

APPLICATION NO.	P13/V1543/O
APPLICATION TYPE	OUTLINE
REGISTERED	17.7.2013
PARISH	SUTTON COURTENAY
WARD MEMBER(S)	Gervase Duffield
APPLICANT	Pye Homes
SITE	Land to the rear of 92-112 Milton Road Sutton Coutenay, OX1 4BT
PROPOSAL	Demolition of 110 Milton Road and erection of 34 dwelling houses.
AMENDMENTS	None
GRID REFERENCE	449402/192956
OFFICER	Mark Doodes

1.0 INTRODUCTION

- 1.1 This 1.67ha site lies to the south-western end of the village on the boundary with Milton parish and is located to the north of Milton Road on a site to the rear of road frontage properties. It comprises a grassed field enclosed by hedgerows with some interspaced trees. The southern boundary adjoins the rear gardens of residential properties. Access will be provided from Milton Road by the removal of the existing house at 110 Milton Road and the creation of a new access road. The site is crossed by an overhead electricity line.
- 1.2 Local facilities in the village are focused on the northern part of the village and comprise a primary school, a village hall, post office, local shop, and public houses. The butchers referred to in the applicants Design and Access statements closed around three years ago, but the other shops continue to trade. The local sports ground lies east of the central area of the village off Old Wallingford Way and there are other recreational and fitness facilities on the village side of Milton Park employment area. Sutton Courtenay itself has approximately 1,007 households and a population estimate of 2,421 residents.
- 1.3 This application was refused, against officer recommendation, at the 10th of June Planning committee, following deferral from the previous meeting. The refused scheme is now the subject of a written representations appeal, which is likely to be determined around Christmas. The applicants have also lodged a claim for full award of costs against the LPA, which officers have responded to.
- 1.4 A site location plan can be found **attached** at appendix 1. The site is 1.67Ha in area.
- 1.5 This application is before committee due to the number of local objections including the Parish Council.
- ## 2.0 PROPOSAL
- 2.1 The proposal is for residential development of 34 dwellings (following the demolition of the existing property for the new access road, meaning a net gain of 33 units) together with roads, footpaths and associated parking areas, landscaping, amenity space, open space. Pedestrian access would be available to the site from the new access road.
- 2.2 An illustrative site plan can be found **attached** at appendix 2; Councillors are reminded

that this layout is solely to demonstrate that the quantum of development can reasonably be accommodated within the site.

- 2.3 Off-site highways works are proposed as part of this application, the works are found **attached** in appendix 2 and include a traffic calming measure to allow right of way to vehicles leaving the village along Milton Road, thereby slowing traffic approaching the site entrance.
- 2.4 Cumulatively this proposal is for 33 dwelling units and would generate an estimated population (based upon district wide average household figures) of 83 residents. Compared to the approximate 1,007 households and a population estimate of 2,421 residents in the village, *the development alone* represents about a 3% increase to the village. Across the 1.67ha site the 34 dwelling units to be built would produce a density figure of 20dpha. The Redrow site, which is adjacent, but not abutting, was granted permission earlier in the year for 70 units.
- 2.5 Affordable housing for the proposal would amount to 13 dwellings (40%). On this development arrangement 26% of the dwellings are two-bedroom properties or less. The mix of dwelling units suggested is as follows:
- 1-bedroom = 0 units
 - 2-bedroomed = 13 units (9 are affordable units)
 - 3-bedroomed = 7 units (4 are affordable units)
 - 4-bedroomed = 14 units (1 is affordable)
- 2.6 In support of the application the following documents have been submitted, and revisions have been subsequently submitted. The latest versions of all documents are available online.
- Planning Statement & Design and Access Statement
 - Site plans and illustrative layout
 - Sewer impact study
 - Landscape and Visual Impact Assessment
 - Green Infrastructure Supporting Statement
 - Arboricultural Report
 - Ecological Report
 - Flood Risk Assessment and Drainage Statement
 - Supplementary Hydrological Groundwater Impact Assessment
 - Cultural Heritage Assessment
 - Transport Statement
 - Archaeological Reports
 - Renewable energy options appraisal
 - Statement of Community Engagement
- 2.7 Discussions of likely S106 contributions have taken place, the outcome of which can be found below;
- County Level**
Education £242,594 (comprising Primary education £127,402, Secondary education £114,425, 6th Form, SEN £6131)
Transport £116,556 (inc SVUK)
Public Consultation £2000
Libraries £8330
Museum £490
Day Care - £6600
Health and Social Care Adult learning £1008
Waste (county) £6272

Admin charge £3750
Oxfordshire County Council total £387,600

Vale of White Horse contributions

Sports (district wide) £63885
Street Naming and Numbering £331.60
Waste Collection £5780
Public Art £9100
Police Equipment £10,000
NHS PCT Contribution £12,877
VoWH total £101,973.60

Grand total £489,573.60

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 Sutton Courtenay Parish Council – **Objection** – In summary concerns are;
1. The overprovision of new homes in the village, compared to similar villages.
 2. Highway safety at the point of entry to the scheme
 3. Questioning the veracity / validity of the highways data from the developer.
 4. Foul water and sewage issues in the area/site
 5. Surface water concerns in the area/site

A full copy of the Parish Councils comments can be found **attached** at appendix 3.

Crime Prevention Design Adviser - No strong views.

English Heritage - No strong views

Police Funding - Simon Dackombe – No objection, subject to contributions.

Leisure Services – No objection, subject to contributions to local sports facilities.
Maintenance of open space areas should be clarified and secured by adoption by parish or through management company.

Natural England - No objection subject to conditions.

Thames Water – No objection, however TW have identified, through an investigative report commissioned by the applicant, that the local sewage network will require upgrading if permission be granted. TW have suggested suitable pre-commencement conditions. The cost of any such upgrades must be borne by the developer(s), with costs likely to be shared between the Redrow scheme and this site. Vale officers are not privy to such discussions, beyond being provided with a project timetable for the works required, which demonstrates that the work can be comfortably delivered within the life of the consent.

Environment Agency - No strong views

OCC One Voice (Inc Highways, Archeology, Education, Minerals etc) - No objections, subject to conditions and contributions. Minerals and Waste at OCC lodged a holding objection due to the site containing gravel and other extractable materials, however this has since been withdrawn for reasons of site scale.

Housing Dev. - No strong views

Equalities Officer - No strong views subject to contributions.

Waste Management Officer (District Council) – No objection, subject to £170 per dwelling contribution amongst other comments.

Health & Housing - Air Quality - No objections

Health & Housing - Env. Protection Team - No objections

Drainage Engineer - No objection – Sufficient information has been submitted. *“I am therefore prepared to remove my holding objection [to this original application] subject to the normal conditions on drainage and SuDS being imposed together with your suitably worded condition for any off site work to have a clear time table agreed with Thames Water to carry out such works within the life of the permission.”*

Countryside Officer - No objection subject to conditions. No bats present and no ecology constraints present on site.

Forestry Team (Tree Officer) - No objection as long as the relevant tree protection is designed and implemented at a site specific level, not general tree protection principles. These matters are usually dealt with at the Resevede Matters stage.

Conservation Officer Vale - No objection.

Landscape Architect - Vale of White Horse DC – *As previous scheme*; “This site is particularly visible when travelling from Milton to Sutton Courtenay along the Milton Road and when using the public foot path adjacent to the site. The existing hedge and boundary trees help screen the site and should be retained and enhanced. In the Green Infrastructure Statement, Ref: 12-2247 3607 D04 page 16, 5.1.7 it states that the hedge will be buffered from the development by a maintenance corridor, which will allow consistent management throughout. Details of this maintenance corridor will be needed.”

Neighbour Approve (1) – One letter of support citing the need for new homes in the area. (Letter addressed from current landowner)

Neighbour Objections - A total of 58 objections were received (100+ to the previous). The objections made are on the grounds of the following concerns:

- Increased traffic leading to safety issues and additional road congestion
- Site is subject to flooding with inadequate drainage
- Increased pressure on local physical infrastructure
- Erosion of rural village character
- Cumulative impact on village with limited facilities
- Issues of noise pollution and impact on air quality and lighting
- Loss of a open field used by wildlife
- Loss of privacy

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P13/V0233/FUL](#) - Refused (01/07/2013) - *Appeal to Planning Inspectorate underway.*
Demolition of 110 Milton Road and erection of 34 dwelling houses with associated access.

[P00/V1120](#) - Refused (24/08/2000) - Refused on appeal (31/01/2001)

Demolition of bungalow. Erection of four bungalows served by access way.

[P85/V2146](#) - Refused (25/03/1985)

Conversion of existing garage to form elderly persons bungalow and erection of new garage. 90a Milton Road, Sutton Courtenay, abingdon.

5.0 POLICY & GUIDANCE

5.1 Vale of White Horse Local Plan

The local plan was adopted in July 2006. The following relevant policies have been considered to be saved by the Secretary of State's decision of 1 July 2011 whilst the 2029 Local Plan is being produced/adopted.

- 5.2 Policy GS1 of the adopted local plan provides a general location strategy to concentrate development within the five main settlements.
- 5.3 Policy GS2 indicates that outside the built up areas new building will not be permitted unless on land identified for development or the proposal is in accordance with other specific policies.
- 5.4 Policy DC1 requires new development to be of a high design quality in terms of layout, scale, mass, height, detailing, materials to be used, and its relationship with adjoining buildings.
- 5.5 Policy DC4 requires development on sites of 0.5ha or more to contribute to public art to significantly contribute to the scheme or the area.
- 5.6 Policy DC6 requires hard and soft landscaping to protect and enhance the visual amenities of the site and surroundings and to maximise nature conservation and wildlife habitat creation.
- 5.7 Policy DC9 seeks to ensure development will not unacceptably harm the amenities of neighbouring properties and the wider environment.
- 5.8 Policy NE9 of the adopted local plan says that development in the Lowland Vale will not be permitted if it would have an adverse effect on the landscape, particularly on the long and open views within or across the area.
- 5.9 Policy NE10 of the adopted local plan says that development which would harm the essentially open or rural character of areas on the urban fringes and in the important open gaps between settlements will not be permitted.
- 5.10 Policy NE11 of the adopted local plan seeks to enhance the landscape character of areas which have been damaged or compromised.
- 5.11 Policy H11 allows limited development of no more than 15 dwellings within the boundary of settlements such as this subject to design and no loss of open space.
- 5.12 Policy H13 seeks to limit new housing development outside the built up areas of settlements.
- 5.13 Policy H16 requires about 50% provision of housing to be two-bedroom or less for schemes of more than 10 dwellings and 10% should meet lifetime homes standards.
- 5.14 Policy H17 requires 40% provision of affordable housing for schemes of more than 15

dwelling.

- 5.15 Policy H23 refers to housing schemes providing open space facilities at 15% for large villages or a financial contribution if small villages or inappropriate to be on-site.

Supplementary Planning Guidance (SPG)

- 5.16 Residential Design Guide – December 2009
A site for 10 or more dwellings is subject to guidance on design and layout.
- 5.17 Sustainable Design and Construction – December 2009
Code for Sustainable Homes guidance to achieve level 3 and working to level 4 by 2013.
- 5.18 Open space, Sport and Recreation Future Provision – July 2008
Advice for the provision and maintenance requirements for open space areas.
- 5.19 Affordable Housing – July 2006
Provides further guidance following on from policy H17.
- 5.20 Flood Maps and Flood Risk – July 2006
Sites over 1ha or likely to flood should provide a flood risk assessment (FRA).
- 5.21 Planning and Public Art – July 2006
Sites over 0.5ha should provide a contribution towards public art installations in line with Policy DC4.
- 5.22 **National Planning Policy Framework (NPPF)** – March 2012
Paragraph 14 & 49 – presumption in favour of sustainable development
Paragraph 47 – five year housing supply requirement
Paragraph 50 - create sustainable inclusive and mixed communities
Paragraph 99 – flood risk assessment
Paragraph 109 – contribute to and enhance the natural and local environment
Paragraph 111 - encourage the effective use of land by re-using land that has previously been developed (Brownfield land)

6.0 PLANNING CONSIDERATIONS

6.1 *The principle of development*

At the heart of the new National Planning Policy Framework (NPPF) is a presumption in favour of *sustainable development*. Within the context of the NPPF, planning permission should be granted where the development plan is absent, silent or relevant policies are out of date, unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF taken as a whole (paragraph 14).

- 6.2 The NPPF also puts strong emphasis on housing being used to further enhance rural vitality, for example in providing more customers to local businesses such as pubs and shops, as well as rural bus services, which are presently heavily subsidised. Sutton Courtenay is one of the larger villages within the district and scores within the top few villages in the 2013 village hierarchy. The location of the site is on the fringe of the southern part of the village, but it is reasonably close to the range of services and facilities available within the village. Some concerns have been expressed by local residents and councillors surrounding the sustainability of the site, in particular the impact of prospective occupants on local schools and other facilities. Having given these issues further consideration, officers remain of the view that reports such as the

2013 village hierarchy have been undertaken with a sound methodology and therefore their conclusions can be assigned much weight. Sutton Courtenay is a sustainable location for growth in general, and this site although on the fringe of the village is not disconnected from it. On this basis the site is considered to be acceptable in that the site is a reasonably sustainable location.

- 6.3 The current lack of a five year supply of housing sites in the district is due to the lack of delivery of new housing by developers rather than an under-supply of allocated housing land. This has primarily been caused by delays in progressing some major allocations due to the economic downturn and the delay in bringing forward the council's new local plan. The current lack of a five year housing land supply justifies some flexibility in line with the NPPF in the consideration of planning applications which do not accord with local plan policy, such as this application. In recent months, *considerable weight* has been assigned by Planning Inspectors to the contribution applications make to addressing this shortfall, (such as at the Drayton Road, Abingdon appeal), provided that such sites are in sustainable locations (see above).
- 6.4 This approach is by necessity of a time-limited duration and is aimed at identifying sites considered suitable to address the housing land shortfall whilst still meeting relevant sustainability and design criteria as referred to in the NPPF. An assessment has been made of the case put forward by the applicants that this proposal meets the requirements of the NPPF for providing sustainable development to help address the current housing land shortfall and, as a result, it is considered that the principle of the proposed development is acceptable.
- 6.5 The dismissed appeal on the site, dated 2001, is considered by officers to be of little relevance to this scheme due to the significant changes in planning policy at the national, regional and local level in the intervening period. That said, the application is contrary to local plan policies GS2 and H11, which are retained under the current local plan. However, as has been the case on many fringe-of-village sites this year, the continuing lack of a five year housing land supply (plus a 20% buffer due to persistent under delivery of new homes in recent years on the part of the vale), the use of such policies to refuse development is considered by officers to be inconsistent with the policies and spirit of the NPPF. The proposed development, therefore, needs to be considered on its site specific merits and whether it constitutes a sustainable form of development as defined in the NPPF.
- 6.6 *Highway Safety*
Following discussions with the developers and responding to local concerns the county highways authority has agreed to a scheme of traffic calming measures south of the entrance to the site, secured via legal agreement. Plans are attached at appendix 2. Such traffic calming measures already exist at the two other entrances into the village, and indeed at many locations across the District.
- 6.7 The locally sponsored traffic survey has been assessed for both the application site and for the adjacent site off Milton Road (ref P13/V0401/O). Referring to national standards regarding the traffic demands at road junctions in peak hours the county highways officer considers that the predicted additional traffic arising from the proposal can be accommodated by the local road network. Much debate has already taken place, in and out of the public arena, regarding one or the other parties methods and conclusions. However, the county highways officer in reaching his conclusions, is mindful that since its publication in March 2012, the NPPF has raised the threshold at which increased traffic using a road network can be considered to be unacceptable. Specifically paragraph 32 which states that development should only be refused on transport grounds where the residual cumulative impacts of development are "severe". As

recently concluded by Inspectors at the Drayton Road appeal, such an impact officers feel, is difficult to establish in this instance due to the scale of the development.

- 6.8 To conclude, the application remains acceptable, subject to off-site works and other contributions, acceptable to the Local Highways Authority. (OCC)

Social infrastructure

- 6.9 There has been some local concern that existing social and physical infrastructure within the village could not cope with the proposed increase in population resulting from this proposal, including the school. However, as is standard in larger planning applications contributions can, and will be, secured to offset the estimated impacts arising from the development. The applicant has agreed to address these needs through contributions which can be secured through a section 106 legal agreement, including education contributions which total around £242,000. OCC have not indicated how this would be spent, however the local Primary school is noted to be set within some land under LEA control and in any event surrounded on two sides by open fields. No conclusions have been reached at present by the LEA, possibly due to the number of other schemes in area which may influence the scale of works required on the site.

- 6.10 *Affordable housing*

The affordable housing requirement has been confirmed by the applicant to be workable as part of the scheme. The distribution of the affordable housing across the site is clustered in one area. This is the preference of the registered social landlord provider who is interested in this element of the scheme. Given the small size of the site, this small clustering is not considered to be overly detrimental to the layout or social integration.

- 6.11 *Visual impact - appearance, landscaping, layout and scale*

Good design and layout is a key aspect of sustainable development and the NPPF is explicit in seeking high quality outcomes. Officers consider that a mix of two storey detached, semi-detached and terraced dwellings would complement and add to the existing mix of dwellings in the village. However, since the layout provided is purely indicative, reaching any conclusions in this area would be premature, and should be considered solely as part of a reserved matters application. Therefore no conclusions can be reached regarding the distribution of affordable homes, public open space and other details which are not to be formally considered at this stage. However the use of conditions or informatives to advise can be used.

Officers consider that from medium to far distances the development will be shielded by landscaping to an acceptable degree and nearby plots, and will be interpreted to the eye as being part of the village, rather than distinct annex.

- 6.12 *Impact on the residential amenity of neighbours*

Due to the layout being of an indicative nature, this should be considered as part of a reserved matters application.

- 6.13 *Heritage assets*

The NPPF requires that account should be taken of the desirability to sustain and enhance heritage assets. The proposal has no heritage assets within the site or within the surrounding area. The application has not identified any heritage asset in the local area that would be subject to any adverse impact from the proposal.

Drainage and flooding issues

- 6.14 *Surface water drainage – Surface Water Drainage*

The site lies outside of a flood plain. The applicants investigated the geology of the site through the digging of trial pits in December 2012 and further works in summer 2013.

This investigation confirmed that the natural ground water table is relatively high and generally lies between 0.5 metre and 1.0 metre below the surface, associated with a layer of sand and gravel sitting above clay. The proposed drainage strategy involves the raising of ground levels by up to 300mm to provide an increased buffer layer between the ground surface and the natural water table, to install below ground storage crates in this buffer layer to absorb and control the release of surface water from the roofs of the proposed dwellings, and to use permeable surfacing for the road to also allow drainage. Both the Environment Agency and the Council's drainage engineer have carefully assessed the information and are satisfied that it meets recognised national criteria for making drainage assessments in areas of high natural water table and that, subject to conditions, including the control of final slab levels and submission of further details prior to commencement of development, the proposals are acceptable in terms of surface water drainage.

6.15 *Foul Water (sewage) Drainage* – Pye homes commissioned a detailed report from Thames Water to survey and investigate the impact of development on the local sewage system. The report was finalised on the 6th of June 2013. The report proposes two mitigation options. The first option involves upgrading the existing network by widening the sewer pipes from 225mm diameter line to 300mm along with other works. The second option involves the laying of a second "relief" sewer to run alongside the existing pipework. Both options run roughly from the roundabout at the end of Milton Road to the Drayton Road pumping station. The Vale is not in a position to question such technical solutions which have been provided by the utility company themselves, who in the position of being both the consultee, investigating party and the contractor. Consequently, officers are satisfied that the sewage matters can be controlled by suitable conditions to guarantee that the works are in place prior to the proposed housing and at the applicants expense.

6.16 In summary, the application remains acceptable to the LPA and other relevant statutory consultees in drainage terms, subject to conditions compelling the applicant to undertake various works before, during and prior to occupation of the scheme.

7.0 CONCLUSION

7.1 Officers are of the view that the reasons for refusal, expressed by Councillors at the June committee meeting continue to be, following careful assessment, addressed by this application. Officers consider this proposal demonstrates that that the various impacts associated with the application can be successfully mitigated, in the context of a five year land supply shortfall. Consequently, the recommendation is to delegate authority to grant planning permission subject to the completion of section 106 obligations with both the Vale and Oxfordshire County Council.

7.2 The applicant/developer has committed to deliver the scheme as soon as practicable, in the form of a delivery statement, which states that land is currently the subject of an option agreement and is under single clear ownership.

8.0 RECOMMENDATION

It is recommended that planning permission is granted subject to:-

1. The completion of section 106 planning agreement with the Vale and with Oxfordshire County Council to provide; affordable housing and on-site public open space, and to obtain financial contributions towards off-site facilities and services including

- education,
- waste collection and management,

- social and health care (inc local NHS provision),
- police equipment,
- recreation and health,
- transport (including Science Vale UK)
- street naming and numbering and
- public art.

2. The following conditions, including

1 : TL1 - Submission of Reserved Matters (RM) within 12 months and works to commence on site within 6 months of the final RM being approved.

2 : MC2 - Materials

3 : LS4 - Tree Protection

4 : RE7 – Boundary Details

5 : RE17 – Slab Levels to be agreed

6 : MC29 – Sustainable Drainage Scheme

7 : MC26 – Off-Site Drainage Details and Implementation (Foul Water)

8 : HY2 – Access in Accordance with Plan

9 : HY3 – Visibility Splays to be agreed

10 : CN11 - Scheme of Archaeological Investigation

11 : MC32 – Construction Method Statement

12: S278 Off-site Highways Works (to improve highway safety)

13: Ecological mitigation strategies

14: Refuse bin storage

15: Distribution of affordable housing

Author: Mark Doodes
Contact Number: 01235-540519
Email: mark.doodes@southandvale.gov.uk