APPLICATION NO. P19/V0203/O
SITE Land at Volunteer Way Faringdon
PARISH GREAT FARINGDON
PROPOSAL Outline application for up to nine dwellings.

(Contaminated land information provided 15 March 2019)

(Additional noise information and indicative floor plans received 8 May 2019)

(Proposed acoustic barrier drawing P18-1001-08 rev A received 22 May 2019)

WARD MEMBER(S) David Grant
Bethia Thomas
APPLICANT Hunot Property
OFFICER Susannah Mangion

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

Standard
1. Commencement 3 yrs – Full Planning Permission
2. Approved plans
3. Standard Outline condition (full)

Prior to commencement
4. Drainage details (surface water)
5. Drainage details (foul water)
6. Contamination (full)
7. Landscaping scheme (including acoustic barrier)
8. Materials (full)

Prior to occupation
9. Access
10. Car parking spaces
11. Landscaping scheme (implement)
12. Acoustic insulation building (full)
1.0 INTRODUCTION AND PROPOSAL

1.1 This application comes to committee at the request of the Planning Manager in agreement with the Chairman.

1.2 The application site is close to the southern edge of Faringdon, one of the district’s market towns. It consists of a narrow strip of land to the south western side of Volunteer Way that extends to approximately 0.27ha. To the south of the site is Faringdon Medical Centre; to the west is an area of industrial land accessed from Pioneer Way; to the north is an office building (Brunel House); and to the east is residential development. Access to the site can be gained from the road-side frontage along Volunteer Way. Faringdon footpath 17, part of The Vale Way, passes to the east of the site. The site is close to a number of bus routes and is within walking distance of a number of shops and other facilities.

1.3 A site location plan is provided below

1.4 The proposal seeks outline planning permission for up to nine dwellings. All matters are reserved but illustrative information has been provided to show nine detached 2 and 2.5-storey dwellings with garages, off-road parking and
accesses taken from Volunteer Way. A 4-metre high acoustic screen would be provided to the rear of the properties along the boundary with the industrial estate. Extracts from the plans are attached at Appendix 1.

1.5 Information provided in support of the application is as follows:
- Planning statement
- Design and Access statement
- Noise Assessment
- Viability report
- Street scene drawing
- Site layout drawing

1.6 Supplementary information provided in support of the application is as follows:
- Contaminated land information
- Additional noise information and indicative floor plans
- Acoustic barrier details

1.7 In addition, the Council commissioned a Financial Viability Assessment by Adams Integra in respect of the site, a copy of which is attached to this report at Appendix 2.

1.8 With regards to the documentation submitted, the land contamination questionnaire indicates there is no obvious evidence of ground contamination but there is current and historic industrial use of the land immediately to the west and recommends an intrusive investigation is undertaken to clarify potential risks.

1.9 The noise report responds to concerns raised by the Council’s environmental health team and considers a ‘worst-case’ scenario whereby the adjoining industrial land operated at night. It is suggested that a 4-metre high acoustic barrier be constructed along the western boundary of the site and the proposed dwellings be constructed and ventilated to limit internal noise.

1.10 The indicative acoustic barrier would comprise a sloped earth bund that could accommodate tree planting behind which would be 2-metre high retaining wall with 2-metre high acoustic fencing above. This would equate to the approximate eaves height of the existing industrial buildings and, taken together, the measures would ensure there would not be unacceptable levels of noise to the dwellings.

1.11 The Adams Integra Financial Viability Assessment commissioned by the Council indicates that the development of this site for an employment use is not financially viable in the current market. It also indicates that a mixed-use scheme would be unlikely to cross subsidise the loss-making commercial element and points out that the business use element of such a mixed use scheme would be less compatible with adjoining residential uses. It was noted that the site has been extensively marketed for employment use but has failed to give rise to any viable schemes.
## SUMMARY OF CONSULTATIONS & REPRESENTATIONS

<table>
<thead>
<tr>
<th>2.1</th>
<th>Faringdon Town Council</th>
<th>Object – land is designated as employment land so proposal contrary to local and neighbourhood plans</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Vale - Highways Liaison Officer (Oxfordshire County Council)</td>
<td>Vehicular accesses and car parking provision will need to accord with standards in terms of numbers of spaces and dimensions. Footway does not link to existing infrastructure – recommended to link to Business Centre and Medical Practice.</td>
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<tr>
<td></td>
<td>Contaminated Land</td>
<td>Preliminary risk assessment report identified a moderate risk of contamination. A pre-commencement condition for a phased risk assessment should be imposed.</td>
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<tr>
<td></td>
<td>Environmental Protection Team</td>
<td>Site lies adjacent to commercial and industrial zone which could operate overnight. No objection further to noise report and subject to provision of an acoustic barrier. Recommend imposition of a pre-commencement noise insulation/mitigated scheme.</td>
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<tr>
<td></td>
<td>Drainage Engineer</td>
<td>Low risk of flooding and appropriate in terms of flood risk policy Recommend pre-commencement conditions for surface and foul water drainage.</td>
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<td>Neighbour Object (1)</td>
<td>Land is designated employment land. Neighbourhood plan demonstrates need for local jobs to reduce commuting. Does health centre building and parking need to be extended to accommodate increased population? Housing supply numbers achieved</td>
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## RELEVANT PLANNING HISTORY

### 3.1 P18/V2259/PEJ - Other Outcome (19/11/2018)

Proposed residential development 10-25 dwellings.

**OFFICE MEETING**
P17/V2540/COX - Other Outcome (17/11/2017)
Confirmation of compliance of all conditions within planning applications P96/V0853/O and P98/V0551/RM

Also confirm that all financial and non-financial obligations of S106 agreements dated 23/09/1999, and 19/06/1992 have been complied with.

P10/V0922/EX - Approved (12/08/2010)
Application to extend the time limit of Application No: GFA/19758/1 for an extension to Brunel House and erection of 17 incubation units for B1 use (Faringdon Business Centre)

P07/V0490 - Approved (28/06/2007)
Extension to Brunel House and erection of 17 incubation units for B1 use. (Faringdon Business Centre)

P06/V1262/A - Approved (10/10/2006)
Proposed signage.

P00/V0357/RM - Approved (11/05/2000)
Two storey B1 (Business) building together with associated car parking and access (Approval of Reserved Matters following Outline Application GFA/11384/3-X granted on appeal).

P99/V1412/A - Approved (14/12/1999)
Display of new signage.

P98/V0551/RM - Approved (11/11/1999)
Erection of 67 Dwellings and associated works. (Following Outline Permission GFA/11384/3-X granted on appeal). (Section 106 undertaking).

P96/V0853/O - Refused (20/03/1997) - Appeal allowed (10/02/1998)
Residential & Employment Development, including new Health Centre. (Site Area 3.98 hectares). (Section 106 undertaking).

P95/V0202/EX - Approved (24/07/1995)
Renewal of application GFA/11384-X for development of land for employment purposes, Class B1. Formation of new site access

P92/V0320 - Approved (14/07/1993)
Removal of condition 5 to Planning permission GFA/11384-X restricting the hours of working.

P89/V0333/O - Approved (02/07/1992)
Development of land for employment purposes, Class B1. Formation of new site access.
4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposed development is neither of a sufficient scale, nor within a location of sufficient environmental sensitivity, to require an EIA.

5.0 MAIN ISSUES

5.1 The relevant planning considerations are the following:

- Principle of the development
- Design, layout and impact on local character
- Highway safety
- Amenity impacts
- Noise considerations
- Other matters, including flood risk, drainage, Community Infrastructure Levy (CIL) and existing Section 106 legal agreement

5.2 Principle
The site is located on Volunteer Way and is identified within the adopted Local Plan 2031 Part 1 and in Faringdon Neighbourhood Plan as being safeguarded for employment use under Core Policy CP6, and Policy 4.5A respectively. Policy CP20 of the Local Plan 2031 Part 1 considers the spatial strategy for Western-Vale Sub Area and aims to protect the service centre of Faringdon and deliver a balance of housing and employment. As this is an entirely residential scheme, the proposal is contrary to policies CP6 and CP20. However, policy CP20 notes that some sites that have been safeguarded for employment may no longer be fit for purpose. In this instance, policy CP29 Local Plan 2031 Part 1 should be considered, which applies to proposals for changes of use of existing employment land.

5.3 Policy CP29 seeks to ensure that the change of use of the employment site would not jeopardise the provision of sufficient employment land across the district to meet the identified need. Policy CP29 advises that, in order to demonstrate the above, applicants should demonstrate that a site has remained unsold or un-let for 12 months or more. In this case, the applicant’s viability report indicates that the site has been marketed for 6 years and argues the site is not viable for commercial use.

5.4 There are considered to be a number of issues constraining the use of the site for business purposes:

- The site is an awkward shape where parking spaces could be insufficient for an employment use.
- Class B1 office or research uses would not be financially viable, the rental return being insufficient to risk the upfront costs. Additionally, there are a high number of existing units in the local area that are vacant, and which affect rent levels.
- Although there is an office building, Brunel House, on the adjoining site, this was built with the benefit of grant money (from SEEDA) which sought to support Market Towns but without which, this development may not have been forthcoming.
5.5 The scheme is therefore considered to meet the policy tests of CP29 in that there is no reasonable prospect of an employment use coming forward on this site. Officers consider the evidence amounts to a material planning consideration that outweighs Policy 4.5A of the Faringdon Neighbourhood Plan.

5.6 The housing scheme therefore stands to be tested against policies CP3 and CP4 of the Vale of White Horse Local Plan 2031 Part 1. Policy CP3 defines the settlement hierarchy for the district and confirms that development should be focused within the Market Towns due to the sustainable nature of these locations. Policy CP4 states that there is a presumption in favour of sustainable development within the built area of Local Service Centres. The site is within the settlement boundary of Faringdon and as such, new housing development is acceptable in principle.

5.7 **Design and layout**
The indicative street scene and site layout shows the proposed dwellings would take cues from the existing residential dwellings in the locality, being predominantly 2-storey dwellings and of a traditional palette of materials. This would give consistency to the character of the proposed development. The proposed dwellings would incorporate soft landscaping to the front and rear of the dwellings with the rear gardens and acoustic screening along the rear boundary contributing to a green interface with the adjoining industrial buildings. Each dwelling would include sufficient off-road parking to accord with adopted standards.

5.8 **Highway safety**
Officers are satisfied that the development can provide acceptable access arrangements and suitable provision for parking, subject to planning conditions. Whilst there is sufficient highway land to provide a new footway along the site frontage, it is not possible to connect the existing infrastructure on the eastern side of Volunteer Way as this would involve undertaking on development outside the applicant’s control. However, it would be possible for residents to make use of the existing footway on the western side of Volunteer Way.

5.9 **Amenity impacts**
The nearest residential dwellings to the application site are those to the east of Volunteer Way. Having regard to the distances between existing and proposed dwellings, the proposal would not have an adverse impact on the amenity of the existing dwellings.

5.10 Each new dwelling would benefit from a rear amenity area. The indicative layout suggests a minimum area available of approximately 70 square metres, with the larger dwellings benefitting from larger gardens.

5.11 **Noise considerations**
An assessment of the existing environmental noise was undertaken in support of this application, having regard to the industrial buildings to the rear of the site. The report concludes that noise levels on site are relatively low and with acoustic treatments, residents would benefit from an appropriate environment.
5.12 However, the Council’s Environmental Protection Officer requested additional information to assess a ‘worst-case’ scenario, since there are no restrictions on the adjoining industrial buildings from operating 24 hours per day, 7 days per week. A further assessment to consider this scenario indicates that, subject to the provision of a suitable acoustic barrier and suitably constructed and ventilated, the amenity of future occupants could be adequately protected. Planning conditions are proposed to require the provision of a 4-metre high acoustic barrier along the west boundary of the site; mechanical ventilation and heat recovery units to all habitable rooms on the west elevation; and a recommended maximum internal noise level to be achieved in the bedrooms and living rooms of the properties. This could be achieved by ensuring suitable construction and glazing of the properties.

5.13 Other matters
Variation of previous section 106 agreement.
The applicants have proposed to vary the previous section 106 legal agreement through a deed of variation. The relevant obligations of the 106 agreement are:

- that the owner not permit the use of any building for purposes other than Class B1a or Class B1b (offices and research and development uses)
- and that the owner provides and maintains a ‘willow wall’ acoustic barrier, except with the prior written consent of the Council.

5.14 The Council’s legal team have advised that it is acceptable for the decision on the current application to be issued without a revised legal agreement being in place, any planning permission essentially being prior written consent for the variation.

5.15 As discussed, the use of the site for business purposes is not considered viable and a willow wall is not necessary to form acoustic protection, subject to the provision of a new acoustic barrier and alternative measures to address the potential for noise disturbance.

5.16 Flood risk and drainage
The site is located within Flood Zone 1 and at a low risk of flooding. With regard to surface and foul water drainage, this will be discharged to existing infrastructure on Volunteer Way. Details can be addressed by condition.

5.17 Land contamination
the preliminary risk assessment report provided identifies a moderate risk and recommends an intrusive investigation is undertaken to clarify potential risks to the proposed development. A pre-commencement planning condition should be imposed to require a phased risk assessment be carried out, followed by an intrusive investigation and any necessary remediation strategy undertaken.

5.18 Community Infrastructure Levy
The development is liable for CIL. Upon Reserved Matters approval a Liability Notice will be issued to the nominated person/company liable for CIL.
6.0 **CONCLUSION**

6.1 The proposal raises issues in terms of the viability of the use of employment land for business purposes in the current economic climate. Officers have carefully assessed these issues, having regard to the content of the viability report commissioned, and consider there are material planning considerations that outweigh Policy 4.5A of the Faringdon Neighbourhood Plan in this instance, and that the proposal accords with the aims of policy CP29 Local Plan 2031 Part 1 and is, therefore, acceptable in principle. Officers consider the proposal is acceptable in terms of design and impact on the character of the area, highway safety, and noise and amenity considerations. On balance, officers support the scheme.

The following planning policies have been taken into account:

**Vale of White Horse Local Plan 2031 Part 1 policies:**
- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP06 - Meeting Business and Employment Needs
- CP20 - Spatial Strategy for Western Vale Sub-Area
- CP29 - Change of Use of Existing Employment Land and Premises
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP42 – Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape

**Vale of White Horse Local Plan 2011 policies:**
- DC5 - Access
- DC6 - Landscaping
- DC7 - Waste Collection and Recycling
- DC9 - The Impact of Development on Neighbouring Uses

**Vale of White Horse Local Plan 2031 Part 2:**
A publication draft of the Vale of White Horse Local Plan 2031 Part 2 has been subject to public consultation and Examination and the Inspector’s final report (received 25 June 2019) has found the plan sound. Its policies therefore carry significant weight in decision making and the following policies are material to the consideration of this application:
- CP4a – Meeting our housing needs
- DP2 - Space standards
- DP16 – Access
- DP23 – Impact of development on amenity
- DP24 - Effect of Neighbouring or Previous Uses on New Developments
- DP25 - Noise Pollution
- DP27 – Land Affected by Contamination

**Faringdon Neighbourhood Plan, adopted on 14 December 2016 Policies:**
4.5A – Existing employment sites
4.7C Housing design

Vale of White Horse Design Guide (March 2015)

National Planning Policy Framework, 2019

Planning Practice Guidance

Equality Act 2010
The application has been assessed against section 149 of the Equality Act. It is considered that no recognised group will suffer discrimination as a result of the proposal.

Human Rights Act, 1998
The application has been assessed against Articles 1 and 8. The impact on individuals has been balanced against the public interest and the officer recommendation is considered to be proportionate.

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