

APPLICATION NO.	P17/V2898/FUL
SITE	Land North of Mably Way, Grove
PARISH	Grove
PROPOSAL	Formation of a new road junction and access road into land north of Mably Way, Grove (as amended by red line site boundary plan received on 4 December 2017).
WARD MEMBER(S)	Jenny Hannaby Julia Reynolds
APPLICANT OFFICER	Vale of White Horse District Council Holly Bates

RECOMMENDATION

It is recommended that planning permission is granted, subject to the following conditions:

Standard

1. Commencement within three years.
2. Approved plans list.

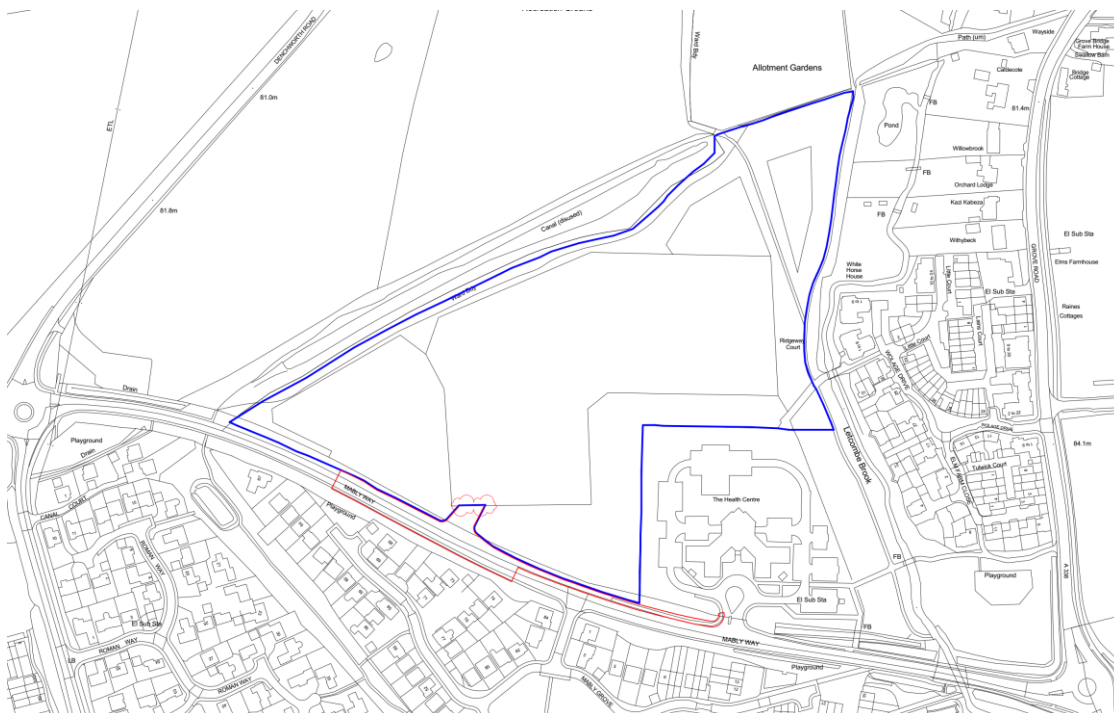
Pre-commencement.

3. Natural England license required.
4. Full details of access junction specification to be submitted.
5. Full details of new footpaths and cycle paths to be submitted.
6. Tree protection plan to be submitted.
7. Replacement planting scheme to be submitted.

1.0 INTRODUCTION AND PROPOSAL

1.1 This application comes to planning committee as the applicant is the Vale of White Horse District Council and objections have been received.

1.2 The application seeks planning permission for the formation of a new road junction and access road into a piece of land to the north of Mably Way (A417) in Grove. The junction and access road would be approximately 100 metres west of the access junction to Mably Grove on the opposite side of the road. A site location plan is included overleaf:



- 1.3 The land to the north of Mably Way, which the access junction would serve, is proposed to be the location of a new leisure centre. The leisure centre is not part of this application.
 - 1.4 The reason for submitting an application for the junction and access road in advance of one for the leisure centre is to allow the capture and relocation of protected wildlife anticipated to be present, within the annual time period permitted for such relocations by separate legislation. A separate application for the leisure centre is planned to be submitted following this application, subject to its outcome.
 - 1.5 An amended site location plan was submitted in December 2017. It increases the red line area very marginally within the site (within the blue line area) to align with the requirements to seek a European Protected Species License from Natural England. A full re-consultation has been carried out on the amended plan.
 - 1.6 Extracts from the application plans are **attached** at Appendix one.
- 2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 2.1 A summary of the responses received to the proposal, and to the re-consultation carried out on the amended site location plan, is below. A full copy of all the comments made can be seen online at www.whitehorsedc.gov.uk

2.2

Consultee	Response
Grove Parish Council	<p>Objects.</p> <p>Footpath needs to be extended to the end of the road where the aeroplane is. The junction needs to have a left in, left out policy. The Crab Hill development will add additional traffic to this road.</p> <p>No response has been received to the re-consultation at the time of writing the report.</p>
Wantage Town Council	<p>Although we do not object to an additional access in this location, we have concerns about certain aspects of the scheme. We consider that the footpath to the west of the access should be extended along all of this stretch of road to meet with the existing pathway near to the Denchworth Road roundabout. With the increased volume of traffic on this road and the number of access points, we consider the access should be a left turn in and left turn out only. We also consider there is scope for an additional traffic light crossing point to the west of the access for safer pedestrian movement at this end of Mably Way, to link in with the Old Canal route footpath.</p> <p>No response has been received to the re-consultation at the time of writing the report.</p>
Countryside Officer Vale	<p>No objections to amendment, subject to condition:</p> <ul style="list-style-type: none"> • Natural England license
Oxfordshire County Council Highway Authority	<p>No objections to amendment, subject to conditions:</p> <ul style="list-style-type: none"> • Details vehicular access including visibility splays; • Details of new shared footway/cycleway.
Contaminated Land Officer Vale	<p>No objections.</p> <p>No response has been received to the re-consultation at the time of writing the report.</p>
Environmental Protection Team Vale	<p>No objections to amendment.</p>
Forestry Officer Vale	<p>No objections subject to conditions;</p> <ul style="list-style-type: none"> • Tree protection plan; • Replacement landscaping/planting <p>No response has been received to the re-consultation at the time of writing the report.</p>
Neighbour objections (5)	<p>4 objections from 3 properties have been received from neighbouring properties. The concerns can be summarised as:</p>

	<ul style="list-style-type: none"> • Increase in traffic; • Impact on safety of pedestrians and cyclists; • Speed and traffic control measures are required e.g. traffic lights, hatched boxes, a speed camera etc. • Detrimental impact on amenity; • Increase in noise disturbance; • Increase in light pollution; • An application for the whole scheme should be submitted; • Loss of the site as open space for local use; • Alternative access and site should be considered; • Lack of consultation. <p>One additional objection from an additional property has been received to the re-consultation on the amended plan, raising the following concerns:</p> <ul style="list-style-type: none"> • The area of land was set aside by the Vale as public open space; • The volume of traffic on the road is already excessive; • The noise from the traffic is unbearable; • Report contains no traffic calming measures which are required; • Unsafe for pedestrians to cross road; • Wildlife seems to be more important; • Need for leisure facilities debatable as existing facilities are underused.
Wantage and Grove Campaign Group	<p>Object.</p> <ul style="list-style-type: none"> • New footpath/cycleway should connect to the footpath to the west of the site, along the north side of Mably Way. • Separate footpath and cycleways are required in line with OCC standards;

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P99/V1437/O](#) - Withdrawn (13/04/2000)

Erection of a Health Centre

[P99/V1061/COU](#) – Withdrawn (25/08/1999)

Change of use of land from agriculture to use of land as Health Centre

3.2 **Pre-application History**

P17/V2366/PEJ – Land North of Mably Way

A current pre-application enquiry has been lodged with regards to the proposed leisure centre. No formal response has yet been provided.

3.3 Screening Opinion requests

P17/V3091/SCR – EIA not required on 16th November 2017

A request for a Screening Opinion on behalf of Vale of White Horse District Council, in accordance with Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017; in relation to the a proposed leisure centre.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposed leisure centre including access point has been screened as per the above and it is assessed that an Environmental Statement is not required.

5.0 MAIN ISSUES

5.1 The main planning considerations for this application are:

- Traffic and highways safety;
- Ecology;
- Residential amenity;
- Character and appearance.

5.2 Introduction

This application seeks planning permission for the installation of a road junction and access road only. It does not seek planning permission for the erection of the leisure centre.

5.3 The proposed junction and access road is proposed to serve a leisure centre and as such the assessment will be whether the junction and access would be safe and convenient in highway terms for this proposed use. Material considerations in relation to the site constraints are also relevant; for example ecology and residential amenity.

5.4 While the leisure centre is not being considered in this application, the access has been designed in the context of its intended future use. The facilitation of a new local community facility by the provision of the access is therefore attributed moderate weight in the assessment process.

5.5 The reason for submitting an application for the junction in advance of one for the leisure centre is to allow the capture and relocation of protected wildlife anticipated to be present, within the annual time period permitted for such relocations by separate legislation.

5.6 This application does not prejudice any potential future application for the leisure centre itself, which would be assessed on its own merits and fully considered against all relevant local and national planning policies at the time of submission.

5.7 Traffic and highway safety

The application is supported by a transport assessment (TA) and a travel plan. Oxfordshire County Council as highways authority have been consulted on the application and they raise no objections subject to conditions.

5.8 Junction arrangement and design

The proposed junction would be a give-way arrangement with one exit lane and one approach lane. Local widening of Mably Way is also proposed to provide a lane for right turning traffic without obstructing traffic movements and to provide two pedestrian refuge islands and new or improved footpath/cycleways to access them. The widening would be within the highway boundary. One of the footways would extend the current pavement that leads to the medical centre to the east.

5.9 An additional footway has been requested by the County Highways Engineer extending from the site westwards towards the Denchworth Road roundabout. This has also been requested by both Grove Parish and Wantage Town Councils. Officers support this request as being reasonable and necessary to ensure good connectivity of a future potential leisure centre to the surrounding area and in providing safe and convenience access for pedestrians and cyclists. Officers therefore recommend a condition to secure this.

5.10 The location of the access road and junction has been carefully considered in highway safety terms in relation to its position relative to other junctions, as well as considering the ecology constraints present on the site. The County Highway Engineer has visited the site and has confirmed measurements would meet standards.

5.11 The access road and junction have been designed to be able to accommodate the manoeuvres of all vehicles likely to need access, including for example a standard refuse collection vehicle and coaches.

5.12 Comments from the Parish Council, Town Council and local residents about the proposed access are acknowledged and have been fully considered and safety of all road users including pedestrians and cyclists is of paramount importance. The County Highways Engineer has thoroughly assessed the proposed junction and considers that it would be safe for its proposed use.

5.13 Traffic generation

The County Highways Engineer has reviewed the methodology for assessing trip generation for the site and considers it reasonable for the site proposal. The traffic data collected within the vicinity of the site and study area with the TA are also acceptable. However, the exact trip rates and further detailed information would be assessed under any future subsequent application for a leisure centre as the detailed proposals would be known at that stage.

5.14 Parking

As this application is not assessing a proposed leisure centre, parking provision is not a consideration for this application. Any subsequent application for a leisure centre, which would include full details of the building and layout, would

have to include the specific number of parking spaces proposed within the site and would have to be sufficient to meet its demand. Initial illustrative indications within this application are that approximately 250 parking spaces will be provided. Disabled parking and coach parking will also need to be provided, as well as sufficient cycle parking provision.

5.15 Proximity to public transport

The junction is in close proximity to existing bus stops along Mably Way (approximately 200m away) and are well serviced. Additional stops are located further away (approximately 500m) on Grove Road. These are acceptable walking distances, according the Institution of Highways Transportation guidelines for providing journeys on foot (2000).

- 5.16 A travel plan has also been submitted with the application to identify a number of actions to reduce the reliance of car use. The County Highways Engineer has reviewed this and considers that a number of amendments are required to this document. As this application is assessing technical aspects only, it is not a reason for refusing this application. The required amendments will need to be included in any subsequent application for a leisure centre.

5.17 Traffic and highway safety conclusion

In conclusion, the proposed access road and junction are considered to be safe and convenient in terms of highway safety taking into account the proposed end use. The local highways authority have raised no objections to the proposed access, subject to conditions. The amendment to the site location plan would not affect the highway safety of the proposal. The proposal is therefore considered to comply with saved Policy DC5 of the adopted Local Plan 2011 and the National Planning Policy Framework.

5.18 Ecology

The location of the junction and access way has been carefully chosen considering the ecological constraints present on the site. The application is supported by an ecological appraisal.

- 5.19 The council's countryside officer has raised no objections to the application, subject to conditions.

- 5.20 The section of the former Wilts and Berks canal on the site boundary supports a medium population of great crested newts (GCN). The ecological appraisal submitted contains details of the surveys and general mitigation recommendations designed to ensure that the GCN population is fully protected from harm during construction. The proposals would also ensure that the suitable terrestrial habitats are retained across the site to maintain the long term health of the GCN.

- 5.21 The countryside officer therefore accepts this approach and recommends that a condition is imposed for the developer to obtain a European Protected Species License in order to legally commence the works. Officers support this condition and it is recommended as above.

5.22 The amended red line site location plan has been submitted to address the requirement to seek to obtain the above license from Natural England. The proposal is therefore considered to comply with CP46 of the adopted Local Plan 2031 Part 1 and the National Planning Policy Framework.

5.23 **Residential amenity**

This application is assessing the junction and access road only. The concerns raised by residents regarding additional road noise and disturbance from the proposal are acknowledged and have been carefully considered.

5.24 The closest neighbouring dwellings are those to the south of the site, in Mably Grove, approximately 9m-10m away from the area on Mably Way where the junction would go. These properties back onto the road, or are side facing and have boundary treatments, trees and landscaping as a buffer to Mably Way.

5.25 This application is assessing the location and design of the access road and junction only. The access and junction itself would not give rise to any significant or unreasonable impacts on noise or disturbance and would not justify refusal of the application. OCC as highways authority have raised no objections to the proposal subject to conditions.

5.26 The environmental protection team have been consulted on this application and have raised no objections to the proposal with regards to noise.

5.27 Any subsequent future application for a leisure centre would be assessed on its merits and a full assessment of any noise implications would be undertaken as the detailed proposals would be known at that stage.

5.28 Therefore, Officers do not consider that the proposed access road and junction, as amended by the revised site location plan, would have a materially harmful effect on the amenities of any neighbouring properties. The proposal complies with saved policy DC9 of the adopted Local Plan 2011 and the National Planning Policy Framework.

5.29 **Character and appearance**

The proposal is for an access road and junction only. Officers do not consider that it will have a significant effect on the character and appearance of Mably Way, a periphery road which already has accesses serving residential development to the south and the Health Centre to the north.

5.30 Some existing planting will have to be removed in order to make way for the access road and junction. This will have limited localised harm on the character and appearance of this section of the road, but mitigation can be provided in terms of replacement planting and a tree protection plan to ensure protection of the important trees on the site.

5.31 Any subsequent future application for a leisure centre would need to include detailed landscape proposals.

- 5.32 Officers do not consider that the proposal for the access road and junction would have a harmful effect on the character and appearance of the area of the openness of the area in terms of its wider impacts being located between Wantage and Grove.
- 5.33 Therefore, Officers do not consider that the proposed access road and junction, as amended by the revised site location plan, would have a materially harmful effect on the character and appearance of the area. The proposal complies with policies CP37 and CP44 of the adopted Local Plan 2031 Part 1, saved policies DC6, NE9, NE10 and L2 of the adopted Local Plan 2011 and the National Planning Policy Framework.
- 5.34 **Consultation and procedure**
Officers note that concern has been raised from a resident regarding the consultation process and procedure for assessing the application.
- 5.35 The Development Management Procedure Order 2015 (DMPO) as amended provides the legislation for consultation on planning applications. It states that adjoining neighbouring properties must be consulted on planning applications of this type (classified as a 'minor' application based on its nature and size).
- 5.36 Given the site's location and context, there are no directly adjoining neighbouring properties to the site for the access road and junction. As explained above, the closest neighbouring properties are on the other side of the road, Mably Way, to the south.
- 5.37 However, Officers have included additional consultation over and above the requirements of the DMPO by consulting and inviting comment from all properties adjacent to Mably Way, in Mably Grove, along the length of the proposed access.
- 5.38 A further consultation was also undertaken on the amended site location plan as submitted.
- 5.39 Outside of the planning process, Officers understand that public consultation has been undertaken to canvas views of local residents including holding public exhibitions.
- 5.40 In terms of process, the application is presented to planning committee for a decision in accordance with the council's adopted scheme of delegation so that a decision can be made in a public forum by planning committee members.

6.0 **CONCLUSION**

- 6.1 The application has been assessed on its merits, against the requirements of the adopted Local Plan 2031 Part 1, saved policies of the adopted Local Plan 2011 and the National Planning Policy Framework.
- 6.2 The proposal would facilitate the future proposal of a new leisure centre which would bring economic and social benefits. A moderate degree of weight is attached to this, as this application is for the access junction only.

- 6.3 In terms of the environmental aspect, protected species on the site will be protected from harm. Replacement planting and a tree protection plan would mitigate the limited localised loss of some planting to form the access. The access and junction itself would not give rise to any significant or unreasonable impacts on noise or disturbance and would not justify refusal of the application. There are no technical objections to the application.
- 6.4 Oxfordshire County Council as highways authority have confirmed that the proposal would be safe. As such Officers consider it to be acceptable in terms of highway safety, including pedestrians and cyclists, and attach significant weight to this.
- 6.5 Therefore, overall and in the planning balance, the benefits of the proposal are considered to outweigh the limited harm that has been identified. It complies with local and national planning policy. As such, the application is recommended for approval.

The following planning policies have been taken into account:

Adopted Vale of White Horse Local Plan 2031 Part 1

CP32 – Retail development and other Main Town Centre Uses
CP33 – Promoting Sustainable Transport and Accessibility
CP35 – Promoting Public Transport, Cycling and Walking
CP37 – Design and Local Distinctiveness
CP44 – Landscape
CP46 – Conservation and Improvement of Biodiversity

Saved Policies of the adopted Vale of White Horse Local Plan 2011

DC5 – Access
DC6 – Landscaping
DC9 – The impact of development on neighbouring uses
DC10 – The effect of neighbouring or previous uses on new development
NE9 – Lowland Vale
NE10 – Urban Fringes and countryside gaps
L2 – Urban open space and green corridors
L6 – Major leisure and entertainment facilities

Emerging Vale of White Horse Local Plan 2031 Part 2

A publication draft of this Local Plan has been produced and is presently subject to consultation (the consultation period expired on 22 November). Following consultation it is intended to submit the Local Plan 2031 Part 2 for Examination. Its policies currently hold limited weight but those relevant to this application are considered to be:

DP16 – Access
DP17 – Transport Assessments and Travel Plans
DP23 – Impact of Development on Amenity
DP24 – Effect of Neighbouring or Previous Uses on New Developments

DP25 – Noise pollution
DP27 – Land Affected by Contamination
DP29 – Settlement Character and Gaps
DP34 – Leisure and Sports Facilities

Neighbourhood Plan

Wantage Town Council are working on a neighbourhood plan. In 2016, the independent examiner inspecting the Wantage Neighbourhood Plan recommended that the plan shouldn't proceed to a referendum. A revised neighbourhood plan has yet to be submitted. Accordingly at this time, no weight can be given to this plan.

Vale of White Horse Design Guide 2015 SPD

National Planning Policy Framework

National Planning Practice Guidance

Other relevant legislation:

- Section 149 of the Equality Act 2010
- Provisions of the Human Rights Act 1998
- The Conservation of Habitats and Species Regulations 2010
- Section 85 of the Countryside and Rights of Way Act 2000

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