ideally a pedestrian and cycle link between the existing and proposed local centres should be provided and this will be sought at a detailed stage.

Other comments raised by local residents have been considered and addressed in the previous report to Committee. An amendment to Site Access 2 is sought because the developer does not have control of the land adjoining the highway opposite Savile Way. The proposed access 76 m south is acceptable, is not considered to give rise to traffic congestion and will still enable good connections between the existing and proposed local centres. The amendment is recommended for approval.

Amendment to report

Part A: Para 4.4 should also refer to - Section 7 'Building Performance' of the VOWH Design Guide March 2015.

Recommendation: It is recommended that authority to approve the amendment to application P12/V0299/O for a revised site access 2 from Newlands Drive and footway to Denchworth Road, in accordance with the drawings and accompanying plans submitted February 2015, is delegated to the chairman of the planning committee in consultation with the head of planning, subject to the condition contained in Part B of this report and the completion of the S106 agreement.

Part B: The list of conditions have been renumbered and altered to reflect the subject of the conditions as listed below.

Conditions

- 1 : Outline permission Approved plans
- 2 : Submission of Reserved Matters
- 3 : Commencement of Reserved Matters
- 4 : Development
- 5 : Phasing Plan pre commencement
- 6 : Housing Delivery document (Mix and Tenure)
- 7: Development Brief - Local Centre
- 8 : Development Brief - Open Space
- 9 : Development Brief - Schools
- 10 : Archaeology
- 11 : Construction and Environmental Management Plan
- 12 : Contaminated Land
- 13 : Stopping Up Highways
- 14 : Traffic management scheme Denchworth Road
- 15 : Drainage details
- 16 : Drainage details
- 17 : Earthworks Strategy
- 18 : Tree protection
- 19 : Detailed access design
- 20 : Landscaping implementation
- 21 : Landscape Management Plan
- 22 : Noise protection
- 23 : Noise assessment - non residential buildings
- 24 : Hours of Use - non residential buildings
- 25 : Monitoring Ecological receptors
- 26 : Landscape and Ecological Plan
- 27 : Details to be submitted with Reserved Matters
- 28 : Boundary treatment implementation
- 29 : Dwelling access and footpath implementation
- 30 : Northern Link Road
- 31 : Parking in Local Centre
- 32 : Travel Plan Phase or Sub Phase
- 33 : Building Regulations reduction in CO2 emissions
- 34 : Energy Delivery Strategy
- 35 : BREEAM Very Good Non Residential Buildings
- 36 : Code Sustainable Homes
- 37 : Garage size
- 38 : Information technology

39 : Protection of amenity Churchward Close
40 : Protection of Wiltshire Canal
41 : Signs re rail crossing
42 : Fire Hydrants

Item 10

Planning Reference: P13/V1810/O. Land to the East of Highworth Road, Shrivenham

Update

Report Corrections:

Paragraph 6.8 of the Committee report refers to an application on land west of Highworth Road for 35 dwellings which is pending. This application in fact has a resolution to grant permission subject to S106 agreements.

Additional Information:

1. Submission of further Ecology Addendum Report.

This has been submitted as a result of a meeting with the applicants, Natural England, BBOWT (the local wildlife trust), and Council Ecologist. This includes a further amended master plan increasing the landscape buffer along the eastern edge of the site adjacent to Pennyhooks Lane. The report refers to the provision of a Country Park area within the illustrative masterplan for phase 2 (the remaining local plan allocation). In addition to the previously proposed mitigation set out in para 6.40 of the Committee Report, contributions could also assist in the following:

- i) Production of a long term management and monitoring plan for the SSSI.
- ii) Production of home information packs for new residents notifying them of the SSSI, its importance and alternative greenspaces and walks in the locality.

Additional Responses:

1. Natural England

A further response has been received from Natural England regarding the updated Ecology Report Addendum. Their objection to the impact of the development on hydrology has been withdrawn.

They maintain their objection in relation to the recreational impact of the additional dwellings on the SSSI and that the mitigation measures put forward, whilst acknowledged, are not alone sufficient to fully mitigate the recreational impact. The

site should be brought forward as a single application in their view to enable the additional open space shown in phase 2 to be delivered.

2. BBOWT (Local wildlife trust)

BBOWT have commented on the updated Ecology Addendum raising the same concerns as Natural England. Their objection in relation to hydrology is withdrawn but the recreational impact objection is maintained for the same reasons as Natural England that the mitigation measures do not go far enough and that phase 2 cannot be relied upon. Both sites should come forward together.

3. Council Countryside Officer

Updated comments have been received on the Ecology Addendum Report. Previous objections in relation to hydrology and on site biodiversity have been withdrawn subject to conditions requiring on site mitigation and a landscape and ecology management plan.

Objections in relation to the recreational impact of the development are maintained for the same reasons as Natural England and BBOWT.

4. Applicants additional submission

The applicants have submitted a further letter in response to the Committee report referring to the S106 figures and the fact that the report refers to 40% affordable housing. Given the advanced progress of the emerging local plan which requires only 35% affordable housing, this should be applied, given the time frame for implementation.

Officer Response

Ecology - The only outstanding issue in relation to ecology is the impact of additional houses and consequently additional residents on the nearby SSSI.

It is acknowledged in the Ecology report addendum that the proposal will result in some additional use of the SSSI as it is permanently open to the public and forms part of an existing circular route around the village. However, the degree of harm caused by this impact has not, and cannot, be quantified. The applicants have put forward measures to mitigate this impact as part of the current application including a more robust landscape buffer, and contributions towards future management of the area.

Any additional mitigation including the provision of a further parcel of land to the north of the SSSI or an area to create a country park within phase 2, are outside the current applicants control and cannot be delivered as part of phase 1. However, given the fact that the master plan is illustrative, providing some on site mitigation will be explored. Notwithstanding this, your officers consider that in the balance of issues, and the need to show significant and demonstrable harm in refusing the application on these grounds, that this could not be justified. The stance taken in paragraphs 6.37– 6.42 of the main report remains.

Officers acknowledge the need to notify Natural England of the granting of permission contrary to their view and to ensure that the development does not begin within 21 days under the requirements of section 281 (6) of the Wildlife and Countryside Act 1981. The S106 Agreement will include the mitigation offered including contributions towards management which can be discussed and agreed in the meantime with Natural England and BBOWT to seek the most effective measures in addition to further discussions on the phase 1 illustrative layout. The S106 will also need to include an indemnity against the applicant/landowner to ensure that the Local Planning Authority are not liable for any resulting delay or impact as a result of the current position.

S106 and Affordable Housing - In relation to the additional S106 contribution comments from the applicant, these are up for further discussion particularly given the uncertainty over the County Education figures and the County Highways strategy for the A420.

In terms of the affordable housing requirements, officers acknowledge that at the time of the original submission the current local plan requirement of 40% was necessary. Since then the emerging local plan is gathering weight and the site allocation afforded only 12 local objections. As a consequence the emerging overall site allocation holds some weight and therefore it is considered that 35% is reasonable. Particularly given that this is an outline application therefore by the time the site is delivered the local plan is likely hold significant weight.

In addition, it is acknowledged that the overall site allocation is expected to deliver a new school and significant upgrade works to the A420 therefore the NPPF requires Councils to take into consideration the viability and deliverability of schemes.

Item 11

Planning reference: P13/V1514/O. Land at Longcot Road, Shrivenham

Update

To date 19 additional letters of objection have been received from local residents in respect of the revised plans received. In addition, further comments have been received from the Council's drainage engineer, Thames Valley Police, Oxfordshire County Council as highway authority and the applicant's agent. A summary of the comments received may be summarised as follows:

1. Local Residents:

Consideration of the application should be deferred to allow the consultation period to expire and allow officers and the planning committee sufficient time to properly considered the concerns expressed.

Amendments do not address the previous concerns expressed which still apply.

Increased traffic generation.

Officer Response

In terms of increased traffic generation the County Council as highway authority has no objection – see Section 3 of the planning officer's report

In terms of inadequate drainage including sewage disposal, Thames Water, the Environment Agency and the District Council's drainage engineer have no objection subject to conditions – see Section 3 of the officer's report

In terms of potential arsenic contamination the District Council's health and housing team has no objection – see Section 3 of the planning officer's report.

In terms of isolation of the site & distance from amenities this is addressed in the officer's report – paragraphs 6.18 – 6.25.

In terms of use of footpath to access services is inappropriate for those with young families or for older people this is addressed in the officer's report – paragraphs 6.18 – 6.25. It is agreed that use of this footpath to access services on foot will not suit everyone. Alternative access is available using Longcot Road.

In terms of unsafe access on a sharp bend and traffic will be a danger to other road users the County Council as highway authority is not raising any concerns. Adequate vision splays from the proposed access can be achieved and required by condition (condition 18 in the officer's report).

In terms of pedestrians being unsafe the highway authority is not raising any objection and with due care walking to the village via Longcot Road and the proposed pavement is reasonably safe. The highway authority is not raising any objection.

In terms of the cumulative impacts of housing developments on services and infrastructure in the village this is addressed in the officer's report – paragraphs 6.26 – 6.29.

The Council's countryside officer and Natural England are satisfied with the newt survey effort and findings. This issue is dealt with in the officer's report – paragraphs 6.62 – 6.69 on the issue of Great Crested Newt.

Detail of the ponds in terms of size, location and depth is a matter to be considered at reserved matters stage. It may be necessary to put a barrier around any pond to restrict access

The open space could be maintained by either the Parish Council, the District Council or the developer may choose to appoint a management company to manage it.

The issue of loss of important recreation spaces is unsubstantiated as the site is not a public recreational space. It is an open field. The footpath at the southern edge of the site is retained.

The highway authority is not objecting therefore the views that A420 cannot cope with additional traffic is unsubstantiated.

The site is not an area allocated in the emerging local plan for housing. The principle of housing development is addressed in the officer's report 6.1 – 6.16.

The proposal detracts from the most attractive aspect of the village and views into the village. Visual impact is addressed in the officer's report – paragraphs 6.34 – 6.43 and does

The Parish Council and majority of villagers support alternative sites for housing and these strong feelings have been taken into account by rejecting this site as a housing allocation. However, the site was part of an area considered as a possible strategic housing site as part of the emerging Local Plan. The site was not pursued as consultation responses/community preference is for development to be focussed in the north of the village.

In terms of sewers this is addressed in the officer's report 6.50 – 6.56. Solutions have been identified by Thames Water and are deliverable within the lifetime of a planning application.

It is agreed that this is at least grade 2 agricultural land although there is some evidence now seen by officers to suggest the site might even be grade 1 agricultural land. This needs to be balanced against the benefits of the proposal, as explained in paragraph 6.17 of the officer's report.

It is unsubstantiated to state that the Developer does not acknowledge the Thames Water pipes running beneath the site. The applicant has acknowledged these and shown that the north/south sewer pipe could be diverted. The officer's report covers these matters.

Layout, scale and appearance are reserved matters and the Council would not be committing to the illustrative layout presented.

Privately owned land on Longcot Road

Officers have been exploring this matter with the Oxfordshire County Council as highway authority. I'm advised by them that the verges alongside Longcot Road are not owned by Oxfordshire County Council but they do have highway status which takes lawful precedent over subsoil ownership. Whether the subsoil is registered title or not, any highway status means that the area will remain public highway regardless of subsoil ownership unless the highway status can be lawfully extinguished by the use of a Stopping Up Order. In law precedent remains 'once a highway, always a highway' and highway status is exempt from adverse possession.

Consequently a developer could be required to provide the pavement and a developer could under the Highway Act, enter into an agreement with the County Council to provide the pavement.

A Thames Water pipe passes from more or less the proposed site access

Officers note the applicant's geophysical survey does show this and the illustrative layout plan does show some dwellings above part of the line of this pipe. In contradiction the applicant's topography survey suggests the pipe runs parallel with the southern boundary. The site layout plan is illustrative and ultimately this is a matter for any reserved matters application.

The site is subject to a life time tenancy and the site is not therefore, available or deliverable.

Officers note that tenancy is not a material planning consideration and it is possible that any agreement can be overcome. Notice has been served on four landowners/tenants

2. District Council drainage engineer – their previous comments apply.

Officers Response

See section 3 of the report.

3. Thames Valley Police – based on latest evidence they request a contribution of £9,667 towards policing.

Officer Response

In discussion with the police, officers are advised that the new, lower figure of £9,667 replaces that originally requested and which is mentioned in the report. Should planning permission be granted it is recommended that this figure (£9,667) be secured as part of the proposed s.106 agreement

4. Oxfordshire County Council: Highways – Revised access is acceptable. Requires a footway along the west side of Longcot Road to just beyond Vicarage Lane to connect with that on the eastern side of the road. Request improved surfacing to the footpath and contributions towards public transport and travel planning.

Officer Response

The contributions requested are set out in the officer's report. The footpath issue is addressed in the officer report and no update is necessary.

5. Applicant's agent has commentary on the observations made by the Parish Council:

- Parish Council has previously been consulted on the plans.
- The District Council does not have a 5-year land supply; there is a presumption in favour of this proposal
- The north/south sewer easement has been resolved
- Newt surveys were at the appropriate time of year. Mitigation has been agreed with the Council's officers and Natural England
- The ponds will contribute to visual character and appearance of the site
- A geotechnical report advises that it is not anticipated that there is any significant level of contamination within the site. A condition can address this
- Landscaping is a matter for further consideration
- There is no right of unrestricted access to the land
- The current view to the village is of rear gardens and fences. The proposal has a generous landscape buffer ensuing a soft approach to the village
- No evidence of site subsidence
- Planting on site behind rear gardens is intended as newt habitat
- Sewer study identified solutions that are achievable
- A Flood Risk Assessment was included with the application. The Council's drainage engineer is in support
- Third party land alongside the highway is highways verge
- Shrivenham is the joint most sustainable village in the District (The Town and Village Facilities Study (Update February 2014))
- All village facilities are within 1200m of the site which is the preferred maximum walking distance
- The A420 can accommodate the traffic flows as confirmed in the applicant's transport statement and the County Council does not object
- Glebe Close was permitted against a background of identified housing need. This application also seeks to meet housing need
- Loss of grade 2 agricultural land needs to be balanced against the lack of a 5-year land supply
- A footway along Longcot Road is achievable and can be brought about by a s.278 agreement
- Local roads can accommodate the additional traffic flows
- Housing mix is a matter for reserved matters consideration
- Sewer improvements will ensure there is no detriment to the village in terms of potential increased foul water flooding
- S.106 contributions will provide infrastructure improvements

Item 12

Planning Reference: P14/V1196/FUL. Land East of Drayton Road, Abingdon

Update

3 additional neighbour representations have been received raising the following objections:

- The proposal will only worsen existing congestion suffered on Drayton Road with consequential effects for traffic all across Abingdon
- The proposal is not sustainable in terms of the level of car parking or the mix of housing.
- It is not clear how the crossing to the bus stop on the northbound side will be secured

Officer's Response

The objections on traffic grounds have been considered in the report. The proposed parking level and mix is considered to be acceptable bearing in mind the fall-back position of the approved appeal scheme. The crossing will be secured via section 278 works administered by Oxfordshire County Council.

Item 13

Planning Reference: P14/V2318/FUL. Motorlux, 32 Newbury Street, Wantage

Update

3 additional neighbour representations have been received, raising the following objections to the application:

- 1) Adverse impact on residential amenity;
- 2) Adverse impact on visual amenity, particularly as it is a conservation area;
- 3) Represents over-development of the site;
- 4) Parking provision is inadequate and the access would be dangerous;

Officers Response

The substance of the objections has already been covered within the committee report, but taking each point in turn the following comments can be made:

- 1) Officers do not consider that the proposal would have a harmful impact on the residents of any adjacent properties due to the distances between the buildings and habitable room windows, the positioning and orientation of the buildings on the plot and taking into account the existing relationships with the current warehousing on the site.
- 2) Officers consider that the proposal reflects the prevailing character of the area in terms of layout, built form (including scale) and architectural approach and would preserve the character and appearance of the conservation area and the setting of the adjacent listed buildings.
- 3) Officers consider that the density proposed is acceptable given the town centre location, and represents an effective use of the land.

- 4) The local highways authority has raised no objections to the proposal in terms of parking provision or access, and have commented that the amended access would represent an improvement to the existing arrangements.

An additional response has also been received from Wantage Town Council, re-stating their previous comments as stated in the committee report at paragraph 3.1 and adding the following new comments:

“Whilst in the amended plans there has been some adjustment to the roof height the building facing Newbury Street and alterations to the access it is not apparent that any of the previous objections have been addressed.”

Officer’s response

As detailed in the report, officers consider that the amended proposal reflects the prevailing character of the area in terms of layout, built form (including scale) and architectural approach and would preserve the character and appearance of the conservation area and the setting of the adjacent listed buildings. The local highways authority has raised no objections to the access or car parking provision. Given the town centre location and proximity to public open space, the level of amenity space provided is considered to be acceptable.