

**Planning Committee**  
**Wednesday 13 April 2016**

**Addendum Report**

## **Item 9 – P15/V2952/O – King Alfred’s School East, Springfield Road, Wantage, OX12 8ET**

### Update

A letter from the applicant has been circulated to members. A further letter of objection signed on behalf of a number of residents has also been circulated to members. Your officers’ response to the issues raised in the objection letter are set out below:

#### **Traffic**

*There have been many comments about traffic generation in the Springfield Road/ Charlton Road vicinity. However, we believe that the local survey of that area is the tip of the iceberg. Before any application is decided there should be a review of the whole traffic situation in Wantage. By relocating 600 students + staff to Centre Site, the impact of additional traffic would be unsustainable.*

Officer response: The county highways officer raises no objection to the proposal.

#### **Loss of school**

*The revised application states that 35fte staff will be transferred to Centre or West Site (section19). This appears to be an underestimate. In 2012, according to the published accounts there were 188 staff across the 3 sites. It is unlikely there were only 35 based at East Site. The number should include administration and catering staff. This only addresses one aspect of the changes required. The other aspect is the crucial need for a detailed plan for incorporating space for 600 students in Centre Site. This is paramount. The whole master plan has to be clearly defined before any changes are implemented. As such, the current application is incomplete and there is a great risk that the students will suffer.*

Officer response: The county education team raise no objection to the proposal and are supportive of the applicant’s aim to consolidate to two sites. Details on how this is achieved is not material to the determination of this outline application as it is the responsibility of the county council as education authority to ensure sufficient pupil places are provided.

#### **Brownfield Site**

*Following our research, we believe that the whole site is not brownfield. 3.2 hectares is green field and is an important local amenity, 1.7 hectares is brownfield (school buildings).*

Officer response: The site is a mixture of previously developed land and playing fields as defined in the NPPF glossary.

#### **Playing Fields**

*Has an application been made to seek permission from the Secretary of State to dispose of the playing fields as required under the Academies Act 2010? Sport England has made its support contingent upon King Alfred’s providing increased*

*access to its West and Centre site sports facilities to the local community. What are replacement proposals?*

Officer response: This Academies Act 2010 is a separate process to the planning system and is not material to the consideration of the application. The other issues are addressed in the original report.

### **Density**

*We believe that the number of houses proposed contravenes the current Vale Design Guide.*

Officer response: This is addressed in the original report.

### **Pedestrian/Vehicular Accesses**

*We do not feel that the arrangements for pedestrian and vehicular access to the site both during construction and subsequently have been considered properly. For example, the access shown in the North East corner of the site is not a current thoroughfare and would generate significant pedestrian traffic. This would be exacerbated by the proposed additional access at the South West corner of the site. A diagonal route across the site would be created which would have a detrimental effect on the amenities of the existing and future adjacent properties.*

Officer response: The county highways team raise no objection to the proposal and access through the site would not be so harmful to amenity of existing properties to warrant refusal.

### **Summary**

*The main reason for this planning application appears to be for KA's to add value so that they can sell the Site to a developer to enable them to then commit funds for further planning applications on Centre and West Site. Without a planning permission for development of Centre Site with its attendant Traffic Survey and Infrastructure requirements there is nowhere for the staff and students to go. Whether the value realised on an East Site sale would be sufficient to pay for that development is a matter of conjecture. £11 million has been talked about but if that is the gross figure, the S106 Agreement costs, etc are likely to be in the region of £25k per dwelling which would need to come out of that (approx. £3 million).*

*We believe that, at the very least, this application should be deferred until the full development plans for King Alfred's are submitted for planning approval and approved so that further consultations can take place and the proposal for East Site can be viewed in proper context.*

Officer response: The sale value of the land is not material to the consideration of the application. The applicants have confirmed the contributions requested are viable. The proposal is acceptable and it would be unreasonable to withhold permission until the future plans for the other two sites are permitted where the county council as education authority raise no objection to the proposal.

### Clarification of matters in the Committee report:

Paragraph 6.56. Following a review of pooling restrictions, there have already been 5 contributions secured towards Wantage day care. As such, under CIL Regulation 123 a further contribution towards this facility cannot be requested and is omitted from the list. This results in a revised contribution total of £1,596,581 (approximately 10,644 per unit).

### **Item 10 – P15/V2933/O – Land north of Appleford Road, Sutton Courtenay**

#### Update 1

Since writing the report two letters have been received. The material planning considerations expressed in the letters are that the village will be destroyed with increased traffic, no services, sewage, and flooding.

#### Officer Response

These matters are addressed in the report.

#### Update 2

The Chairman has shared with officers an email from a local resident that draws attention to two main issues:

1. The highway authority has accepted the applicants transport assessment which acknowledges increased traffic at a junction that is over capacity and that officers have ignored a submission compiled by a local resident who is a qualified traffic engineer which is based on primary data and which shows traffic mitigation measures will be ineffective.
2. The flood risk assessment (FRA) has been shown through independent assessment to be flawed and this has been ignored by the Environment Agency (EA). Flooding of the proposed site outside of existing flood areas has been reported by a large number of residents in their objections (including flooding of an adjoining property caused by surface runoff from the field) which has been ignored by the EA.

#### Officer Response

Photographs of queuing traffic and a letter of objection to OCC that raises the issue of queuing traffic, includes traffic counts and findings, and a critique of a proposed signalised junction were sent to the highway authority asking that these matters be taken into account prior to them responding to our consultation. In addition officers asked the highway authority to take into account consented housing schemes in the village including the 195 dwellings on the Amey site, those behind Milton Road plus the draft local plan strategic site allocation.

In their response the highway authority advise they have no objection and that *"the applicants submitted transport assessment provides a fair appraisal of the likely traffic generation of the development and derived impact upon the local highway network"*.

In terms of flooding the assessment produced for local residents of the applicant's FRA was sent by officers to the EA, OCC and district council drainage engineer, and asked that it be taken into account. They were also asked to consider local resident concerns that the applicant's ground water tests were in late summer when levels would be lower than the winter months and I reminded them of flood events in 2007, 2012 and 2014. In all cases the flood risk and drainage consultees have not raised any objections. This council's drainage engineer has advised the applicants flood risk assessment is sufficient in demonstrating a sustainable surface water drainage system is feasible.

## **Item 11 – P15/V2998/FUL – 40 Cumnor Hill, Oxford, OX2 9HB**

### **Update 1**

Since writing the report 6 further comments have been received in response to the application and the committee report, and a further comment from the Ward Councillor, Dudley Hoddinott has been received.

The main issues raised can be addressed under the following headings.

### **Boundary separation to No 42**

- *1.5m to the boundary is unacceptable in terms of DG81 of the design guide.*
- *The report suggests DG 81 does not apply to every case but only to groups of 4 or more.*
- *It is not made clear that the proposed dwelling now sits 1.5m from the boundary as result if its increased width*
- *The reference to the distance being satisfactory by Inspector is incorrect*
- *Loss of trees*

### **Officer response**

The officer's assessment with regards to this is set out in paragraphs 6.11 to 6.15 of the report. The design guide is a supplementary planning document and aims to provide general guidance on the form that new developments should take (para 1.2.2 design guide). It should be read as a whole.

Principle 78 advises that "*visual gaps that reflect the general character of the immediate area should be retained between buildings on adjacent plots*". Principle 81 advises that "*side boundary separations of at least 2 to 5 metres (depending on the location) should be retained at all levels.*"

There is no restriction on what size or type of development these principles should apply to, however every case must be assessed on its individual merits and the site character. The gaps between dwellings and their boundaries along this part of Cumnor Hill vary from over 10m to 0m. Therefore this aspect of the character of the immediate area is varied and there are in existence separation distances of less than 2m. DG 79 should be considered alongside DG81.

For clarification, the assessment at paragraph 6.14 of the report, that the separation distance to No 42 of this application is satisfactory, is your officer's, not the previous inspector's. The proposed dwelling would be 1.5m from the boundary at one point along its side elevation and this is due to the width of the dwelling. The gap would

widen out towards the front and towards the rear to 2m or more. Officers consider these separation distances are acceptable in light of the local character.

With regards to the loss of trees along the boundary, the forestry officer has not raised any objection to the application. The trees are not protected. Members who visited the site will be aware that there is a double line of conifers and the applicant stated that the intention is to retain the line closest to No 42 and supplement with additional planting. There is a suggested landscaping condition which will require details of new landscaping for the new dwelling to be approved by the council.

### **Overlooking**

- *The privacy screens will not be effective*
- *There will still be ground floor balcony views over neighbour gardens*
- *Loss of privacy*
- *Overlooking to no 42 remains harmful. Inspector made it clear planting is not a solution to the problem of overlooking*

### Officer response

The use of conditions to require privacy screens as part of a development is an acceptable planning condition and would meet the six condition tests.

Your officer's assessment of the level of overlooking of the neighbouring gardens that would be afforded is set out at paragraphs 6.17 to 6.30 of the report. Your officer's view is that any overlooking that may potentially occur from the windows or ground floor balconies is acceptable and would not harm neighbour amenity.

The plans show a significant portion of the boundary planting between No 40 and No 42 is to be retained. In any event the rear elevation of the proposed dwelling along this boundary will be set further back into the site than No 42 and is lower down the slope. Officers therefore consider that any potential overlooking that could occur, with or without the large hedge, would be towards the lower garden of No 42. It would not be directly towards the garden area behind the house. Officers do not consider it would cause harm to the neighbour's amenity.

### **Drainage**

- *Details should be transparent. Conditions not good enough*
- *Flooding and drainage issues have already been identified with previous applications.*
- *Statements made are not accurate. Objectors views not represented*
- *Thames Water have neither approved this scheme nor objected to it*
- *Condition 11 does not comply with para 206 of the NPPF which states that planning conditions should be precise. The appeal inspector of nearby site confirmed this point: a condition which 'simply requires further investigation and the submission of details of how any arising [drainage] issues may be mitigated' is not acceptable.*

### Officer response

The officer's consideration is set out in paragraphs 6.36 to 6.43 of the report. The proposal has been carefully considered by the council's drainage engineer. The report sets out your officer's assessment of the drainage issue, following feedback

from the drainage engineer. A drainage strategy, to collect the water in an attenuation tank and pump it to the sewer, has been agreed with the drainage engineer. A technical solution exists for the site. The exact details of storage volume and discharge rates have not been submitted but the drainage engineer is confident that the strategy is achievable and would not result in flooding elsewhere.

It is known that objectors do not share this view and are requesting that a full drainage scheme should be available before determination. Their views are summarised in the report and all their comments are available in full on the website for members to consider.

In its response to the application Thames Water raises no objection with regards to the capacity of the surface water sewer in relation to this scheme. It is therefore reasonable to take the view that there is capacity in the sewer to enable the site to drain into it. This was part of the drainage engineers' assessment.

With regards to the reference to an appeal decision at a nearby site, that site was 54 Hurst Rise Road and the appeals were for 7 and 10 dwellings. It is important to note that that appeal scheme did not have the support of the drainage engineer. It was also not clear whether any drainage issues or mitigation on that site would have consequential impact upon the layout and design of the scheme as a whole. The inspector could therefore not word a precise condition in that case.

In this application, the drainage engineer is satisfied with the proposed strategy. The full wording of condition 11 is:

*No development shall commence until a fully detailed sustainable drainage scheme for foul and surface water of the development shall be submitted to, and approved in writing by the District Planning Authority. The approved scheme shall be implemented prior to the occupation of the dwelling to which the scheme relates.  
Reason: To ensure the effective drainage of the site and to avoid flooding.*

### **Character**

- *The dwelling is out of character*
- *The scale and design are inappropriate*

### Officer response

Members are referred to paragraphs 6.3 to 6.10 of the report.

### **Badgers**

- *Up to date badger report should have been provided*

### Officer response

Members are referred to paragraphs 6.48 to 6.50 of the report and the comments from the countryside officer.

### **Update 2**

Members are advised that paragraph 6.53 of the report which refers to the impact of solar gain is withdrawn from the committee report as this was not received as a formal objection.

## **Item 12 – P15/V1074/O – Land at Reading Road, Harwell, OX11 0LW**

1. A letter from the applicant has been circulated to members.
2. A further letter of concern has been received, regarding the submitted “Extended phase 1 habitat survey”. It has been raised, that the provided document is out of date, as it is from 20th March 2014.

### **Officer response:**

The Countryside Officer has been asked for a view on this matter, and it has been confirmed that it is not considered in the Countryside Officer’s opinion that the submitted document is out of date. In addition, the impact of the proposed development could not constitute a reasonable and justifiable reason for refusal.

3. An additional representation has been received, raising the concerns listed below:
  - a) Comments from the Conservation and design team not being taken into account;

### **Officer response**

The comments from the Conservation and design team have been referred to in paragraph 6.70 of the Committee Report.

- b) The AONB Unit’s response has not been “fairly summarised”;

### **Officer response**

The AONB Unit has objected to the proposal, which is clearly outlined on page 96 of the Committee agenda. In addition, as the table represents a summary only, it has been outlined that the full comments can be viewed online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

- c) It has also been raised that the table illustrating SHMA mix has included all 16 dwellings, and should only be illustrating market houses.

### **Officer response**

As this is an outline application, the precise mix that might be accommodated on site will be provided by the applicant and assessed by the Local Planning Authority when the reserved matters application is submitted, should outline permission be granted. Notwithstanding, Officers will expect any reserved matters applications to closely comply with the April 2014 Oxfordshire Strategic Housing Market Assessment (SHMA) mix which is the most recent objective assessment of housing need (or any document that supersedes the SHMA).

d) The North Wessex Downs AONB Managements Plan has not been discussed in the Committee Report, whereas it was discussed in detail in other Committee Reports.

Officer response:

The North Wessex Downs AONB Management Plan has been taken into consideration when assessing the proposal. All documents and relevant policies used in the assessment are listed in section 5.0 - "Policy and Guidance" of the Committee Report. The document mentioned above is listed among the documents taken into consideration in paragraph 5.8 of the Committee Report.

e) It has been queried, why this proposal is not treated as a major development, while it represents a similar "proposed floor space" to the other proposals, which were treated as "major developments" in Chilton, Blewbury and Harwell.

Officer response

This matter has been explained in detail in paragraphs 6.11-6.18 and 6.36-6.39 of the Committee Report.

**Item 13 – P15/V0524/FUL – 45 Cumnor Hill, Cumnor**

No updates.

**Item 14 – P15/V1379/FUL – Land adjacent to Yew Tree Barn, The Paddocks, East Hanney**

No updates.

**Item 15 – P15/V2017/O – Land adjoining Dragon Hill, Woolstone**

No updates.

**Item 16 – P16/V0053/FUL – Land to the rear of 28 Ormond Road, Wantage**

No updates.