

APPLICATION NO.	P18/V0301/FUL
SITE	Land East of Milton Hill Abingdon
PARISH	MILTON
PROPOSAL	Variation of condition 2 (approved plans) of planning permission P16/V2900/FUL (Development comprising 458 dwellings with associated public open space, infrastructure and improved sports facilities. Reservation of land for future primary school expansion).
WARD MEMBER(S)	Michael Murray
APPLICANT	Mr David Bent
OFFICER	Liz Fay

RECOMMENDATION

To grant planning permission subject to the following conditions:

1. Commencement three years - full planning permission.
2. Approved plans.
3. Phasing plan.
4. Tree protection method statement.
5. Arboricultural method statement.
6. Sustainable drainage scheme and surface water scheme.
7. Bio-diversity method statement.
8. Construction traffic management.
9. Slab levels (dwellings).
10. Archaeological watching brief.
11. Implementation of programme or archaeological work.
12. Boundary details with Milton United Football Club.
13. Sample materials.
14. Hard and soft landscaping scheme.
15. Acoustic surveys.
16. Details of locally equipped area of play, public seating, bins.
17. Implementation of Thames Water sewer impact study.
18. Visibility splays.
19. Access in accordance with specified plan.
20. New estate roads.
21. Car parking.
22. Permitted development restriction, extensions and outbuildings.
23. Pedestrian access between football pitch and changing facilities.
24. Hours of work.

1.0 ADDENDUM REPORT

- 1.1 This addendum report is produced as an update to the previous report that was produced for consideration by Planning Committee on 9 May 2018. It was deferred from that committee meeting at the applicant's request, for them

to address the objection raised by the Forestry Officer and the concerns raised by the Landscape Officer. The applicant has subsequently made amendments to the layout of the site in response to the issues identified by officers.

- 1.2 The report to 9 May planning committee recommended refusal of the application, as it was considered the proposal would result in unsatisfactory standards of living accommodation for the plots adjoining the south-western boundary, and would have an unacceptable impact on the character and appearance of the local landscape through both the provision of unsatisfactory boundary treatments as well as through the pressure to remove or prune the poplar trees which are subject to a Tree Preservation Order.
- 1.3 The amended plans have altered the layout of properties along the south-western boundary of the site adjacent to the poplar trees, altering the boundaries of plots and dwelling types to move the proposed dwellings away from these trees and attempt to address concerns raised by officers. A plan showing the south-western boundary is **attached** at Appendix 1. This report concentrates on the amendments that have been made, and should be read in conjunction with the report to 9 May planning committee, which is **attached** at Appendix 2.
- 1.4 **Design and Layout**
The proposed boundary treatments to the southern end of the site have been amended to provide a wire mesh fence accompanied by vegetation. The proposed boundary treatments are now acceptable and the plans comply with principle DG29 of the Design Guide.
- 1.5 **Residential Amenity**
Plots 14-18, 19, 45-46, 52, 53, and 57-59 along the south-eastern boundary of the site are located in close proximity to a row of poplar trees situated just to the south-east of the site. The amended plans have moved these properties away from the boundary from a distance of approx. 7m to 15m, although the properties are still located closer to the boundary than was the case on the extant permission (approx. 25m). The gardens for the plots have also been adjusted and are now significantly larger. The applicant has provided plans which show the level of shading that will be cast by the poplar trees during the summer time between 10am and 2pm, which gives shade up to 21m from the boundary during this time. On a site visit carried out at approx. 12:30pm in mid-May the shade extended to 14m.
- 1.6 It is likely that the existence of the poplar trees will have an impact on the use of a significant proportion of the amenity space for these plots, caused by the proximity of these trees and the resulting shadowing. However, the shading plans and evidence from the site visit indicate that the majority of plots will have parts of the garden that receive light during the middle of the day. I have also had consideration to the size of the amenity space provided, which is significantly larger than the 100m per 3+ bed property required by principle DG63 of the Design Guide.

- 1.7 A concern was also raised in the 9 May committee report regarding the overshadowing of habitable space within the properties. The amended layout has altered somewhat the angle of the plots to the south-western boundary, with the result that key living areas no longer face in the direction of the poplar trees but instead the properties habitable rooms are directed more towards the east and/or west. This, combined with locating these properties further away from the boundary, is likely to result in more light to habitable rooms. Overall, I feel that the level residential amenity provided within both the dwellings and their gardens will be acceptable, and in accordance with Local Plan 2031 Part 1 CP37, Local Plan 2011 DC9 and the principles of the Design Guide.
- 1.8 **Landscape and Visual Impact**
The information submitted by the applicant has made it clear that the amended plans can be delivered without damage to the poplar trees, and the Council's Tree Officer is satisfied that this is possible.
- 1.9 The Council's Tree Officer continues to raise an objection regarding the proximity of development to the poplar trees. Although it is my assessment that living standards within the dwellings and amenity space provided would be at acceptable levels, there pressure to remove the trees to provide greater levels of light and views over the open countryside is likely to remain. There remains the risk of a perception of insecurity given the height of the trees and the propensity of poplar trees to shed small branches, which although unlikely to land on the roofs of the proposed dwellings would still fall within gardens. The Council's Tree Officer continues to advise that the amended layout is not compatible with the long-term retention of the trees.
- 1.10 The applicant has suggested that any potential occupants of the housing on the south-eastern boundary would agree to purchase or live in the property having viewed and understood its relationship to the poplar trees. This is accepted but I also take into consideration that the full impact of the trees is unlikely to be understood until the occupants move into the properties. I consider that the risk to these trees is reduced following the amendments to the plans, however, some risk remains.
- 1.11 Should these trees be lost in the future, the proposed boundary treatment of a mesh fence with shade tolerant vegetation would provide an alternative edge to the development which, while I do not suggest would compensate in any way for loss of the trees, is a boundary treatment that would be considered acceptable under different circumstances.
- 1.12 The landscape and visual impacts need to be balanced against the benefits of the development. There is now a reduced risk that the amended plans would lead to the loss of a row of poplar trees of significant value, leaving a development edge with a landscaping treatment that is not unacceptable. On balance, I consider that the substantial benefits brought by this development in terms of the delivery of housing, a scheme that is otherwise improved and financial contributions to deliver infrastructure to support the development, are sufficient to warrant taking the risk that these trees may be lost in the future.

1.13 **Financial contribution requests**

This S73 application would introduce a liability for CIL on the increase in floorspace from the extant permission, calculated at £319,391.33.

2.0 **CONCLUSION**

2.1 The proposed amendments to this application would result in a standard of residential amenity that can be supported. Although there may remain some pressure to remove trees that are the subject of a Tree Preservation Order, I consider that the risk of this is now reduced. Satisfactory arrangements for boundary treatments are now provided.

2.2 It is recommended that planning permission be granted subject to conditions.

The following planning policies have been taken into account:
Vale of White Horse Local Plan 2011 (SOLP 2011) policies;

- CF1 - Protection of Existing Services and Facilities
- CF2 - Provision of New Community Services and Facilities
- CP01 - Presumption in Favour of Sustainable Development
- CP02 - Cooperation on Unmet Housing Need for Oxfordshire
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP05 - Housing Supply Ring-Fence
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP17 - Delivery of Strategic Highway Improvements within the South-East Vale Sub-Area
- CP22 - Housing Mix
- CP23 - Housing Density
- CP24 - Affordable Housing
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP36 - Electronic communications
- CP37 - Design and Local Distinctiveness
- CP38 - Design Strategies for Strategic and Major Development Sites
- CP39 - The Historic Environment
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure
- CP46 - Conservation and Improvement of Biodiversity
- DC3 - Design against crime
- DC4 - Public Art
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- H23 - Open Space in New Housing Development
- HE10 - Archaeology
- HE9 - Archaeology

Vale of White Horse District Council – Committee Report – 30 May 2018

L1 - Playing Space
NE9 - The Lowland Vale

VALE OF WHITE HORSE DESIGN GUIDE 2015

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