
APPLICATION NO.	P17/V2502/RM
APPLICATION TYPE	RESERVED MATTERS
REGISTERED	20.9.2017
PARISH	EAST CHALLOW
WARD MEMBER(S)	Yvonne Constance
APPLICANT	Mr Andrew Smith
SITE	Land at Challow Park East Challow, Wantage. OX12 9RH
PROPOSAL	Reserved Matters Application for Access, Appearance, Landscaping, Layout and Scale for a Residential Development of 38 Dwellings, including up to 13 Affordable Dwellings, with Associated Car Parking and Amenity Space and On-Site Public Open Space, pursuant to outline Planning Permission P16/V1714/O
OFFICER	Adrian Butler

RECOMMENDATION

It is recommended that reserved matters be approved subject to conditions summarised as follows:

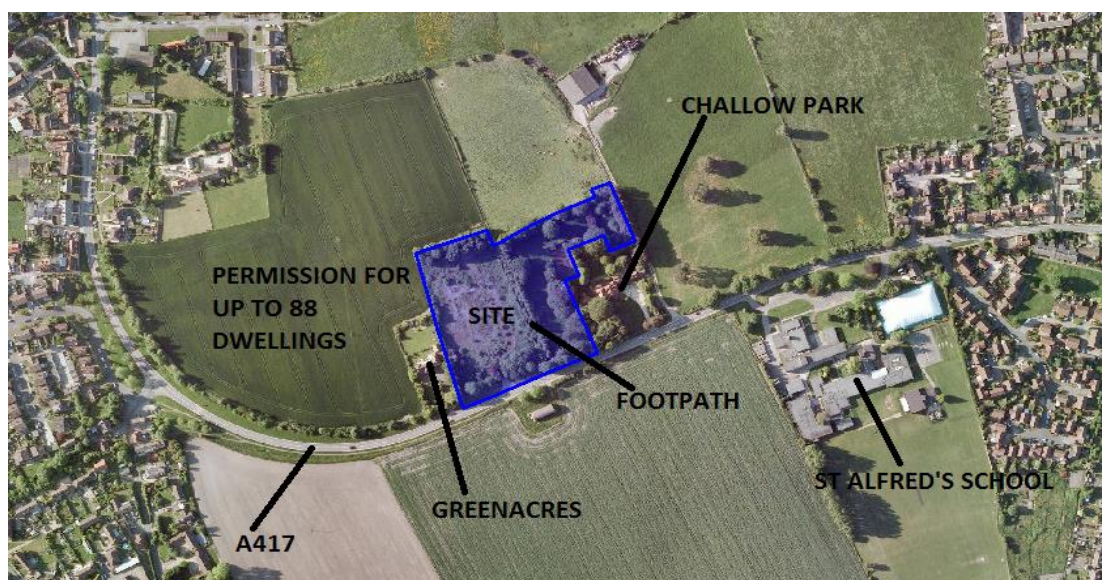
- 1. Approved plans**
- 2. Materials to be agreed before work above slab level**
- 3. Landscaping to be agreed**
- 4. Landscaping implementation**
- 5. Tree protection**
- 6. Arboricultural method statement for works in the root area of a beech tree**
- 7. Acoustic measures to be implemented**
- 8. Road surfacing**
- 9. Parking spaces to be provided before occupation**
- 10. Wheel washing**
- 11. Boundary details**
- 12. PD removal Classes A and B – plots 1 to 6 and 17**
- 13. Working hours to be Monday to Friday 0730 to 1800 and 0800 to 1300 Saturday. No works on Sundays or Public holidays**

The planning conditions and s106 agreement for the outline permission remain applicable.

1.0 INTRODUCTION AND PROPOSAL

- 1.1** The application is presented to committee as East Challow Parish Council objects to the proposal.
- 1.2** The application seeks approval of reserved matters following the grant of outline planning permission for 38 dwellings on this site. The reserved matters are access, appearance, landscaping, layout and scale.

- 1.3 This reserved matters application is not an opportunity to revisit the principle of development which is established by the outline permission. Surface water and foul water drainage strategies are the requirement of planning conditions attached to the outline permission and these do not need to be submitted or agreed at this stage. In fact, a foul drainage strategy has been agreed following an application made for approval of matters reserved by condition (application no. P16/V3030/DIS). The outline permission also considered the impact on the gap between East Challow and Wantage.
- 1.4 The proposal is for 38 two-storey dwellings including 13 affordable dwellings. Access is proposed from the A417 in the position of an existing vehicular access to the site. The layout plan is **attached** as Appendix 1 to this report.
- 1.5 The application has been amended in seeking to respond to observations received. Changes include amendments to the site area to accord with the outline permission and ownership of the site, more drainage information, changes to the layout including landscaping revisions, provision of bin collection points, and access and parking changes in response to highway officer observations, a revised arboricultural method statement and noise assessment.
- 1.6 The site location is shown on the plan below. The western part of the site was a former depot that has since been cleared. The land falls from south to north. Dwellings adjoin part of the western and part of the eastern/southern boundary (Greenacre and Challow Park). Open fields adjoin the northern and part of the eastern boundaries although part of the land to the north and to the north west benefits from outline planning permission for up to 88 dwellings (P16/V0652/O and P17/V2884/FUL). A footpath bisects the site.



2.0 SUMMARY OF CONSULTATIONS AND REPRESENTATIONS ON CURRENT SUBMISSION

- 2.1 A summary of the responses received to the current submission is below. A full copy of all the comments made can be seen online at www.whitehorsedc.gov.uk

East Challow Parish Council	<p><u>Amended Plans – March 2018</u> Object: Their views have not changed.</p> <p><u>Amended Plans - January 2018</u> Object:</p> <ul style="list-style-type: none"> • Drainage impact on the village network where it is considered there are significant capacity issues • This development and that at Park Farm intend to use the same drainage infrastructure. A previous housing development to the west of the village identified foul drainage capacity for 50 dwellings. Cumulative impacts need to be considered and there seems inadequate capacity • Affordable housing remains in one enclave away from the market housing • Danger of losing the footpath which seems to be absorbed into the general car parking area. The footpath needs to be clearly defined. <p><u>Original Plans</u> Object:</p> <ul style="list-style-type: none"> • No numerical detail of surface water or foul water drainage. Concern flows could overwhelm the current system particularly with other developments coming forward, built or permitted. • Affordable housing is grouped rather than being absorbed naturally in to the development • The design overwhelms the public footpath particularly with the closeness of the dwellings. Clear definition is required.
Local residents	<p>Five local residents have written to object. The objections and concerns expressed may be summarised as follows:</p> <p><u>Amended Plans – March 2018</u></p> <ul style="list-style-type: none"> • Minimal tree cover on the western boundary which will lead to overlooking of Greenacre • Affordable housing is still grouped • Too much tree and hedge loss which are important for wildlife • Ash trees should be retained unless they are diseased

	<ul style="list-style-type: none"> • Public footpath will lose its identity and rural feel. The footpath needs to be clearly marked • An adjacent house is inaccurately shown on the plans <p>One local resident observes:</p> <ul style="list-style-type: none"> • The red line site boundary plan no longer appears to overlap neighbouring land • If the western boundary chain link fence is removed it should be replaced by a timber fence • No mention of a power supply over and beneath the site <p><u>Amended Plans – January 2018</u></p> <ul style="list-style-type: none"> • Original comments still apply (see above) • Too many 4 and 5 bedroom houses proposed • Affordable housing is clustered not spread out • Footpath will be enclosed and lose its rural appeal • Tree felling has taken place on site including removal of some large trees. This looks awful and will displace wildlife • Right kind of replacement trees and hedges are needed not ornamental plants • Insufficient parking <p><u>Original Plans</u></p> <ul style="list-style-type: none"> • Access is too close to a bend • Speed limits need to be revised. • Increased traffic • Threatens the current separation between East Challow and Wantage • Little evidence that public footpaths will be preserved • Road cutting across the footpath will be dangerous • Surface water run-off could affect fields further north which are already subject to excess run-off from the roof of an existing building. A piped system may be needed to ensure surface water does not flood neighbouring land • Surface water run off should not affect land beyond the site • Challow Park should be connected to the main sewer by the developer, as plot 17 is on the septic tank • Insufficient infrastructure • Bungalows should be provided • Loss of trees and hedges – more should be provided
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	<ul style="list-style-type: none"> • Permission will not be given to fell a beech tree which is a landmark tree • Footway alongside the A417 needs to connect to the footway to Wantage • Development not needed given the extensive house building in and proposed for Grove and Wantage
Oxfordshire County Council	<p>No comments received on the current submission</p> <p><u>Original Plans</u></p> <p><u>Highways</u></p> <p>Object:</p> <ul style="list-style-type: none"> • Inadequate visitor parking • Vision splays of 2.4m x 90m are required • The refuse vehicle tracked is too short • The exit radius of the access junction should be re-designed to provide adequate manoeuvring for a refuse vehicle. <p><i>(Planning officer note: The scheme has been amended to provide more visitor parking, provide the required vision splays and track this council's refuse vehicle. I have reconsulted the highway authority on both sets of amendments but have not received responses (the consultation has closed). Any further response will be reported at the meeting).</i></p> <p><u>Archaeology</u></p> <p>No objection</p> <p>There are no archaeological constraints.</p>
Housing team	<p>Comments</p> <ul style="list-style-type: none"> • As per the s106 agreement associated with the outline permission P16/V1714/O, the site will provide 38.5% (5) rent and 61.5% (8) shared ownership affordable dwellings. • The one-bedroom units should each have a direct entrance. • Where possible parking courtyards should be avoided • The affordable housing should be evenly distributed across the site and be indistinguishable from the market dwellings.
Thames Water	<p><u>Sewerage Infrastructure Capacity</u></p> <p>No objection</p> <p><u>Water Comments</u></p>

	<p>Insufficient capacity – recommend a condition requiring an infrastructure study and mitigation.</p> <p>I wrote to Thames Water raising the Parish Council’s concerns and seeking their response which follows:</p> <p><i>“Last year Thames Water undertook a catchment wide growth investigation for the area served by the Wantage Sewage Treatment Works. East Challow comes within this catchment boundary and was therefore included within the study. The study investigated what impact the cumulative future growth in the catchment may have on the wastewater network. Both of the developments Park Farm and Challow Park were included in this study as growth that was anticipated to occur in the East Challow area. The investigation identified that with both the Challow Park and Park Farm developments in place there would be no detriment to the wastewater network within East Challow.</i></p> <p><i>In answer to the concern regarding the output of impact study X4503-524 SMG 1289, we have recently updated our sewer modelling standards for assessing the impact of flows due to new development on the sewerage network. The updated methodology to assess the impact of developer connections on our sewerage networks has been in force since the beginning of 2016, whereas this previous assessment was undertaken in 2015. We found that the Sewer for Adoptions Flow calculation which was previously used was suitable to design onsite pipework but much too conservative to assess flows reaching our networks. Thames Water have therefore brought daily consumption rates for dwellings in line with the Part G of the Building Regulations (2015) and are using the OS Census (2011) on a Local Authority level to assess local household population. This allows us to provide a more realistic assessment of the potential impact of any new development on our networks in order to manage growth fairly and efficiently for our new and existing customers. The new modelling standard is being used to determine the additional capacity that is necessary to avoid flooding and pollution as a result of a new development connecting to our sewers.”</i></p>
Drainage engineer	<p><u>Amended Plans – March 2018</u></p> <p>No objection</p>
Countryside officer	No objection

Landscape officer	<p>No comments received on the amended schemes.</p> <p><u>Original Plans</u></p> <p>Comments</p> <ul style="list-style-type: none"> • Plots 10, 11, 16 plus garages for plots 9 and 10 are too close to existing trees. • Limited tree planting on north and west boundaries • Tree species north of plot 11 is too small • Built form to the western side of the footpath has less relationship to the footpath and is located closer to the footpath • Should be seating in the open spaces • No detail of planting methods or management • Need details of internal vision splays and street lighting as they may impact on landscaping • Large trees and additional trees are needed on the north and west boundaries • Orchard does not allow sufficient space for ball games • Climbing plants should soften walls • Close board fencing is not appropriate on the site boundaries • Walls are needed on prominent areas • Drainage service runs should be realigned to allow tree retention • No details of the build area for the footpath beside the A417 which may affect trees
Forestry Officer	<p><u>Amended Plans – March 2018</u></p> <p>It appears the maturing Ash (T20) and the Norway Maple (T27) could be retained without adversely restricting the usable garden space to plots 10 and 11, which would maintain the integrity of the tree screen when it is viewed from outside the site. The tree protection plan at appendix 2 of the tree report should be amended to show T20 and T27 retained and the line of the temporary fencing extended to safeguard them.</p> <p>The off-site Beech (T62) is a constraint to the development. The tree is in decline. I have met and advised the owner of Challow Park as to the liability associated with the ownership of the tree. The tree is outside the control of the applicant. The applicant's arboricultural consultant proposes that the tree is removed prior to undertaking any ground works or construction works in its vicinity. The removal of the Beech would negate the need for a road design to</p>

	<p>accommodate the tree roots and the notation on the tree protection plan confirms that works in the area around the tree would only proceed after the tree has been removed/made safe. If the works are implemented whilst the tree is in-situ, a construction method statement will need to be submitted and agreed for works within the root protection area otherwise the excavation associated with the installation of the road and single garage may adversely affect the stability of the Beech.</p> <p>The arboricultural report provides advice as to how the removal of the Beech can be secured and one of the ways promoted is the use of the Local Government (Miscellaneous Provisions) Act 1976. The use of the Act allows a district council a discretionary opportunity to require a tree owner to make a dangerous tree safe. It does not necessarily result in the removal of the tree but, as the tree report alludes to, in this instance the canopy could be removed and the stem retained. The use of the Act would be as a last resort as the council could only take action if it considers the danger posed by the tree is imminent. In this regard, the condition of the tree is acknowledged but the danger posed is currently only to the tree owner. Unlike the use of the Miscellaneous Provisions, the other options proposed by the arboricultural consultant for securing the safety of the tree can all be undertaken before development works commence. It should be noted that the commencement of the works is very likely to result in the removal of the beech tree.</p>
Environmental protection team (noise)	<p>No objection.</p> <p>The noise assessment has highlighted the need for noise mitigation measures for houses facing the A417. Content the site is suitable for residential development subject to the following condition:</p> <ul style="list-style-type: none"> Noise mitigation proposals implemented in accordance with the submitted noise assessment.
Health and Housing (air quality)	<p><u>Amended Plans – January 2018</u></p> <p>No objection</p> <p>Asks that electric vehicle charging points for each market property with a garage are provided in an effort to offset air quality impacts from the additional traffic associated with the development.</p>
Waste Management	<p><u>Amended Plans – January 2018</u></p> <p>Bin collection points should be provided for plots 8 to 13, 23 to 25, and 26 to 29 within 25m of the road over which the refuse vehicle can pass.</p>

	<i>(Planning officer note: No comments have been received on amended plans which address these points by providing bin collection points)</i>
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3.0 RELEVANT PLANNING HISTORY

- 3.1 P16/V3030/DIS - Approved (06/03/2017)
Discharge of condition 12 on applications P15/V2545/O and P16/V1714/O - Foul Drainage Strategy
- 3.2 P16/V1714/O - Approved (30/09/2016)
Outline Application with all Matters Reserved for a Residential Development of up to 38 Dwellings, including up to 13 Affordable Dwellings, with Associated Car Parking and Amenity Space, and On-Site Public Open Space
- 3.3 P15/V2545/O - Approved (20/05/2016)
Outline Application with all Matters Reserved for a Residential Development of up to 36 Dwellings, including up to 14 Affordable Dwellings, with Associated Car Parking and Amenity Space, and On-Site Public Open Space.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 4.1 The site area is less than 5ha and fewer than 150 dwellings are proposed. The proposal is not EIA development.

5.0 MAIN ISSUES

- 5.1 The main planning considerations relevant to the assessment of this application are the reserved matters which are:

1. Access
2. Appearance
3. Landscaping including impacts on trees
4. Layout
5. Scale

Access

- 5.2 The highway authority has not responded on the amended plans. The 'objections' expressed by the highway authority on previous amendments are addressed through revised vision splays to meet highway officer expectations and revised refuse vehicle tracking plans which show this council's refuse vehicle can adequately manoeuvre into and within the site.
- 5.3 Eight visitor parking spaces are provided. More could be provided although these would erode open spaces and verges. If necessary, a condition could be imposed requiring five more visitor parking spaces. In this case, this is not considered necessary. This is because at least 14 dwellings have more than two allocated parking spaces which could accommodate visitors to those houses and the overall level of car

parking proposed exceeds standards (103 spaces proposed compared to 92 required by the standards).

Appearance

- 5.4 East Challow comprises an eclectic mix of house types and designs; there is no set pattern of dwelling form. Adjacent to the site are two large dwellings of rectangular form under pitched roofs with external walls finished in painted render, red/brown brick and tile hanging under tiled roofs. The Design Guide 2015 expects the form and massing of new development to be kept simple with a rectangular floor plan and pitched roof. It does allow more complex forms such as 'L' shaped buildings.
- 5.5 The proposed dwellings comply with the Design Guide in having simple forms with rectangular floor plans, pitched roofs and balanced elevations. Some 'L' shaped dwellings are provided to turn corners with side windows providing surveillance of side roads and open spaces. The proposals accord with Design Guide principles DG52 and DG53.
- 5.6 Materials are mainly red/brown bricks with occasional rendered walls under pitched slate or tiled roofs. The appearance of the dwellings is considered to respond positively to the Design Guide and general forms of dwellings and materials used in the village.

Landscaping

- 5.7 Most trees on/beyond the western boundary shown on the arboricultural plan and plans do not exist. Scope exists for planting on the western boundary to assist in reducing overlooking of Greenacre. Likewise, new hedge and tree planting can be provided against the northern boundary of Challow Park to minimise overlooking and secure the boundary. A planning condition on the outline permission requires an orchard to be planted. The location of this has been revised since the original scheme. The orchard is no longer over the 'crated' surface water storage scheme and now allows a larger area of open space for ball games. The landscaping scheme submitted with the proposal is therefore, not approved. A condition is recommended to secure a landscaping scheme.

Trees

- 5.8 Nine leylandii trees are lost in the north western part of the site to accommodate gardens. Their loss is not considered detrimental to the character of the area and their loss was envisaged at outline application stage. Deciduous trees on the north west boundary are largely retained. An ash tree and Norway maple which are in good condition (shown as T20 and T27 in the submitted arboricultural report) should be retained and this can be part of the landscaping scheme to be secured by planning condition 3.

- 5.9 The hedge beside the footpath comprises mainly ivy clinging to the fence on the east side and a thicket of brambles on the west side. Their loss is reasonable.
- 5.10 A beech tree exists in the grounds of Challow Park and close to but outside the site boundary. This tree is not subject to a preservation order. It is in decline with extensive decay. The applicant's arboriculturalist considers the beech tree as imminently dangerous, and proposes it is removed by either:
- *“securing co-operation of the tree owners*
 - *by contacting the 3rd party property owners insurance company*
 - *by use of The Local Government (Miscellaneous Provisions) Act 1976 Sections 23 and 24 [Dangerous Trees]*
 - *or use of an injunction”* (paragraph 2.13 of the submitted arboricultural method statement)
- 5.11 The owner of the beech tree is reluctant to fell it. There is a risk that if the beech tree is retained it could fall or drop limbs that could be a danger to future occupants and users of the development site. I note that the arboricultural method statement advises development around the tree will not be undertaken until it is removed or made safe. The beech tree is attractive with visual merit albeit the contribution to the verdant appearance of the area is constrained due to trees on the northern road side of the A417. The council's forestry officer points out that commencing this development is very likely to result in the removal of the beech tree.
- 5.12 Loss of the beech tree in the public realm would not be unreasonable. I acknowledge the land owner will disagree, and I am certain the tree is of significant attraction to his living conditions. Little weight can be given to protecting private interests, as planning is concerned with land use in the public interest. I am mindful that in both outline permissions for up to 36 and then up to 38 dwellings the applicant's arboriculturalist had recommended reducing the beech tree to a standing trunk or its removal. In February 2016, the council's forestry officer advised in connection with the 36 dwelling scheme that he agreed with the arboricultural assessment and that the beech tree should be removed and replaced prior to any development occurring in the vicinity. In his original comments on this reserved matters application the forestry officer advised the declining condition of the tree is such that the work recommended in the original tree survey should be implemented but, if the tree owner maintains his stance on retaining the tree, work within its root protection area will need to be managed by means of adherence to an agreed arboricultural method statement. Taking account of the site history, short term life expectancy of the beech tree and its contribution to the public realm, I conclude loss of the beech tree would not be unreasonable. Should the beech tree remain a condition is included to require an arboricultural method statement for work within the root area (condition 6)

Layout

Affordable housing and housing mix

- 5.13 The affordable housing percentage, tenure mix and unit size mix plus the market housing unit size mix are set in the s106 agreement accompanying the outline permission.
- 5.14 The affordable housing percentage is 35% and the tenure mix is 38.5% affordable rented and 61.5% shared ownership. The affordable housing unit size mix in the s106 agreement and proposed is:

	1-bed	2-bed	3 -be (5 person)
Affordable rent	2	2	1
Shared ownership	0	4	4

- 5.15 The Parish Council is concerned that the affordable housing is in one enclave away from the market dwellings. The s106 agreement requires the affordable housing to be in clusters of no more than 13 dwellings. The affordable housing comprises a cluster of 13 dwellings and therefore, accords with the s106 agreement. This cluster is relatively centrally located in the site with proposed market housing adjacent to the north, east and west. It is not away from the market dwellings and the location accords with the parameters set at outline stage.
- 5.16 The market housing unit size mix agreed in the s106 accompanying the outline permission and proposed is:

No of beds	1	2	3	4+
Proposed	0	4	6	15

Layout

- 5.17 A condition on the outline permission expects the layout to follow that illustrated as part of that application. The proposed layout responds to the pattern of development illustrated at outline stage although changes have been made in response to observations made on this application. There is a single access road with some private driveways leading from it. Dwellings back on to existing boundaries with the exception of the footpath. Dwellings face on to the footpath with its line retained through the development and separated from roads. However, it is unavoidable in developing the eastern part of the site that the main access road crosses the footpath.
- 5.18 Dwellings, tree and hedge planting could be provided to front the roads. Parking is largely set to the sides of dwellings although there is a single area of overlooked courtyard parking. Parking does not dominate the streets. Dwellings turn corners by providing windows on the two street elevations. Other dwellings create focal points and visual stops. This provides continuity, enclosure, legibility and landmarks.

Dwellings front open spaces providing passive surveillance. Open spaces and play areas exceed the 15% open space expected by saved policy H23 of the Local Plan 2011. The proposal accords with principles DG27, 28, 29, 31, 33 and 39 of the Design Guide, core policies 37 and 38 of the Local Plan 2031 Part 1 and policy H23 of the Local Plan 2011.

Residential Amenity

- 5.19 The Design Guide recommends a minimum distance of 21m between facing habitable windows to prevent unreasonable overlooking. All proposed dwellings are at least 21m from habitable room windows in the house called Challow Park and the new dwelling being constructed in its grounds. Challow Park has a large featureless wall of a studio/recital hall building close to the east boundary of the site. This restricts overlooking of the grounds. An implement shed will restrict some overlooking from plot 17 of the grounds of the new house being built in the grounds of Challow Park, as will the lower level of plot 17.
- 5.20 Greenacre has a bathroom window at first floor, a door and two windows to a sitting room at ground floor in its east elevation facing the site. The bathroom is not a habitable room. Plots 2 and 3 face the side elevation and are approximately 20.5m from the side elevation of Greenacre. In addition, plots 2, 5 and 6 have potential to overlook the gardens of Greenacre from a distance of some 9 to 10m. Removal of permitted development rights can control future alterations to ensure overlooking is not made unreasonable. Fencing and planting on the boundary particularly new trees can break views into the garden and limit overlooking.
- 5.21 Initially the submitted plans included the site boundary extending further west than shown on the outline permission plans but this has now been revised to accord with the outline permission. There is some dispute as to the location of the western boundary of the site but this is not a planning matter, as the site boundary accords with the outline permission.
- 5.22 With the proposed conditions the proposal complies with saved policy DC9 of the Local Plan 2011.

Scale

- 5.23 Scale relates to the height, width and length of each building proposed within the development in relation to its surroundings. Neighbouring dwellings are substantial in terms of footprint with heights of approximately 9m to 10m. The proposed dwellings have heights that vary from approximately 8.2m to 10m. Lengths and widths of the dwellings also vary from some 6.5m to 9m wide. The scale of the dwellings is consistent with the variations in heights, widths and lengths of dwellings on adjacent sites and within the village.

6.0 CONCLUSION

- 6.1 This application has been considered in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The affordable housing mix and grouping accords with the outline permission and as set by the s106 agreement accompanying the permission and which remains applicable.
- 6.3 The drainage consultees confirm the drainage details are acceptable. This authority has approved foul water drainage details and having raised Parish Council concerns with Thames Water they confirm there is adequate capacity.
- 6.4 The access arrangements, appearance, layout and scale of development are all considered reasonable and to accord with Design Guidance and adopted policy. The landscaping for the western boundary needs to be improved and it is considered additional trees could be retained towards the north western boundary of the site. Conditions require the submission of a landscaping scheme and its implementation.
- 6.5 It is therefore, recommended that this proposal is approved.

The following planning policies have been taken into account:

VALE OF WHITE HORSE LOCAL PLAN 2031: PART 1 – CORE POLICIES 1, 2, 3, 4, 5, 7, 15, 17, 22, 23, 24, 33, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46

VALE OF WHITE HORSE LOCAL PLAN 2011 – SAVED POLICIES DC3, DC4, DC5, DC6, DC7, H23, HE9, HE10, NE9 and NE10

DRAFT VALE OF WHITE HORSE LOCAL PLAN 2031 PART 2 –AND DEVELOPMENT PLAN POLICIES 2, 16, 21, 23, 25, 28, 31 and 33

VALE OF WHITE HORSE DESIGN GUIDE 2015

NATIONAL PLANNING POLICY FRAMEWORK

PLANNING PRACTICE GUIDANCE

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