

Supplementary Papers

Planning Committee

held in The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY
on Wednesday, 12 August 2015 at 6.30 pm

Open to the public including the press

5. **Urgent business** (Pages 2 - 8)

Attached is the addendum report updating the officer's reports on the planning applications on this agenda.



Planning Committee
Wednesday 12 August 2015

Addendum Report

Addendum Report

Item 9

Planning Reference: P15/V0898/O – Steventon Road Nurseries, Steventon Road, East Hanney

Update

County Transport

The County Transport Officer has reviewed the additional information provided by the applicant and withdrawn the 'holding objection' referred to in the report. The proposal is considered acceptable subject to the conditions recommended and S106 contributions sought.

Additionally it is recommended that the applicant enter into a S278 agreement for the provision of the pedestrian footway, new bus stop, relocation of the 30 mile speed limit signage and gateway feature to be agreed with the Highway Authority.

Officer response

The requirements under S278 highway works can be dealt with under the S106 process recommended in the report and it is recommended that S278 Highway items are included.

Local Objection

One additional objection has been received from a local resident on the grounds that 'continuing possibility of many more houses being built in East Hanney and the emerging local plan has yet to be adopted which should be decided before applications'.

Officer response

Cumulative impact is addressed within the report as well as the emerging Local Plan 2031, which is also given due weight in the consideration of this application.

Item 10

Planning Reference: P15/V0612/FUL – Land west of Hyde Copse, Marcham

Update

Local objection

Three additional objections have been received from local residents raising concern over the use of Longfields to access the site.

Officer response

This issue is addressed in the original report.

Developer comments

The applicant has confirmed they are committed in principle to delivering a footpath connection route to Howard Cornish Road but request the suggested condition 8 is dealt with via the S106 legal agreement, should permission be granted, to enable flexibility in delivering the footpath jointly with the adjoining developers, as it may involve land outside their control.

It has also been requested that timing of footpath delivery is programmed for 'prior to the occupation of the 46th unit' (75% of development) to enable Taylor Wimpey to engage in dialogue with Vanderbilt over footpath links whilst also enabling progress on the sign-off of conditions and commencement on site within 12 months as required by suggested condition 1.

Officer response

It is recommended that the requirements of suggested condition 8 are dealt with by the S106 agreement.

Item 11

Planning Reference: P14/V2877/FUL – Land at Cowans Camp Depot, High Street, Watchfield

The applicant is satisfied with the housing officer's request that the rented dwellings are together and the shared ownership dwellings are together which requires 'swapping' unit 207 to a rented affordable dwelling and plot 222 to a shared ownership dwelling.

Item 12

Planning Reference: P15/V0712/FUL – Land at Southmoor House, Faringdon Road, Kingston Bagpuize with Southmoor

Since the writing of the report for the above item, a High Court judgement (31st July 2015) has found in favour of West Berkshire District and Reading Borough Council, against the Department for Communities and Local Government's previous concessions on the requirement of affordable housing on small schemes under 10 units(max.1000m sq floor space), social infrastructure contributions and the 'Vacant Building Credit' . .

Planning Practice Guidance (national planning online guidance) has changed to reflect this position, so that effectively the concession is removed. As such affordable housing and social infrastructure contributions (subject to pooling restrictions) may be sought on small scale development (10 units or under).

As a consequence of this change in national guidance, the scheme should therefore provide 40% affordable housing as required under saved policy H17 .of the Local Plan. There is no requirement for any social infrastructure contribution in this instance, as the limit on ‘pooling’ contributions in the locality has been reached (as confirmed in the consultation response from the County Council).

With regard to affordable housing, it is the case that if the applicant can show (in accordance with para 173 of the NPPF) that the redevelopment of the site could not occur because of over burdensome requirements in terms of contributions required, then this must be given weight in decision making by the Council.

Planning Practice Guidance (Viability) requires that schemes provide a competitive return for developers and land owners.

Regardless of the previous 10 unit concession which is now removed, the applicant had submitted a viability assessment with the application, which found there to be no financial ‘head room’ available for a planning obligations package.

This has been provisionally reviewed for the Council independently by BPS Chartered Surveyors. Several points need clarification before BPS can provide a robust review of the viability appraisal.

These include:-

- The site is valued (Benchmark land value) at £1,350,000. It is not clear if this figure is intended to represent the purchase price of the site or on what basis this valuation has been made
- The pricing of the services linked to the development (for over 55’s)- if there is any profit from servicing then this may need to be considered
- Costs shown for the scheme appear reasonable, however are not detailed (a more detailed cost plan required).

Additional information is required from the applicant therefore before BPS Chartered Surveyors can make a complete analysis on financial viability and whether there is any financial capacity within the scheme to provide for affordable housing.

In light of this it is recommended that the item be deferred to allow for this additional information with regard to viability to be provided by the applicant, and to be considered by the independent assessors BPS.

Item 13

Planning Reference: P15/V1250/FUL – Appleton Tennis Club, Badswell Lane, Appleton

Update

Additional information from applicants

A letter from the Lawn Tennis Association in support of the proposal to install floodlights at the Tennis Club has been received; part of which states:

“The LTA share the view of Sport England’s Planning Policy Objective 20 and look to support the installation of floodlighting of sports facilities where this will lead to a

significant increase in opportunities for sport. Floodlighting is essential if these tennis facilities are to be used to their full capacity. Without floodlighting, opportunities for sport in the local community are significantly reduced.”

Officer Response

This additional information is noted and is considered to further supplement section 6.10 of the committee report.

Updates

Petition

A petition was received on Friday 7 August signed by 42 signatories stating: “We, the undersigned, object to the above application. Floodlighting at this site is out of character in this rural location and would cause significant loss of amenity. Also, the resulting light pollution would be detrimental to many houses, particularly those family homes situated directly opposite the tennis courts.”

Additional representations

In addition, two further representations have been received from neighbouring properties, objecting to the proposal. These raise many of the same concerns as raised with the other letters of objections, but also raise the following new concerns:

1. The total height of the light columns with the flood lights on top would be 6.95m, not 6.7m.
2. Who will be in charge of the required maintenance? Misaligned and dirty lamps would increase light intensity observed.
3. The clubhouse and training wall have not been shown on the luminance plans, so negates the calculations provided.
4. The reflected light will actually be 20%, not 7% as quoted, as the court is painted green. Adding in reflected light from the pavilion, practice wall, hedges and trees will increase the lux level to greater than the figure indicated, which is 5.
5. The detailed lux maps do not match the initial pre-application lux map provided.

Officer Response

The planning considerations of the case and assessment are set out in the committee report at section 6.

1. The column height is as stated: 6.7m; with the floodlights on top the total height would be 6.95m. Officers consider that this total height is acceptable and that the columns would not appear overly prominent or out of place given the context of the site, the consideration of the dark green colour and that the site is well screened by existing mature landscaping.
2. The maintenance of the floodlights would be carried out by the Tennis Club. The onus would be on the Tennis Club to carry this out to ensure compliance with the planning conditions, and achieve and retain LTA accreditation.

3. The clubhouse and training wall have not been shown on the luminance plans, but the supplier has confirmed that these structures would further screen light spillage, as would the mature hedging and trees which surround the site which have also not been shown on the luminance plans.
4. The figure of 7% for reflected light is, as stated, an approximation. A reflected light level of 20%, would also be considered to be acceptable in line with the submitted luminance plans and due to the planning conditions recommended at section 8.0.
5. The initial lux plan provided was for the pre-application stage; further detailed lux plans have been submitted which are specific to the type of luminaire proposed and the addition of the light guards.

In response to the further concerns raised, an additional response has been sought from the council's environmental protection team:

"The lighting design has included downward facing box luminaires fitted with additional light control shields designed to minimise the overspill on to nearby properties. Modelling has been undertaken and this has been interpreted into contour maps to aid comprehension. The contour maps indicate an impact of less than 2 Lux at the facades of nearby properties without the screening impacts of hedges. So the resultant light impacts should be lower, particularly at ground floor and additional mitigation could be provided to first floor by allowing the hedges to grow higher or provision of screening to the fencing surrounding the tennis court. The Institute of Lighting Professionals Guidance note for the Reduction of Obtrusive Light appears to have been followed and the predicted resultant levels appear to be well below the 5 Lux pre-curfew limit suggested by these guidelines. The suggested curfew limit is 21.30 and this is well below the 23.00 curfew limit suggested in the guidelines.

With regard to the modelling, I have referred to the detailed modelling by RLS for the TE-1000 E.C. luminaires. (Previous contour maps had been submitted with the consultation and Pre-Planning document illustrating a contour map for HILux Match luminaires without light control shields.) It is assumed but I am not aware that it is stated implicitly in the application that it is the RLS design and specification that will be used, it would be useful if this could be clarified with the applicant and possibly condition 4 could be amended accordingly to be more specific.

In view of the above the conditions 3, 5,& 6 proposed in the committee report seem appropriate to control the impacts of obtrusive light to acceptable levels and the pre-curfew limit of 5 Lux must not be exceeded. I would recommend that you consider amending condition 4 to reflect the lighting specification used in the RLS modelling."

The environmental protection officer's comments are acknowledged. It has been made clear in the additional submitted information that the model of floodlighting proposed to be used is the RLS-TE-1000EC model (by email on 27 July 2015). However, the suggestion to include the specific model within condition 4 is

considered to be reasonable, specific and necessary and therefore it is proposed that the wording of condition 4 is amended to that indicated below.

The information has been assessed by the council's environmental protection officer who is satisfied that, with the use of appropriate planning conditions, there would be no harm to neighbouring properties as a result of the proposal.

Officers remain of the view that the proposal would not harm the amenities of the neighbouring properties or the character of the area and that enforceable planning conditions at section 8.0 provide strict regulation on how the light shines, where the light shines and when the light shines, in line with both the NPPF and the NPPG.

Condition 4 proposed amended wording:

4: The lighting scheme as approved (model RLS-TE-1000EC) shall be designed, constructed and installed in line with the guidance found in the Institution of Lighting Professionals' 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'.

Item 14

Planning Reference: P15/V0459/FUL – Land off Ford Lane, Frilford

Update

The two recommended conditions by the County Archaeologist for an Archaeological Written Scheme of Investigation and a staged programme of archaeological evaluation and mitigation were not included in the list of conditions at section 8 of the officer report

Officer response

Officers recommend that the two archaeology conditions are included in the list of conditions.

Item 15

Planning Reference: P15/V1152/FUL – 1a Foxborough Road, Radley

No updates

Item 16

Planning Reference: P15/V1541/HH – 2 New Cottages, Buckland Marsh, Faringdon

No updates