

APPLICATION NO.	P14/V0052/O
APPLICATION TYPE	OUTLINE
REGISTERED	14.1.2014
PARISH	MILTON
WARD MEMBERS	Margaret Turner Reg Waite
APPLICANT	Mr & Mrs Cording
SITE	Land adjoining Drayton Road, Milton
PROPOSAL	Outline application for erection of 18 dwellings, including new access from Drayton Road, internal road and paths and ancillary works (As amended by Site Plan Drawing 12012-sk03 revision D, Street Scene Drawing 10012-sk04 and archaeological evaluation accompanying agent's letter dated 25 March 2014).
AMENDMENTS	One – As above
GRID REFERENCE	448632/192662
OFFICER	Mr Peter Brampton

SUMMARY

This application is referred to planning committee as Milton Parish Council recommends refusal, and eight letters of objection from residents have been received.

The proposal is in outline for the erection of 18 houses on land adjacent to Drayton Road, with a new access, pedestrian crossing and associated works.

The main issues are:

- The location of the site outside the built up limits of the village, contrary to policy
- Whether the site is a sustainable location for new housing submitted in response to the five-year housing supply shortfall
- Whether the proposal will have an acceptable impact on the Lowland Vale landscape in which it falls
- Whether the proposal will impact on highway safety
- Whether the proposal will increase the risk of flooding in the area

The recommendation is to grant planning permission.

1.0 INTRODUCTION

1.1 The application site lies to the northeast of the built up area of Milton, with access onto the Drayton Road on the eastern boundary. The site measures around 0.95 hectares and comprises a private small holding and allotment, with a few low-key storage buildings on the site. The site is on a slightly higher level than the road, but is generally flat.

1.2 The site lies a few metres north of a mini roundabout, which gives access to Milton village itself along the High Street, whilst Sutton Road leads east from the junction towards Sutton Courtenay. Sutton Road generally consists of 20th century two-storey properties, whilst the High Street has a more varied historic character. The boundary of the Milton Conservation Area stops around 150 metres south of the application site.

- 1.3 Milton, combined with Milton Heights, is one of the district's larger villages. As well as the facilities within the village, Milton Park lies immediately to the south, with the A34 interchange beyond.
- 1.4 The application comes to committee as Milton Parish Council recommends refusal, and as eight letters of objection have been received.
- 1.5 A location plan is **attached** as Appendix 1.

2.0 PROPOSAL

- 2.1 This application seeks outline consent for the erection for 18 houses on the site. All matters are reserved except for means of access. The housing mix is yet to be determined, although seven of the houses will be affordable, as per the mix requested by the council's housing team (see Para 3.11). The applicants propose 36 parking spaces, equating to two spaces per unit.
- 2.2 An indicative street scene has been provided that shows two-storey development. The design and access statement indicates a maximum ridge height of about 10 metres. In terms of layout, the applicant proposes to retain a frontage hedge (either the existing retained or a replacement), with a row of six semi-detached houses fronting onto Drayton Road. The rest of the development is arranged around a central access road leading back into the site. Six visitor parking spaces are included within the street layout.
- 2.3 The design and access statement proposes brick and tile properties in a traditional design. Restoration of existing hedgerows is proposed, with supplementary planting proposed to assimilate the development into its surroundings.
- 2.4 During the processing of the application the applicant has provided amended plans to include an area of public open space to the immediate north of the site, to extend the footpaths serving the site, and an indicative street scene. An archaeological evaluation has also been submitted to overcome initial concerns with the proposal.
- 2.5 Financial contributions towards off-site services are required to mitigate the impact of the additional residents who will occupy the proposed development. As well as ensuring affordable housing and public open space is achieved on site, the applicants will provide financial contributions to a number of infrastructure requirements. The contributions are the subject of further negotiations with both the county and district council and can be summarised thus.
- 2.6 **County Council Agreement**
- Science Vale UK Transport Package and 30 MPH speed limit zone extension - £49,266
 - Primary Schools - £46,328
 - Special Educational Needs - £3,066
 - Library Infrastructure - £3,485
 - Museum – £205
 - Waste Infrastructure - £2,624
 - Health and Social Care - £3,300
 - Adult Learning - £464
 - Administration - £1,500
- 2.7 **District Council Agreement**
- Sports and Recreation - £39,926

- Public Open Space Maintenance - £35,216
- Waste Collection - £3,060
- Shop Mobility in Abingdon town centre - £408
- Milton Parish Council contributions – TBC

2.8 Extracts from the applications plans are **attached** as Appendix 2. Documents submitted in support of the application, included the design and access statement, flood risk assessment and transport statement are available on the council's website.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 **Milton Parish Council** – Recommends refusal – *“The dwellings would be outside the limit of the settlement of Milton with no access to the village other than by car. Concerns about the effect on the flood plain were also raised along with the effect of more traffic especially with the agreed new developments on Milton Road, Sutton Courtenay taken into account”*

3.2 **Neighbour Representations** – One letter outlining general support for the application received. Eight letters of objection received. Main points of concern can be summarised thus:

- Greenfield development on a site outside the built up limits of the village
- Proposal of 18 houses represents overdevelopment of a small site
- 18 houses is too large a development for the village of Milton
- Loss of allotments
- Access onto Drayton Road will be a further traffic hazard on a dangerous road
- Increased traffic on local roads
- Increased pressure on local infrastructure
- Development would be harmful to the long views of the Lowland Vale landscape designation in which the site falls
- Residents would heavily rely on the private car, with limited access to public transport
- Poor footpath connectivity to the site
- Increased flooding in Drayton Road and the surroundings
- Site is adjacent to an Anglo-Saxon Burial Ground

3.3 **Oxfordshire County Council Highways Liaison Officer** – Initial concerns relating to lack of pedestrian access from the site to existing footpaths removed following submission of amended plans that show improved pathways that will be secured through a Section 278 agreement. An extension to the 30mph speed limit is required as part of the same agreement. No objections to the proposed access and visibility splays.

3.4 **Oxfordshire County Council Archaeologist** – No objections following submission of archaeological evaluation

3.5 **Oxfordshire County Council Minerals and Waste team** – No objections

3.6 **Drainage Engineer** – No objections subject to conditions relating to strategies for foul and surface water drainage being agreed prior to work commencing on site

3.7 **Thames Water** – No objections, highlights need to protect adjacent sewage pumping station

3.8 **Landscape Architect** – Concerns over the ability to retain existing hedging along Drayton Road to screen the development, the initial lack of amenity space and the lack

of safe access for pedestrians to the village

- 3.9 **Countryside Officer** – No objections subject to pre-commencement condition requiring a reptile survey to be undertaken
- 3.10 **Contaminated Land Officer** – No objections, considers a pre-commencement condition requiring a contaminated land investigation is necessary
- 3.11 **Housing Development Officer** – No objections subject to provision of four two-bed houses and one three-bed house for rent, and two two-bed houses for shared ownership
- 3.12 **Waste Management Officer** – General comments about council's waste collection contract provided
- 3.13 **Crime Prevention Design Adviser** – General comments about Secured By Design provided
- 3.14 **Equalities Officer** – General comments about accessible green space, making shared pavements navigable for blind people and lifetime homes provided.
- 3.15 **Forestry Officer** – Awaiting comments on amended plans. Verbal update to planning committee

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 [P09/V0932](#) - Approved (05/08/2009)
Relocation of access point and gate.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse Local Plan 2011 policies;**

- GS1 - Developments in Existing Settlements
- GS2 - Development in the Countryside
- DC1 - Design
- DC3 - Design against crime
- DC4 - Public Art
- DC5 - Access
- DC7 - Waste Collection and Recycling
- DC8 - The Provision of Infrastructure and Services
- DC9 - The Impact of Development on Neighbouring Uses
- H11 - Development in the Larger Villages
- H13 - Development Elsewhere
- H15 - Housing Densities
- H16 - Size of Dwelling and Lifetime Homes
- H17 - Affordable Housing
- H23 - Open Space in New Housing Development
- NE9 - The Lowland Vale

5.2 **Supplementary Planning Documents/Guidance (SPD/SPG)**

- Residential Design Guide – December 2009
- Open space, sport and recreation future provision – July 2008
- Affordable Housing – July 2006
- Flood Maps and Flood Risk – July 2006

5.3 **National Planning Policy Framework (NPPF) – March 2012**

- Paragraphs 14 and 29 – presumption in favour of sustainable development

Paragraphs 34 & 37 – encourage minimised journey length to work, shopping, leisure and education

Paragraph 47 – five year housing supply requirement

Paragraph 50 – create sustainable inclusive and mixed communities

Paragraphs 57, 60 & 61 – promote local distinctiveness and integrate development into the natural, built and historic environment

Paragraph 99 – Flood risk assessment

Paragraph 109 – contribution to and enhancement of the natural environment

Paragraph 111 – encourage the effective use of land

5.4 **Planning Practise Guidance** - March 2014

6.0 **PLANNING CONSIDERATIONS**

Current policy position

- 6.1 This scheme is contrary to Policies GS2 and H11 of the Local Plan, which restrict development on unallocated greenfield sites and housing developments outside the larger villages of the district. Thus, ordinarily, the council would only consider the potential development of this land through the local plan process given the site's size and location. However, the council must assess this application on its own merits.

Principle of development

- 6.2 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is clear that council's should grant planning permission where the development plan is absent, silent or the relevant policies are out of date, unless any adverse impacts significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies of the NPPF as a whole (Para 14 refers).
- 6.3 Paragraph 47 of the NPPF confirms the need for a council to have a demonstrable five-year supply of housing land, with a 20% buffer to accommodate a persistent under-supply of housing land. It is well documented this council does not currently have this five-year supply and has persistently under-delivered on housing. This lack of a five-year housing land supply requires some flexibility in line with the NPPF when assessing applications that do not accord with local plan policies.
- 6.4 It is clear this application is contrary to local plan policies GS2 and H11. However, whilst the council does not have a five-year housing land supply, these two policies are inconsistent with the NPPF. Therefore, the council must assess the proposed application on its site-specific merits and whether, under the NPPF, it is a sustainable form of development.

Emerging policy position

- 6.5 The emerging Local Plan Part One splits Milton and Milton Heights into two separate settlements, which is a significant change from the existing adopted local plan. Milton remains a larger village, where housing development within the built up limits will be acceptable in principle. Development outside the built up limits of the larger villages will need to be allocated through the local plan or by a neighbourhood plan. Any development will need to be adjacent to, or well related to, the existing built up area of the settlement.
- 6.6 It is important to note that the council has recently updated the local plan document recording land that is considered to be suitable for new housing development (the Strategic Housing Land Availability Assessment, or SHLAA). In that document, this site is identified as an appropriate site for new housing in Milton. This shows that the council could be willing to support this site as a smaller housing allocation through the

development plan process, and this is a material consideration when assessing this proposal. Nonetheless, the emerging local plan has only very limited weight at this stage, so the overriding definition of sustainable development remains that of the NPPF.

Use of land

- 6.7 The land has previously been used as an agricultural smallholding and as private allotments. One objector has highlighted that allotments are generally protected from development. This is correct, but holds only for public allotments. These allotments have only ever been used by the applicants or people connected to them. As such, there is no loss of a community facility here.

Sustainability credentials

- 6.8 This site is slightly unusual in that it lies clearly outside the built up limits of Milton and does not immediately abut existing housing development. The southern boundary of the site lies immediately across from the northern limits of the village, which Sutton Road defines. However, on the eastern side of Drayton Road and The High Street, residential development ends around 150 metres to the south. Between lie a single undeveloped field and a sewage pumping station owned by Thames Water. To the north lies only Courtfield House, a single detached dwelling.
- 6.9 As the emerging Local Plan indicates, new housing development outside the built up limits of a settlement cannot be solely restricted to land that immediately abuts that settlement. It is more an assessment of whether the site relates well to the village. The relationship this site has with Milton has been the subject of local objection.
- 6.10 The amended plans confirm the applicants' intention to improve the footpath links along Drayton Road and Sutton Road. This will consist of improving the footpath along the western side of Drayton Road and linking into the existing footpaths on Sutton Road and the High Street that allows relatively east access into Milton. The main facilities of Milton, such as the recreation ground and the village pub, lie within 400 metres of the entrance of the site, so are relatively walkable. Thus, despite its isolation from the village, the site is well related in practical terms to the facilities of Milton.
- 6.11 It is also important to consider the wider position of Milton in relation to the rest of the district. In this respect, the site is very well placed. To the south of Milton village lies Milton Park, one of the key employment sites in the Vale of White Horse and an Enterprise Zone. Residents of this site could easily access this site by foot or bicycle.
- 6.12 Furthermore, the site's proximity to the A34, with links to Oxford, Reading and many other towns and cities is an important factor. From Milton, the Harwell Science Campus is around a 15-20 minute drive and is another key employment site with an Enterprise Zone. The site lies within the Science Vale Oxford area and the applicants have agreed to pay proportionate financial contributions to the associated transport infrastructure package to the County Council.
- 6.13 Given the clear demand for additional housing in the district, the proximity of the site to local services, the enterprise zone and the major road networks in the area, this site is a suitable location for housing development when assessed against the NPPF.

Cumulative impact considerations

- 6.14 Using the latest population data available to the council, this development will increase the population of Milton parish by 43 people. This represents approximately a 3.45% increase in the population of the parish, which is not a significant increase in the population.

- 6.15 It is important to be mindful of other permitted major developments in the parish. These include a permitted scheme for 18 houses at Lambe Avenue and a resolution to grant a scheme for 48 houses at Milton Hill. These schemes would add 159 people to the parish. These combined, with this scheme, would increase the parish population by approximately 16.3%. Officers consider that, with the appropriate contributions secured to improve local facilities and services, this is a sustainable increase in the population of the parish.

Affordable housing and housing mix

- 6.16 The applicant has indicated their acceptance to the requisite affordable housing provision on the site. This is 40% to accord with local plan policy, in a mix as outlined in Para 3.11. This provision will be secured through a legal agreement should the recommendation of approval be agreed.
- 6.17 The indicative housing mix is seven two-bed properties, nine three-bed properties and two four-bed properties. The council's Housing Needs Assessment indicates that half of the dwellings on any housing site should be two bedrooms or else. Therefore, the detailed reserved matters application will need to alter this mix slightly to include more two-bed units. Any deviation from the required mix will require justification.

Visual impact – landscape, layout, design and appearance

- 6.18 The NPPF is explicit in seeking a high quality outcome for good design in terms of layout and building form, seeing as a key aspect of sustainable development. Paragraph 109 states, "*the planning system should contribute to and enhance the natural and local environment.*"
- 6.19 Currently, the site could not be said to play a positive role in the local landscape. However, the few buildings that do exist are relatively low-key and so this proposal would undoubtedly change the character of this part of Drayton Road. Nonetheless, for the reasons discussed below, the impact of the proposal is not considered to be harmful.
- 6.20 Central to the concerns of the council's landscape architect has been the plans for the frontage hedge with Drayton Road. Whilst the indicative plans suggest this hedge could be retained, in reality it is likely a large swathe of it will need to be removed to achieve acceptable visibility splays. This is not objectionable given the quality of the hedge, which is largely made up of dead elm and smaller plants of no particular value. Following the comments of the landscape architect, the applicant has indicated a willingness to replace the hedge. It is clear that, if done properly, a replacement hedge could enhance the boundary this site has with Drayton Road. This will be necessary to help assimilate the development into its surroundings. Clearly, landscaping will be a key factor in determining any subsequent reserved matters application.
- 6.21 The illustrative layout of the scheme proposes to set the road facing houses back 20 metres from the eastern boundary of the site. This is designed to reduce the prominence of the development from Drayton Road. Coupled with the boundary hedge, the setback should reduce the prominence of the housing to an acceptable degree. Officers consider this housing will be better assimilated into the rural surroundings than nearby properties along Sutton Road.
- 6.22 Policy NE9 seeks to protect the Lowland Vale from development that would have an adverse impact on long distance views across it. This site, currently, is not particularly prominent in the landscape when approaching from the east. This is largely due to the

flat topography of the area and the existing boundary hedge.

- 6.23 The nearest public footpath to the west of the application site is around 425 metres away. The applicant has indicated a willingness to provide new hedges along the northern and eastern boundaries of the site. These will also help to soften the appearance of the development from any long-distance viewpoints from this public footpath. At this distance, it is likely this development would be seen set against the context of the main part of Milton beyond. Whilst undoubtedly it will be clearly seen, it is not considered this development is of a scale or size that will significantly erode the open landscape between Milton and Drayton to the north. In this regard, the proposal accords with the requirements of Policy NE9.
- 6.24 Local objection has indicated that 18 houses are too many for the site, representing an overdevelopment that will place undue strain on local facilities and not reflect local character. However, in its context, the proposed density of 20 dwellings per hectare is not considered to be excessive. Within Milton, there are pockets of both high and low density residential development and it is considered that this development would not be out of keeping with the character of the existing settlement.
- 6.25 Generally officers consider the illustrative layout represents an appropriate solution to the site. It is important to note that it will not be acceptable for plots 13-18 to be solely affordable units at the reserved matters stage. These are the road fronting properties with no garaging. Whilst this layout is acceptable in urban design terms, it would not be acceptable to have one cul-de-sac of affordable houses. However, this is a detailed issue to be resolved at reserved matters stage and the applicant is aware of this stance.
- 6.26 The amended plans show an area of public open space to the north of the development, equivalent to 15% of the total development area of the site. This will be secured as part of the section 106 agreement accompanying the outline planning permission, in accordance with Policy H23 of the Local Plan.
- 6.27 To ensure the quality of the scheme, conditions relating to materials and boundary treatments are necessary.

Highway Safety

- 6.28 Local objection has focussed on the point of access with Drayton Road, which is currently a 60mph speed limit, and the increased traffic on the local road network. The Highways Authority has confirmed the applicant will need to fund the extension of the existing 30mph speed limit northwards, past the new development. This has been agreed by the applicant. With this lower speed limit in place, the visibility at the point of access is agreed to be safe, subject to the conditions outlined in Section 8. The highways authority has raised no concerns about the impact of the additional traffic generated from this development.
- 6.29 Parking within the site is two spaces per property, which is acceptable for two-, three- and four-bed homes. There are also six visitor spaces and so the overall level of parking is agreed. There would be no option for parking on Drayton Road itself.
- 6.30 Local objections have also focussed on the poor pedestrian access to the site. The applicants' acknowledge this and propose improvements to the existing footpath on the western side of Drayton Road. This, coupled with a pedestrian crossing from the site, south of the vehicular access, will address this concern. The precise details of the new footpath will need to be secured via a Section 278 legal agreement with Oxfordshire County Council and agreed via a grampian condition as part of any outline consent.

Drainage and flooding issues

- 6.31 From observations on site, Drayton Road and The High Street are prone to flooding in times of heavy rainfall. This was particularly the case in early 2014. In terms of flood risk from rivers and streams this site falls within flood zone 1, which is the lowest risk.
- 6.32 The applicants have provided a full flood risk assessment with the application, which includes a surface water drainage strategy for the site. The council's drainage engineer has confirmed this is acceptable in principle. A grampian condition is necessary to ensure the prior agreement to a detailed surface water drainage strategy before work starts on site. This strategy will need to be SUDS compliant to prevent water draining onto the highway.
- 6.33 The applicants have also provided a foul drainage assessment that indicates capacity may exist within the wastewater infrastructure near the site. Thames Water has raised no objections on this issue. A grampian condition will require the applicants to confirm a detailed foul water drainage strategy.
- 6.34 *Other Issues*
A pre-commencement condition will require the applicant to demonstrate adequate provision of refuse and recycling storage. This is to meet the requirements of the council's waste contractor.
- 6.35 The applicants have carried out an archaeological field evaluation at the request of the county archaeologist. This evaluation has found no particular items of interest and no further archaeological works are required.
- 6.36 There are no concerns this development would materially impact on the amenity of any neighbouring property. It is noteworthy the presences of power lines would prevent this development extended northwards towards Courtfield House.
- 6.37 There are no particular ecological concerns with this application, although the countryside officer recommends a reptile survey be undertaken by condition. The provision of new hedgerows will offer ecological benefits.
- 6.38 The council's contaminated land officer has recommended a condition requiring the applicants to undertake a contaminated land investigation prior to work commencing on site. However, there is no record of contamination on the site and so it is considered such a condition would be unduly onerous and not justified.
- 6.39 The crime prevention design advisor recommends a condition requiring Secured By Design to be achieved. This will be an issue at reserved matters stage. However, of particular concern will be the rear boundaries of those plots that back onto the public open space and field beyond. These boundaries will require some reinforcement, but in such a way as not to prevent any natural surveillance of the public open space.
- 6.40 The target deadline for determining this application has passed. The section 106 agreements with the Vale and with Oxfordshire County Council are well advanced, and officers are confident that planning permission can be granted. However, to allow time for securing a full and proper set of contributions, officers propose a one month period following this committee to finalise the agreements.

7.0 **CONCLUSION**

7.1 This proposal does not accord with the development plan and so the council has advertised it as a departure. However, in light of the current shortfall in the council's five year housing supply, the proposal is considered acceptable given the following:

- Character – The site can be visually self-contained through the introduction of new planting despite its isolated nature and will not have a materially harmful impact on the wider landscape
- Sustainability – The site is well located to access the facilities of Milton, one of the districts larger villages, the employment opportunities of Milton Park and the A34 and so is a sustainable location for new residential development.
- There are no technical concerns regarding highway safety, flood risk, drainage and archaeology

7.2 The proposal would result in a sustainable development in terms of the relationship and proximity to local facilities and services. Importantly, this site is in a single ownership and the applicant has agreed the provision of affordable housing to meet local requirements and this makes the site deliverable within eighteen months. This makes a measurable contribution to help address the current housing land shortfall. A condition requiring the commencement of development within eighteen months of the date of the grant of planning permission is recommended and is acceptable to the applicant

8.0 **RECOMMENDATION**

It is recommended that authority to grant outline planning permission is delegated to the head of planning in consultation with the committee chairman and vice-chairman subject to:

1. A S106 agreement with both the County Council and District Council in order to secure contributions towards local infrastructure and to secure the affordable housing.

2. Conditions as follows

1 : Commencement - 6 months after reserved matters approval

2 : Reserved matters submitted within 1 year of outline consent

3 : Approved plans

4 : Sample materials to be agreed

5 : Boundary Details to be agreed

6 : Tree Protection to be agreed

7 : Drainage Details (Surface and Foul) to be agreed

8 : Refuse Storage to be agreed

9 : Reptile survey to be agreed

10 : Visibility Splays to be agreed

11 : Access, Parking & Turning to be agreed

12 : Green Travel Plans to be agreed

13 : New Estate Roads to county council standard

14 : Construction traffic management plan to be agreed

15 : Provision of new footpaths to be agreed and implemented prior to occupation

16 : No Drainage to Highway

17 : Approved drainage scheme to be implemented alongside FRA

3. If the required section 106 agreements are not completed, and planning permission cannot be granted by the determination deadline of 18 July 2014, it is recommended that authority to either refuse planning permission or to allow further negotiation is delegated to the head of planning in consultation with the chairman and vice-chairman.

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