

APPLICATION NO.	P15/V2899/O
SITE	Milton Interchange Service Area, Milton, Abingdon OX14 4TX
PARISH	Milton
PROPOSAL	Development of roadside services and facilities and other appropriate development. (As clarified by drawing nos: 1433-10 Revision F and 1433-20 Revision A accompanying agent's email of 18 December 2015 and by technical notes on impact on Milton Interchange received June 2016 and December 2016)
WARD MEMBER	Stuart Davenport
APPLICANT	Minscombe Properties Ltd
OFFICER	Peter Brampton

RECOMMENDATION

That authority to grant outline planning permission is delegated to the head of planning subject to:

1: A S106 agreement being entered into between the applicant and Oxfordshire County Council in order to secure contributions towards local highway infrastructure and to secure the safeguarding of land for pedestrian access from the Milton Heights strategic allocation towards the A4130, and;

2: Conditions as follows:

Compliance

- 1 : Commencement and submission of reserved matters within three years.**
- 2 : Approved plans.**
- 3 : Total floorspace of 9,380 square metres, with maximum 20% being B8 use**
- 4 : Permitted development restriction on entire site.**
- 5 : Wildlife protection (mitigation as approved).**
- 6 : Access as approved.**
- 7 : New estate roads to highway authority specification.**

Details to be submitted prior to commencement

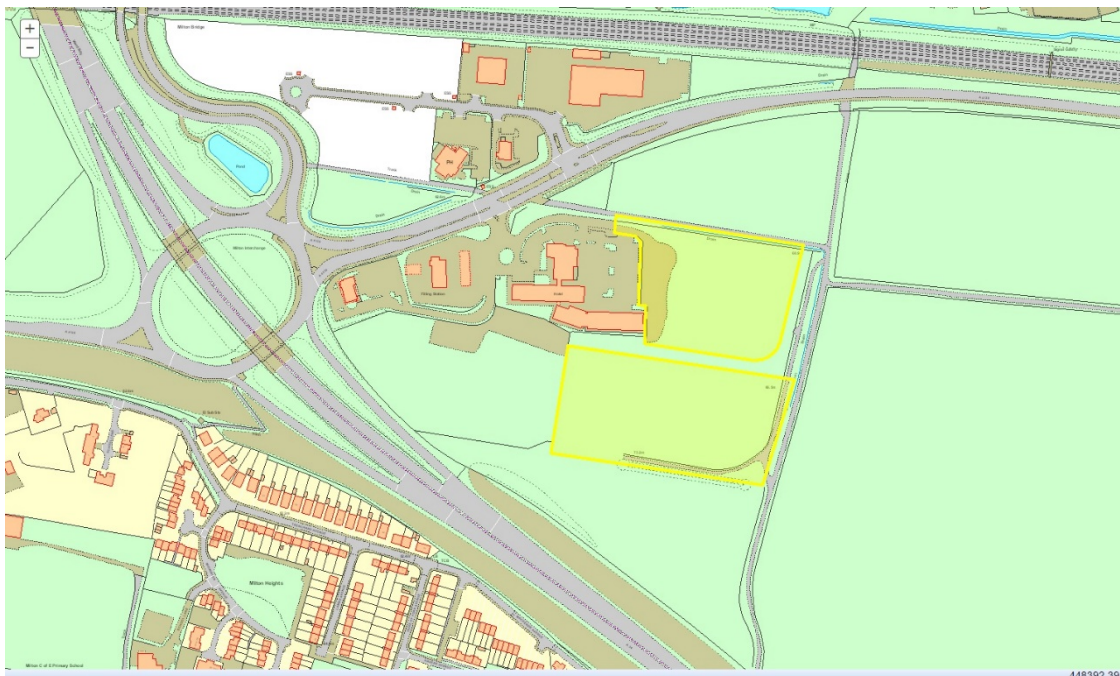
- 8 : On and off site highway works to be agreed.**
- 9 : On site wheel washing facilities to be agreed**
- 10: Surface water drainage details to be agreed.**
- 11: Foul water drainage details to be agreed.**
- 12: Tree protection to be agreed.**

Details to be submitted prior to occupation

- 13: Green travel plans to be agreed.**
- 14: Electric vehicle charging point provision to be agreed.**

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to planning committee as the officer recommendation differs from that of Milton Parish Council.
- 1.2 This application site lies to the south of the section of the A4130 that links Didcot to the A34. To the west and northwest of the site lies an existing roadside services development providing a Premier Inn, the “Applecourt” restaurant, a BP petrol station and a McDonalds. Further west lies the Milton Interchange junction with the A34.
- 1.3 To the north and northwest, on the opposite side of the A4130, lies a newly developed area covered by the Milton Park LDO known as Milton Gate that has permitted car dealerships, a coffee shop and a Harvester restaurant, with Milton Park itself beyond. To the east lies farmland that constitutes the North West Valley Park strategic site for housing within the Vale of White Horse Local Plan 2031 Part One.
- 1.4 To the immediate north of the site lies an area of land subject to a current planning application for commercial development in the A1, A3, A5 and C1 use classes (Application P15/V2880/O) and these two applications will combine to develop the entire site for new retail and employment uses. Since April 2016, the entirety of this site is part of the Science Vale UK Enterprise Zone and now also falls within the Didcot Garden Town area designation.
- 1.5 A location plan is provided below:



- 1.6 Vehicular access to the site will be possible once the landowners implement the access and internal spine road permitted under P14/V0087/FUL. This access road will run to the immediate east of this application site, splitting it in two as shown on the location plan. The approved plans for this access road

are **attached** as Appendix One.

1.7 This application seeks outline planning permission (all matters reserved save for access) for the erection of a number of commercial buildings on the site in the B1, B2 and B8 use classes. The indicative layout for the site shows one way in which the site could be built out but, at the stage, the only fixed element is the total quantum of floorspace, which is proposed to be 9,380 square metres in a number of single or two-storey buildings.

1.8 The indicative plans for the site are **attached** as Appendix Two.

1.9 This report should be read in conjunction with the committee report for **P15/V2880/O**. These two applications combine to represent the total masterplan for the two sites. However, they are separate applications seeking approval for separate schemes for differing landowners and have been assessed on their individual merits.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 Milton Parish Council	<p>Objection on the following main grounds:</p> <ul style="list-style-type: none"> • Traffic concerns • Lack of information <p>Officers note the Parish Council have not specified which aspects of the scheme they consider to be lacking in information</p>
Harwell Parish Council	No strong views
Oxfordshire County Council Highways	<p>No overall objection following December submission of additional traffic modelling on impact on Milton Interchange</p> <p><i>Section 106 requests</i></p> <ul style="list-style-type: none"> • Safeguarding of strip of land along eastern boundary, with associated permissive rights, to allow pedestrian access from Milton Heights allocation to A4130/Milton Park • £28,000 for bus shelters, information signs and real-time information boards on A4130 (split with P15/V2880/O if both schemes approved) • £2,500 for Traffic Regulation Order for an extended 40mph speed limit on A4130 (split with P15/V2880/O if both schemes approved) • £2,040 for Travel Plan monitoring <p><i>Conditions requested</i></p> <ul style="list-style-type: none"> • Off-site highway works to be agreed • Access to site to be provided as per P14/V0087/FUL prior to occupation or use of development • Surface Water Drainage scheme to be agreed

	<ul style="list-style-type: none"> • Phasing of development to be agreed • Construction Method Statement to be agreed • Construction Traffic Management Plan to be agreed • Green Travel Plan to be agreed <p><i>Comments</i></p> <ul style="list-style-type: none"> • December 2016 modelling shows Milton Interchange reaching current capacity by 2021 with all planned development • This proposal is not the sole cause of this and the modelling assumes a worst case scenario in terms of uses • County Council can now plan for a solution to the capacity issues at Milton Interchange • In-kind mitigation of land safeguarding for pedestrian access from Milton Heights required, rather than financial contributions, to ease this proposals impact on the capacity of the A4130
Highways England	<p>Holding response:</p> <ul style="list-style-type: none"> • Concerns about impact of proposal on operation of the A34 • Unclear if OCC accept the conclusions of the December 2016 technical note given need to agree mitigation that could affect A34 • Undertaking separate review of the modelling proposals • Will comment again when application is in its final form
Oxfordshire County Council Archaeology	No objection
Drainage Engineer	<p>No objections</p> <ul style="list-style-type: none"> • Pre-commencement condition requiring prior approval to surface and foul water drainage schemes required.
Thames Water	<p>No objections</p> <ul style="list-style-type: none"> • Pre-commencement condition requiring prior approval to foul water drainage scheme required
Environment Agency	<p>No objections</p> <ul style="list-style-type: none"> • General comments about groundwater protection and foul drainage offered
Countryside Officer	No objection

	<ul style="list-style-type: none"> Compliance condition requiring implementation of mitigation measures contained within Ecological Survey required, in particular in relation to badger activity, Japanese Knotweed, reptile translocation and reptile receptor site
Landscape Architect	<p>No objections</p> <ul style="list-style-type: none"> Nature of the A4130 and adjacent service area effects the visual qualities of the site Proposals will have a minor localised impact Indicative layout with proposed one and two storey buildings is reasonable Welcome space for new landscaping, particularly on the eastern boundary Support strong pedestrian spine through the site
Air Quality Officer	<p>No objections</p> <ul style="list-style-type: none"> Requests pre-commencement condition requiring provision of electric vehicle charging points to be agreed.
Contaminated Land Officer	No objections
Environmental Health Officer	No objections
Neighbour Representations	None received

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P15/V2770/NM](#) - Approved (15/12/2015)

Non-material amendment to planning permission P14/V0087/FUL, for alteration and adjustment of section of the road alignment.

Construction of a Service Road for the Milton Interchange Services Area together with a new junction to the A4130 and associated works including a new traffic light controlled pedestrian/cycle crossing.

[P14/V0087/FUL](#) - Approved (02/05/2014)

Construction of a Service Road for the Milton Interchange Services Area together with a new junction to the A4130 and associated works including a new traffic light controlled pedestrian/cycle crossing.

3.2 **Pre-application History**

[P15/V2146/PEJ](#)

Proposed development of road-side services facilities and other suitable and appropriate uses.

Advice offered on:

- Principle of development

- Proposed accommodation
- Design and Layout
- Highway Safety
- Lighting
- Landscape
- Ecology
- Drainage

3.3 **Screening Opinion requests**

[P15/V2836/SCR](#) – EIA not required 14/01/2016

Commercial development – covering entire site area of P15/V2880/O and P15/V2899/O

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 This site has been screened for the need for an Environmental Statement and a negative opinion offered (See Para 3.3)

5.0 **MAIN ISSUES**

The relevant planning considerations in the assessment of this application are:

- Current employment policy
- Traffic generation and highway safety
- Design and layout
- Landscape and visual Impact
- Flood risk and drainage
- Ecology
- Air Quality
- Commencement Period

5.1 **Current Employment Policy**

The council's Development Plan is the starting point for assessing this case and it consists of the adopted Local Plan 2031 Part One, the saved policies of the Local Plan 2011 and the emerging Local Plan 2031 Part Two. Part Two of the Plan is, at the time of writing, undergoing public consultation at the Preferred Options stage and so only limited weight can be applied to the policies within it. Full weight can be applied to Part One of the Plan and the Saved Policies. Officers are also mindful of the aspirations of the Science Vale Enterprise Zone and the ongoing work on the Didcot Garden Town project.

5.2 Core Policy 28 confirms that proposals for new employment development in B1, B2 or B8 use classes will be supported on unallocated sites in or on the edge of the built up area of Market Towns, Local Service Centres and the Larger and Smaller Villages, providing the benefits are not outweighed by harmful impacts such as neighbouring amenity, provision of safe site access for all highway users and character and landscape.

5.3 Arguably this site is not located on the edge of any settlement, but is immediately adjacent to the existing and proposed service areas, lies opposite Milton Gate with Milton Park beyond and shares a boundary with the North West Valley Park strategic allocation. It also falls within the Science Vale UK Enterprise Zone. Therefore, officers are satisfied it is located in a highly

sustainable location and should benefit from the allowances of Core Policy 28 and so the principle of this development can be supported.

5.4 This is subject to a condition that restricts the floorspace and uses of the development to that shown on the indicative plans, with a maximum of 20% being in B8 use at any one time, given the Enterprise Zone location and the potential for large scale HGV movements close to the North West Valley Park development. This condition is necessary to ensure the council retains control over the uses of the site so they remain in accordance with the policies of the Development Plan, particularly Core Policy 28. There are also character and highway safety implications that make this condition necessary, and these are discussed later in this report. A permitted development restriction for the entire site is also recommended so that the council retains control over the future growth of the site for similar reasons.

5.5 **Traffic generation and highway safety**

Saved Policy DC5 requires safe access for developments and that the road network can accommodate the traffic arising from the development safely. The NPPF (Paragraph 32) states, "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*" More specifically, Saved Policy TR3 of the Local Plan 2011 confirms that developments which would likely increase congestion in the vicinity of the A34 Milton Interchange will only be permitted if necessary improvements to the transport network are secured. This includes a number of specific sites listed within the policy, including this one. As the access road to this site has already been approved, the main issue to consider when assessing this proposal on highway safety is the impact of its traffic generation.

5.6 The need for, and scope of, modelling work to demonstrate the impact of this proposal when considered cumulatively with other planned development in the area has been the source of lengthy negotiations between the applicant, Vale officers and Oxfordshire County Council as Highways Authority. The applicant's transport consultant produced an appropriate note covering this issue in December 2016, allowing the application to move forward positively.

5.7 The Modelling Note has appraised the following junctions:

- Milton Interchange
- BP/Premier Inn/Applecourt/McDonalds access junction
- Milton Gate access junction
- Consented junction for this site (P14/V0087/FUL)

5.8 To ensure consistency of approach, the applicant has used an amended version of the modelling work of Milton Interchange used when assessing the impacts of the Valley Park application to the east of this site (Application Ref: P14/V2873/O). As this application is seeking outline planning permission for 4,254 houses, no comprehensive modelling of the impact of this commercial proposal can take place without including the results of previous modelling work for Valley Park. This ensures consistency with the NPPF requirement to consider the cumulative impacts of development on highway safety.

- 5.9 The results of the modelling show that, even without this development taking place, other anticipated development in the area, including Valley Park, will start to cause capacity issues at Milton Interchange by 2021. Once this development is factored in, on a worst case scenario that includes all of the B use class accommodation proposed under this application to be in a B1 use, which is the most traffic intensive use of the three uses proposed, the modelling note shows that the further harm to the capacity of Milton Interchange will be less than an additional 3%. The applicant contends that this does not demonstrate a “severe” transport impact as required by the NPPF.
- 5.10 In consultation, Oxfordshire County Council as Highways Authority have removed their initial holding objection in light of the results of the modelling work. The County Council has confirmed that Milton Interchange will reach capacity earlier than they anticipated but are now able to properly consider options to address this future problem based on the evidence provided. The County Council agrees that the impact of this proposal will not be severe so there can be no conflict with Paragraph 32 of the NPPF.
- 5.11 The second critical point that has been the subject of negotiation between the parties has been mitigation for the impacts of this proposal on the A4130 and Milton Interchange. Initial requests from the Highways Authority for a financial contribution to strategic improvements to the A4130 have been strongly contested by the applicants and officers have worked proactively with all parties to find a solution. The Highways Authority initially requested a contribution from the uses proposed, based on a per square metre calculation. The applicant did not believe this approach met the CIL test of being necessary to make the development acceptable given they consider the additional impact of their proposal on the road network to be limited.
- 5.12 Whilst officers acknowledge the stance of the applicant, there is clear policy backing from Saved Policies TR3 and TR10 and Core Policy 7 of the adopted Local Plan for seeking financial contributions from this development to mitigate its impact. A further relevant consideration is the proposal within the emerging Local Plan Part Two to safeguard land for a pedestrian footbridge leading from the Milton Heights strategic allocation across the A34 into this site and then a footpath linking to the existing public rights of way on the A4130 and across into Milton Park.
- 5.13 The safeguarded area that will effectively be a “landing zone” for the new bridge falls within the ownership of the applicants for this application. The applicants for P15/V2880/O control the land between the Minscombe Land and the public highway. Therefore, both of these applications have a role to play in ensuring land is retained in perpetuity for this pedestrian link. There is a current application for 458 houses on this site (Ref: P16/V2900/FUL) in line with the allocation within the adopted Local Plan. A permissive right of way for pedestrians from the bridge across the applicants’ private land will need to be detailed in the Section 106 agreement alongside the safeguarded land. Alternatively, the land in question can be offered up for adoption by the Highways Authority as public highway which would also serve to secure it.

- 5.14 By facilitating this link, the applicants will assist in reducing the number of vehicular movements from Milton Heights across Milton Interchange onto the A4130 and into their site. This will ease pressure on the A4130 and mitigate the additional traffic movements associated with this proposal.
- 5.15 Overall, officers are satisfied that this “in-kind” mitigation is an adequate and pragmatic compromise to ensure that this proposal does make a meaningful contribution to easing the wider issues with traffic congestion around Milton Interchange. Officers understand that the County Council agree in principle to this solution subject to the completion of a Section 106 agreement as outlined in the recommendation.
- 5.16 This Section 106 agreement will also secure agreed financial contributions to providing bus stops and information boards on the A4130 and to extend the 40 MPH speed limit along the A4130 past the site through a Traffic Regulation Order. Subject to the above being secured, officers are now satisfied that this proposal will have an acceptable impact on highway safety.
- 5.17 **Design and Layout**
The NPPF provides that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 60). It gives considerable weight to good design and acknowledges it is a key component of sustainable development. Core Policy 37 seeks to ensure good design is incorporated into all new development whilst the council’s design guide aims to raise the standard of design across the district.
- 5.18 At this stage, only full consent is sought for the access to the development, which is already agreed under P14/V0087/FUL. The application is supported by an indicative masterplan, which is largely led by the approved alignment of the access road, which runs down the eastern side of the site and then cuts the site in two running across the land in a westerly direction and behind the existing Premier Inn on the site to the west.
- 5.19 The applicant has been clear that they require a good deal of flexibility within the site layout as the final scheme will be largely determined by future tenants. Thus, the indicative site plan has been treated as only one option for laying the site out. As noted by the Landscape Architect in consultation, there is plenty of space provided for landscaping of the site, particularly along the sensitive eastern boundary with North West Valley Park, and there is a strong pedestrian priority route through the site not seen on the service area land to the north.
- 5.20 At the detailed stage, the proposed units will need to be dual fronted to ensure active frontages onto the main spine road and their internal parking areas. Planting within parking courts will need to be placed in tree pits that provide adequate volumes of soil to establish a good sized tree to soften the appearance of the site.
- 5.21 Officers note that details of how the units will be serviced is not clearly shown

and this will need to be treated carefully at the detailed stage for each unit to ensure this more functional aspect of the proposal is not visually dominant.

5.22 Generally, officers are satisfied that the indicative plans show that this quantum of development can be accommodated within the site, providing sufficient car parking, landscaping etc. It will be for subsequent reserved matters applications to demonstrate the appropriate appearance, scale and landscaping of the site, within an acceptable layout, taking into account the comments above.

5.23 **Landscape and Visual Impact**

Core Policy 44 of the Local Plan 2031 confirms that the key features that contribute to the nature and quality of the district's landscape will be protected from harmful development and, where possible, enhanced. The policy lists six key aspects to the Vale's landscape that are particularly important. This application site falls within the Lowland Vale, a local landscape designation covered by Saved Policy NE9 which seeks to ensure development protects the long open views that characterise this area.

5.24 Currently the vegetation associated with the site, particularly the planting on the higher grounds to the southern boundary, adds to the visual amenity of the site. However, the A34, A4130 and the adjacent service areas are all visual detractors. The application is supported by a Landscape and Visual Appraisal and the council's Landscape Architect has confirmed the conclusions of this document are sound and that the landscape and visual effect from this proposal will have a minor localised impact on the Lowland Vale landscape

5.25 The indicative masterplan does show a good deal of space for new planting and this is supported by the council's Landscape Architect. Overall, officers are satisfied this application will have an acceptable impact on the landscape and, subject to careful design, should offer some landscape enhancements at reserved matters stage.

5.26 **Flood Risk and drainage**

The NPPF provides that development should not increase flood risk elsewhere and should be appropriately flood resilient and resistant (paragraph 103). Core Policy 42 of the Local Plan 2031 seeks to minimise the risk and impact of flooding through directing development to areas with the lowest probability of flooding, requiring new development to manage all sources of flood risk and not increase the risk of flooding elsewhere.

5.27 The application is supported by a Flood Risk Assessment (FRA) that confirms that the entirety of the site falls within Flood Zone 1, the area at least risk of flooding. The risk from surface water flooding is considered low, based on the council's Strategic Flood Risk Assessment (SRFA) and the fact there are no surface water sewers within the boundaries of the site. The SRFA indicates a low to medium risk of groundwater flooding but there has been no records of flood incidents within the site.

5.28 The FRA proposes a Surface Water Drainage scheme compliant with SuDS

principles. Infiltration is the preferred SuDS option for draining a site but this is not possible in this location given the clay soil. Thus, the drainage scheme needs to make provision for discharging surface water into an existing watercourse at a controlled “greenfield” rate. The surface water will be captured by porous surfacing used for all trafficked and parking areas. Overall site storage will be sufficient to allow a controlled discharge into an existing ditch, making the necessary allowance for a 1 in 100 year flood event plus a further 20% for climate change. The ditch is located to the immediate north of the site alongside the A4130.

5.29 In consultation, the council’s drainage engineer, Thames Water and Oxfordshire County Council have confirmed no objections to the proposal, subject to a standard pre-commencement condition to secure the finer details of the drainage proposal.

5.30 In terms of foul drainage, Thames Water have initially identified a lack of capacity in the foul sewer network and requested a standard pre-commencement condition requiring a strategy for foul drainage to be agreed.

5.31 **Biodiversity**

Core Policy 45 of the Local Plan requires all proposals for development to avoid a net loss of Green Infrastructure. Core Policy 46 seeks to conserve, restore and enhance biodiversity in the district.

5.32 The application is supported by an Ecology survey covering the entire site that has found only limited ecological interest within the site, including a population of common lizards. The council’s countryside officer is satisfied that the survey results are sound. The survey proposes a number of mitigation measures to ensure the site avoids a net loss of biodiversity. These are supported by the countryside officer and can be secured through a typical compliance condition. For this application, there are particular requirements around the translocation of reptiles, badger foraging habitats and the removal of Japanese Knotweed

5.33 **Air Quality**

Core Policy 40 encourages developers to incorporate climate change adaptation and design measures into new development. In consultation, the council’s air quality officer has noted that, although the site is not close to an Air Quality Management Area (AQMA), the increase in traffic emissions from this proposal should be mitigated. To that end, a condition is recommended to secure the provision of electric vehicle charging points on the site. Officers consider this to be a reasonable request, particularly given the site is primarily designed to serve motorists on longer journeys along the A34.

6.0 **CONCLUSION**

6.1 The principle of this application is supported by Core Policy 28 of the Local Plan 2031 and is supported more generally by national and local policies that support employment generating development in sustainable locations and the designation of this area as part of the Science Vale UK Enterprise Zone.

- 6.2 Following the receipt of further traffic modelling work around the impact of these proposals on the capacity of Milton Interchange, there are no objections to this proposal on highway safety grounds, subject to the provision of financial and “in-kind” contributions to encourage pedestrian, cycle and bus use in and around the site and the nearby strategic housing allocations and conditions that control the quantum of the approved uses on the site.
- 6.3 There are no technical objections to the proposal and officers are satisfied that the quantum of development can be achieved on the site, although it will be for the reserved matters applications to show an acceptable layout, appearance, scale and landscaping for the development.
- 6.4 The application is compliant with the relevant policies of the Development Plan and the NPPF and should be approved.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part One Core Policies (CP);

- CP01 - Presumption in Favour of Sustainable Development
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP28 - New Employment Development on Unallocated Sites
- CP31 - Development to Support the Visitor Economy
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP40 - Sustainable Design and Construction
- CP41 - Renewable Energy
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure
- CP46 - Conservation and Improvement of Biodiversity
- CP47 - Delivery and Contingency

Vale of White Horse Local Plan 2011 Saved Policies

- DC5 - Access
- DC6 - Landscaping
- DC9 - The Impact of Development on Neighbouring Uses
- DC10 - The Effect of Neighbouring or Previous Uses on New Development
- DC12 - Water Quality and Resources
- E5 - Milton Park
- TR3 - A34 related development
- TR5 - The National Cycle Network

Emerging Vale of White Horse Local Plan 2031 Part Two

Adopted Guidance

Vale of White Horse Design Guide

Other relevant legislation

Community & Infrastructure Levy Legislation

Section 17 of the Crime and Disorder Act 1998

Obligations under Section 149 of the Equalities Act 2010

Provisions of the Human Rights Act 1998

Natural Environment and Rural Communities (NERC) Act 2006

The Conservation of Habitats and Species Regulations 2010

Localism Act

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