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| APPLICATION NO. | P23/V1198/S73 |
| SITE | Land at Monks Farm Grove, OX12 0AH |
| PARISH | GROVE |
| PROPOSAL | Variation of conditions 12 (Habitat restoration method statement) and 13 (Letcombe Brook Bridge details) on application reference number P16/V0981/O in order to commence Phase 1B. (as amended by programme submitted 2 August 2023, condition wording submitted 19 September 2023 and 20 October 2023). |
| WARD MEMBER(S) | (Application for outline planning permission for up to 400 dwellings, extension to the Grove CE primary school, associated landscaping and infrastructure with all matters except access reserved.) Ron Batstone |
| APPLICANT | Kiera Bentley |
| OFFICER | David Wilson Homes Southern Penny Beale |

RECOMMENDATION

It is recommended that approval is granted subject to the following conditions:

- 1. No development, or in the case of phased development no phase or sub phase of the development, shall be begun until full details illustrating the following matters ('the reserved matters') have been submitted to and approved in writing by the Local Planning Authority and the development (or where relevant phase of development) shall be carried out in accordance with such details:**

The layout of the development;

The scale of the development;

The appearance of the development;

The means of access, not approved by this permission; and

The landscaping of the development.

Reason: As the application is in outline only and is not accompanied by detailed plans and by virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. Application for approval of the reserved matters shall be submitted to the local Planning Authority before the expiration of three years of the date of permission ref. P16/V0981/O being 8 April 2021 or, in the case of phased development, application for approval of the reserved matters within the first phase shall be submitted to the**

Local Planning Authority before the expiration of two years of the date of permission ref. P16/V0981/O being 8 April 2021. In the case of phased development, all subsequent reserved matters applications shall be submitted to the Local Planning Authority before and no later than 8 April 2026 (being the expiration of five years of the date of permission P16/V0981/O).

Reason: As the application is in outline only and is not accompanied by detailed plans and by virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3. The development hereby permitted shall be begun before the expiration of the two years from the date of approval of the last of the reserved matters to be approved or, in the case of phased development, before the expiration of two years from the date of approval of the last of the reserved matters to be approved in respect of the first phase.**

Reason: By virtue of Section 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4. Except as controlled or modified by conditions of this permission, the development hereby permitted shall be carried out in accordance with the approved plans listed below:**

**Site Location Plan UD05 Rev F
Land Use and Access Parameter Plan UD50 Rev E
Building Heights Parameter Plan UD51 Rev E
Green Infrastructure Parameter Plan UD52 Rev J
Application Development Framework SK50 Rev A
Illustrative Landscape Master Plan 2070.57/50**

and in broad accordance with the following documents:

- Design and Access Statement and Addendum**
- Transport Assessment**
- Travel Plan**
- Outline Habitat Restoration and Management Strategy (Revision A - HDA November 2017).**

Reason: To secure the proper planning of the area in accordance with Development Plan policies.

- 5. The development, hereby approved, shall be carried out in accordance with the mitigation measures as set out in the Environmental Statement, dated December 2017. Wherever in these conditions the local planning authority is given power to approve a variation to those mitigation measures imposed by that condition it**

shall only do so if it is satisfied that the relevant variation would not have significant environmental effects other than those assessed in the Environmental Statement.

Reason: To ensure that the development takes place in accordance with the principles and parameters contained within the Environmental Statement.

6. The access and visibility splays shall be provided prior to the occupation or use of the new development in accordance with the following details approved under applications no. P22/V0644/DIS and P22/V1075/DIS:

- Denchworth Road General Arrangement drwg 21-104-115E
- Denchworth Road Refuse SPA drwg 21-104-113C
- Link Road Refuse SPA drwg 21-104-112
- Designer's Response to Stage 1 RSA Denchworth Road ref: 21-104-16
- Station Road Signalised Access drwg 21-104-329 Rev C
- Designer's Response to Stage 1 RSA Station Road Signalised Access ref: 21-104-20A
- Designer's Response to Stage 1 RSA Grove Northern Link Road ref: 21-104-21A

Thereafter, the visibility splays shall be permanently maintained free from obstruction to vision.

Reason: In the interest of highway safety (Policy DP16 of the adopted Local Plan).

7. The development shall be carried out in accordance with the Construction Traffic Management Plan (ref. CTMP Odyssey 21-104 rev G 29.03.23) approved under application no. P22/V0321/DIS.

Reason: In the interest of highway safety and to protect the amenities of the occupants of adjacent dwellings during construction (Policies DP16 and DP23 of the adopted Local Plan).

8. Prior to the commencement of each phase of development, a fully detailed surface water drainage scheme, based on the sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of the following:

- Discharge Rates and Volumes
- Maintenance and management of SUDS features
- Sizing of features - attenuation volume

- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (to include the suds features detailed within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations'
- Phasing

Reason: To ensure the effective and sustainable drainage of the site in the interests of public health and the avoidance of flooding (Policies DP23 and CP42 of the adopted Local Plan).

9. Prior to the commencement of each phase of development, a fully detailed drainage scheme for on-site foul water shall be submitted and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before any respective dwelling to which it relates is occupied.

Reason: To ensure the effective and sustainable drainage of the site in the interests of public health and the avoidance of flooding (Policies DP23 and CP42 of the adopted Local Plan).

10. Prior to the commencement of each phase of the development (including vegetation clearance), a construction environmental management plan for Biodiversity (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - a) Ecological surveys for relevant habitats and species, all update surveys shall follow national good practice guidelines.
 - b) Risk assessment of potentially damaging construction activities.
 - c) Identification of "biodiversity protection zones".
 - d) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on important habitats and protected species during construction
 - e) The location and timing of sensitive works to avoid harm to biodiversity features.
 - f) The times during construction when specialist ecologists need to be present on site to oversee works.
 - g) Responsible persons and lines of communication.
 - h) Use of protective fences, exclusion barriers and warning signs.The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure the protection of habitats and species on the site, in accordance with Policy CP46 of the adopted Local Plan.

11. Prior to 1st occupation within Phase 1B, and prior to commencement of any other phase other than Phase 1B (in accordance with Phasing Plan H8624/PP/01 rev J), a Habitat Restoration Method Statement for the Letcombe Brook Corridor (as illustrated on the Green Infrastructure Parameter Plan UD52 Rev J) shall be submitted to and approved in writing by the local planning authority. The Habitat Restoration Method Statement should follow the structure and principles agreed in the Letcombe Brook Outline Habitat Restoration and Management Strategy (Rev A - HDA November 2017). Phase 1B shall only be accessed from the west via Denchworth Road until the bridge is constructed. The approved restoration works should be completed in full prior to final occupation/completion of the first phase of the development (Phase 1B).

Reason: To ensure the proposals deliver a no net loss of biodiversity in accordance with Policy CP46 of the adopted Local Plan.

12. Prior to 1st occupation within Phase 1B, and prior to commencement of any phase other than Phase 1B, (in accordance with Phasing Plan H8624/PP/01 rev J), a detailed plan of the bridge for the single road crossing shall be submitted to, and approved in writing by, the local planning authority. The bridge must be designed so as not to increase flood risk or impact on nature conservation within the Letcombe Brook. The bridge design shall be in accordance to the following guidance:

- It must be designed so to allow the movement of wildlife beneath and outside the aquatic zone in times of flood.**
- The soffit levels and flood spans must be 600 mm or more above the design flood level.**
- The bridge should be clear span in design and set back appropriately from the bank.**

Phase 1B shall only be accessed from the west via Denchworth Road until the bridge is constructed.

Reason: To prevent flooding and to ensure the proposals deliver a no net loss of biodiversity in accordance with Policies CP42 and CP46 of the adopted Local Plan.

13. Prior to the commencement of development an archaeological investigation shall be carried out by a professional archaeological organisation in accordance with the Written Scheme of Investigation prepared by Red River Archaeology approved under application no. P22/V2781/DIS.

Reason: To enable a proper archaeological investigation of the site and the identification and recording of any items of archaeological importance (Policy DP39 of the adopted Local Plan).

14. Prior to the commencement of any development and following the approval of the Written Scheme of Investigation referred to in condition 13, a staged programme of archaeological investigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason: To enable the inspection and recording of any items of archaeological importance (Policy DP39 of the adopted Local Plan).

15. Concurrent with the submission of each reserved matters application, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority. A BEP will be required with all phases of the development but will exclude the Letcombe Brook Corridor (as illustrated on the Green Infrastructure Parameter Plan UD52 Rev J), which is subject to a separate condition.

The BEP should include:

- a. Details of habitat creation or enhancements (this could cross reference relevant landscape plans) and include suitably detailed drawings and cross sections as required.
- b. Details of species enhancements including relevant scale plans and drawings showing the location, elevation and type of features such as bat and bird boxes etc. as appropriate.
- c. Selection of appropriate strategies for creating / restoring target habitats or
- d. introducing target species;
- e. Selection of specific techniques and practices for establishing vegetation;
- f. Sources of habitat materials (e.g. plant stock) or species individuals;
- g. Method statement for site preparation and establishment of target features;
- h. Extent and location of proposed works;

Thereafter, the biodiversity enhancement measures shall be developed on site and retained in accordance with the approved details. All enhancements should be delivered prior to the final occupation of the relevant phase.

Reason: To ensure the proposals deliver a no net loss of biodiversity in accordance with Policy CP46 of the adopted Local Plan.

16. Prior to the commencement of each phase of development, an arboricultural method statement for that phase to ensure the protection of trees during construction shall be submitted to and approved in writing by the Local Planning Authority. No works shall be carried out on site (including any demolition works) before the associated arboricultural method statement has been approved. The arboricultural method statement shall include details of the following:

- 1) The location, materials and means of construction of temporary tree protective fencing and/or ground protection measures (in accordance with the current BS 5837 'Trees in relation to design, demolition and construction');**
- 2) The programme for implementing and retaining such tree protection measures;**
- 3) Any works to trees (in accordance with the current BS 3998 'Tree Works') to be carried out to prevent accidental damage by construction activities.**

All works shall be carried out in accordance with the approved arboricultural method statement. At all times during construction, the tree protected areas shall not be used to park or manoeuvre vehicles, site temporary offices or other structures, store building materials or soil, mix cement/concrete or light bonfires.

Reason: To protect trees on the site in the interest of visual amenity (Policy CP44 of the adopted Local Plan).

17. The reserved matters for the scheme shall provide a market mix in accordance with the latest Strategic Housing Market Assessment.

Reason: To accord with Policy CP22 of the adopted Local Plan.

18. The details of scale to be submitted for approval of the local planning authority in accordance with condition 1 shall include details of the proposed slab, finished floor and roof levels of the buildings in relation to existing and proposed levels of the site and the surrounding land and buildings. The development shall be constructed in accordance with the approved levels.

Reason: To help integrate the development into its surroundings, preserve the settings of listed buildings and enable high quality design in accordance with policies CP37 and DP38 of the adopted Local Plan.

19. Each and any reserved matters application incorporating buildings shall include noise insulation measures (having regard to the building fabric, glazing and mechanical ventilation requirements) to achieve external and internal noise levels recommended in BS 8233 "Sound Insulation and noise reduction for buildings-Code of Practice" (or as superseded). The noise insulation measures as

approved shall be fully implemented before occupation of any dwelling to which it relates and shall be retained thereafter and not altered without prior approval of the local planning authority.

Reason: To ensure that sufficient noise attenuation is provided to all residential properties to protect residents from the impact of railway noise and safeguard the amenity and health of future residents in accordance with Policy DP25 of the adopted Local Plan.

20. There shall be no occupation of any dwelling until confirmation has been provided that either:

- all water network upgrades required to accommodate the additional flows from the development have been completed; or
- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary to avoid sewer flooding and/or potential pollution incidents in the interests of public health and the avoidance of flooding (Policies DP23 and CP42 of the adopted Local Plan).

21. Prior to the first occupation of the first phase of the development, an Ecological Management Plan for the Letcombe Brook Corridor (as illustrated on the Green Infrastructure Parameter Plan UD52 Rev J) shall be submitted to and approved by the local planning authority. The Ecological Management Plan should follow the structure and principles agreed in the Letcombe Brook Outline Habitat Restoration and Management Strategy (Revision A - HDA November 2017).

The approved Ecological Management Plan shall be adhered to and implemented strictly in accordance with the approved details.

Reason: To ensure the proposals deliver a no net loss of biodiversity in accordance with Policy CP46 of the adopted Local Plan.

22. Prior to the first occupation of any dwelling forming part of the development a Residential Travel Plan shall be prepared and submitted for approval in accordance with Oxfordshire County

Council's travel plan guidance. A residential travel information pack shall also be submitted for approval to the OCC Travel Plans Team prior to first occupation of the site.

Reason: To ensure all residents are aware of the travel choices available to them from the outset and to encourage the use of sustainable modes of transport (Policies CP33 and CP35 of the adopted Local Plan).

23. No occupation beyond the 150th dwelling forming part of the development hereby permitted shall occur until a vehicular access link between the spine road within the development and Denchworth Road has been completed and is suitable for bus operation. This could either take the form of the Grove Northern Link Road (GNLR) connecting to Denchworth Road, coupled with a widening of a section of Denchworth Road or, if this is not achievable, an access link to the wider section of Denchworth Road near to the junction with Maples Close.

Reason: In the interest of highway safety (Policy DP16 of the adopted Local Plan).

24. The final unit of residential accommodation within each sub-phase of development shall not be occupied until all links to existing on and off site infrastructure, roads and footpaths within that sub-phase have been constructed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, residential amenity and convenience in accordance with policies DP16 and DP23 of the adopted Local Plan.

25. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by Wardell and Armstrong, dated April 2016 (save any further measures necessary in order to address drainage and flood compensation measures related to the primary school expansion) and the following mitigation measures detailed within the FRA:

- 1. With the exception of a single road crossing, there shall be no built development in Flood Zones 2 or 3.**
- 2. There will be no raising of land within Flood Zones 2 or 3 without provision of compensatory flood storage**

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any

other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants (Policy CP42 of the adopted Local Plan).

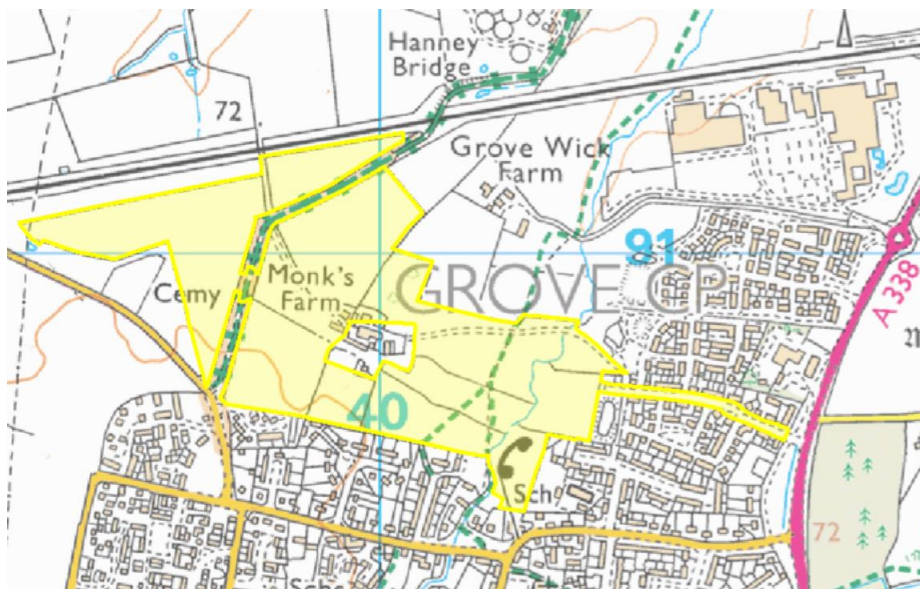
26. All dwellings shall be provided with access to electric vehicle charging points in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved details are operational for that property.

Reason: To encourage the use of electric cars as a means of transport and to mitigate any impacts on air pollution in accordance with policies CP33, CP35 and DP26 of the adopted Local Plan).

1.0 INTRODUCTION AND PROPOSAL

1.1 This application is presented to committee due to an objection from Grove Parish Council.

1.2 The site is part of the strategic allocated housing site known as 'Monks Farm, Grove' which is identified in the adopted local plan for up to 885 dwellings. 368 of these dwellings have previously been permitted on land immediately to the east of the application site. A site location plan for this site is below:



1.3 Outline consent for up to 400 dwellings, extension to Grove CE primary school, associated landscaping and infrastructure was approved on this site in April 2021. Since approval of the outline consent, reserved matters consent has been granted for 83 dwellings known as Phase 1B in the south of the site (application ref. P21/V3516/RM).

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1.4 When planning permission is granted, development must take place in accordance with the permission and conditions attached to it and with any associated legal agreements. New issues may arise after planning permission has been granted, which require modification of the approval proposals and under section 73 (or 73A if retrospective) of the Town and Country Planning Act 1990 an application can be made to vary or remove conditions associated with a planning permission.

1.5 This application seeks to amend the wording of conditions 12 and 13. Following consultation and discussion with officers, the proposed amended wording has been altered.

1.6 As approved under the outline permission, condition 12 stated:

Prior to the commencement of the first phase of the development (including demolition, ground works, vegetation clearance) a Habitat Restoration Method Statement for the Letcombe Brook Corridor (as illustrated on the Green Infrastructure Parameter Plan UD52 Rev J) shall be submitted to and approved in writing by the local planning authority. The Habitat Restoration Method Statement should follow the structure and principles agreed in the Letcombe Brook Outline Habitat Restoration and Management Strategy (Revision A - HDA November 2017).

The approved restoration works should be completed in full prior to final occupation/completion of the first phase of the development.

1.7 This application initially sought to amend condition 12 to the following:

Prior to the commencement of the relevant phase containing Letcombe Brook (including demolition, ground works, vegetation clearance) a Habitat Restoration Method Statement for the Letcombe Brook Corridor (as illustrated on the Green Infrastructure Parameter Plan UD52 Rev J) shall be submitted to and approved in writing by the local planning authority. The Habitat Restoration Method Statement should follow the structure and principles agreed in the Letcombe Brook Outline Habitat Restoration and Management Strategy (Revision A - HDA November 2017).

1.8 This change is sought to allow the commencement of works to Phase 1B prior to the submission and approval of the Habitat Restoration Method Statement, as this phase of development does not affect or make changes to the brook.

1.9 The proposed wording has been altered a number of times in response to consultation comments and the wording of condition 12 now sought is:

Prior to 1st occupation within Phase 1B, and prior to commencement of any other phase other than Phase 1B (in accordance with Phasing Plan H8624/PP/01 rev J), a Habitat Restoration Method Statement for the Letcombe Brook Corridor (as illustrated on the Green Infrastructure Parameter Plan UD52 Rev J) shall be submitted to and approved in writing by the local

planning authority. The Habitat Restoration Method Statement should follow the structure and principles agreed in the Letcombe Brook Outline Habitat Restoration and Management Strategy (Rev A - HDA November 2017). Phase 1B shall only be accessed from the west via Denchworth Road until the bridge is constructed. The approved restoration works should be completed in full prior to final occupation/completion of the first phase of the development (Phase 1B).

This is now condition 11 in the list provided at the start of this report.

- 1.10 As approved under the outline permission, condition 13 stated:

No development shall commence until a detailed plan of the bridge for the single road crossing has been submitted to, and approved in writing by, the local planning authority. The bridge must be designed so as not to increase flood risk or impact on nature conservation within the Letcombe Brook. The bridge design shall be in accordance to the following guidance:

- It must be designed so to allow the movement of wildlife beneath and outside the aquatic zone in times of flood.*
- The soffit levels and flood spans must be 600 mm or more above the design flood level.*
- The bridge should be clear span in design and set back appropriately from the bank.*

- 1.11 The applicant initially sought to amend condition 13 to the following:

No more than 55 dwellings shall be occupied until a detailed plan of the bridge for the single road crossing has been submitted to, and approved in writing by, the local planning authority. The bridge must be designed so as not to increase flood risk or impact on nature conservation within the Letcombe Brook. The bridge design shall be in accordance to the following guidance:

- It must be designed so to allow the movement of wildlife beneath and outside the aquatic zone in times of flood.*
- The soffit levels and flood spans must be 600 mm or more above the design flood level.*
- The bridge should be clear span in design and set back appropriately from the bank.*

- 1.12 This change is sought due to delays in the construction programme of the bridge and a delay agreeing flood modelling work with the Environment Agency for the bridge design. The change sought would allow the commencement and occupation within Phase 1B prior to submission of the detailed plan for the bridge.

- 1.13 The proposed wording for condition 13 has also been altered a number of times in response to consultation comments and the wording of condition 13 now sought would allow commencement of phase 1B only as follows:

Prior to 1st occupation within Phase 1B, and prior to commencement of any phase other than Phase 1B, (in accordance with Phasing Plan H8624/PP/01

rev J), a detailed plan of the bridge for the single road crossing shall be submitted to, and approved in writing by, the local planning authority. The bridge must be designed so as not to increase flood risk or impact on nature conservation within the Letcombe Brook. The bridge design shall be in accordance to the following guidance:

- It must be designed so to allow the movement of wildlife beneath and outside the aquatic zone in times of flood.
- The soffit levels and flood spans must be 600 mm or more above the design flood level.
- The bridge should be clear span in design and set back appropriately from the bank.

Phase 1B shall only be accessed from the west via Denchworth Road until the bridge is constructed.

This is now condition 12 in the list provided at the start of this report.

- 1.14 Changes to other conditions are proposed where conditions have been discharged or partially discharged since outline consent was granted so amended wording is proposed to reflect this.
- 1.15 An amended phasing plan has been approved via a S106 obligation; this is **attached** in Appendix 1.
- 1.16 Construction works for infrastructure and housing in phase 1B have commenced on site along with archaeology investigation works across the wider site.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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

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| Grove Parish Council | <p><i>Additional response – January 2024</i> Objection</p> <ul style="list-style-type: none"> • The developers have been allowed to progress the development before conditions 12 and 13 have been met and no enforcement action has taken place. • Concern that other conditions may not be met. <p><i>Amended submission – October 2023</i> Objection</p> <ul style="list-style-type: none"> • Reasons previously stated. <p><i>Amended submission - August 2023</i> Objection</p> <ul style="list-style-type: none"> • Firmly believes that this application is a delaying tactic by the developer so that it can build a further 20 dwellings before it considers the Letcombe Brook Bridge. |
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| | <p><i>Original Submission</i> Objection</p> <ul style="list-style-type: none"> • Firmly believes this application is a delaying tactic by the developer so that it can build a further 400 dwellings before it considers the Letcombe Brook Bridge. • The Parish Council believes that the developer does not intend to build the bridge. • There are currently 100 dwellings on site being constructed, a further 400 dwellings to be considered before a much needed second access is constructed. • Fully supports and agrees with the ‘Community Objection’ submitted by the residents of The Maples. |
| <p>Residents</p> | <p><i>Amended submission – October 2023</i> Comments from one resident have been received raising the following concerns:</p> <ul style="list-style-type: none"> • There must have been a reason for these conditions in the first place. <p><i>Original submission</i> Comments from four residents have been received raising the following concerns:</p> <ul style="list-style-type: none"> • This development was never intended to be a single access site. • The building of the bridge during the first construction stage facilitated a structured approach to the building programme and introduced a degree of traffic control as the development grew. • Any delay in delivering the bridge means all traffic will be routed down Denchworth Road which is already a busy thoroughfare and will be completed unsuited to this level of vehicle movement. • Delays could be open ended and could result in further requests for variations leading to the applicant submitted proposals for future phases of development before the bridge is built. • There was an assumption that Monks Farm would be developed east to west and the bridge would therefore have to be in place from the outset, although this has changed conditions should be observed in the interest of road safety and to ensure controlled continuity for the benefit of the community. |

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| | <p>The following comments were received relate to the principle of development at the site:</p> <ul style="list-style-type: none"> • Do not need further housing in the local area as services such as shops, GPs, parks are stretched. • Expanding the school will increase traffic and safety issues. • Significant increase in traffic and noise pollution changing the character of the areas. • Destruction of semi-natural habitats and green spaces and disturbance to a globally rare chalk stream • Disruption of community with no evidence of community green spaces to be provided. • Development has destroyed a locally used meadow. |
| <p>The Maples Residents (31 residents)</p> | <p>This is a community response signed by 31 residents from The Maples.</p> <p><i>Amended submission - August 2023</i> No objection</p> <ul style="list-style-type: none"> • Wish to agree to amendments limiting no more than 20 dwellings to be occupied before the detailed plan for the bridge for the single road crossing has been submitted and approved. • The applicant has agreed to undertakings and mitigations and collaborative work to remedy surface road drainage including: <ul style="list-style-type: none"> ○ Reinforcing approved routes with all contractors and supplies along with site operation and delivery hours. ○ Install more signage to direct construction vehicles along the approved route. ○ Ensure there is a full-time banksman at the Denchworth Road access. ○ Apply for a Temporary Traffic Regulation Order on Denchworth Road from The Maples to and including Newlands Avenue junction to discourage parking to allow two-way traffic to pass. ○ Increase the frequency of road sweepers and install a wheel wash at the site entrance within the site. ○ Banksman to start earlier to deal with vehicles arriving before the site opens. <p><i>Original Submission</i> Objection</p> |

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| | <ul style="list-style-type: none">• Agreeing to the relaxation of these conditions goes against the logic and purpose of the original intent and reasoning of the Highway Authority and Planning Committee.• There is a realistic prospect that the Letcombe Bridge access will either be substantially delayed or never built.• There is a real prospect that removal of the condition limit will enable the developer to develop all phases of this site without the bridge being in place.• There is a high risk that the western end of the GNLR will never be completed across the Denchworth Road and onto the former Grove Airfield due to the ransom strip.• Due to the quantum of development and for road safety reasons it would be unreasonable for this number of dwellings to be accessed solely from one access point.• The developer’s consultants recognises that the Traffic Assessment provided is out of date having been carried out in 2015. They are seeking to update their figures by referring to a separate assessment by PFA for a nearby development which is also stale. These surveys are 8 and 5 years old respectively and there have been substantial changes to traffic volumes in the immediate vicinity.• Adding substantial numbers of vehicles to the existing developments and traffic will have a significant impact on neighbouring amenity.• A single access has the potential to hinder the emergency services gaining access to occupied dwellings on site.• The Denchworth Road (Townsend) was never constructed to take the proposed volume and size of vehicle the applicant’s application suggested. The impact is already being felt by locals and the residual impact is likely to be severe in terms of safety and amenity.• Unacceptable effects from the existing development are already being seen with the Denchworth Road increasingly difficult to access and breaking up under constant heavy pounding beyond what it was designed for.• Permitting the requested relaxation of conditions could dissuade the applicant from developing the Letcombe Bridge and lead to further requests for a relaxation until the whole site is development we still only have one |
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| | <p>access, which was originally designed as a temporary secondary access.</p> <ul style="list-style-type: none"> • Our assertion is that the applicant has neglected to take any realistic steps to develop the bridge between 2016 and 2022. |
| Letcombe Brook Project | <p><i>Amended submission – August 2023</i> No objection</p> <p><i>Original Submission</i></p> <ul style="list-style-type: none"> • The variation to conditions does not adversely impact on the Letcombe Brook. |
| Wantage and Grove Campaign Group | <p><i>Original Submission</i> Objection</p> <ul style="list-style-type: none"> • Building hundreds of homes with only one access seems dangerous even if only for a limited time and this application should be refused. • The bridge over the Brook is a very important part of the infrastructure and should be completed to allow an access to the A338 for all homes on the Monks Farm site and to avoid traffic (including construction vehicles) from all having to go through the centre of the village. • The condition was applied for a reason and that reason still applies. • The developers should meet their obligations. |
| Wantage and Grove Active Travel Group | <p><i>Original Submission</i></p> <ul style="list-style-type: none"> • Request for provision for cycling on the proposed Southern Link Road be checked/ revisited against LTN 1/20. It appears this road will be one of the key routes for people cycling from the new development towards the centre of Grove and beyond. • There is little mention of cycling in the Highways Technical Note, the application map only appears to show a hybrid cycle lane on one side, they should be one way and on both sides of the road. • Concern as to how cycling provision tie in with the shared use cycle land along the north side of the Grove Northern Link Road. • Concern about the proposed layout of the Denchworth Road junction that the use by pedestrians and cyclists has not been taken into account in the junction design. |

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| <p>Environment Agency</p> | <p><i>Amended Submission – October 2023</i> Objection, but recommend changes to wording.</p> <p>Condition 12:</p> <ul style="list-style-type: none"> • Welcome the proposed changes except wording relating to Phase 1B being accessed from the west should be changed from ‘should’ to ‘shall’. <p>Condition 13:</p> <ul style="list-style-type: none"> • Amended wording appears to allow commencement of works within 1B and also 1C prior to the detailed plan for the bridge being approved. • The intention relating to works commencing within Phase 1C is unclear. Concerned that Phase 1C is in close proximity to the proposed bridge crossing and it would need to be demonstrated that any works proposed in Phase 1C would not affect the floodplain storage compensation required for the bridge. • Should the council need to allow Phase 1C to be commenced prior to submission of the bridge details, then information relating to any floodplain storage compensation will need to be provided to demonstrate that this will not be impacted by commencement of works within Phase 1C. The condition would also need to be make clear the direction of access of phase 1C (from the east, not across the watercourse). • Should the commencement of Phase 1C not be required, then the condition wording should be amended to ‘prior to first occupation within Phase 1B, and prior to commencement of any phase other than Phase 1B, (in accordance with Phasing Plan H8624/PP/01 rev J). • Wording relating to Phase 1B being accessed from the west should be changed from ‘should’ to ‘shall’. <p><i>Amended Submission – August 2023</i> Objection</p> <p>Condition 12:</p> <ul style="list-style-type: none"> • Specific phases should be made clear within the condition wording. • It is important to agree the Habitat Restoration Method Statement for the Letcombe Brook Corridor as early as possible to ensure that these works can be implemented early in the development programme. Any new habitat |
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| | <p>takes time to establish and the early improvements to the corridor will be key to mitigate the impacts of the development, through the construction phase as well as when the development is complete.</p> <ul style="list-style-type: none">• If the commencement of Phase 1B is to be allowed (accessed from the west) then the Method Statement should be submitted and approved before the commencement of any other phase or sub-phase.• The proposed wording of ‘prior to first occupation of the first phase of the development’ could mean that many houses and infrastructure could be built before the document is required.• If the council requires a certain number of houses to be built within a phase away from the Letcombe Brook corridor prior to the approval of the method statement condition wording should reflect this specifically. <p>Condition 13:</p> <ul style="list-style-type: none">• The original proposed variation that ‘no more than 20 dwellings would be occupied’ until a detailed plan of the bridge is to be submitted would not preclude additional houses being built on other parts of the site prior to the bridge details being approved.• The same applies for the new alternative wording, requiring that bridge details are submitted and approved ‘prior to first occupation’.• Given that the bridge crossing could have an influence on the habitat restoration along the Letcombe Brook Corridor, it is vital that the details of the bridge design are agreed early in the development programme to ensure that the Habitat Restoration Method Statement can be agreed and implemented.• Should the Council allow that a certain number of houses are able to be constructed prior to securing bridge crossing details, a more strictly defined trigger will be required which sets out the location those houses. It is crucial that these houses are within Phase 1B and are not near the river and that the trigger within the condition wording relates to built development over and near the watercourse, not occupation. |
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| | <ul style="list-style-type: none"> • The current proposed wording would allow the bridge to be constructed before the approval of the bridge crossing details. • Amended wording for both conditions needs to be specific to what will be the first phase of development. An amended Phasing Plan should be provided to show any proposed alteration to the phasing of the development. • It must be made explicitly clear that should Phase 1B be the first phase to be development, it must be accessed from the west rather than over the Letcombe Brook. <p><i>Original Submission</i></p> <ul style="list-style-type: none"> • Delay in providing response. |
| Ecology Officer | <p><i>Amended submission – October 2023</i></p> <p>No objection</p> <ul style="list-style-type: none"> • No objection to the amended wording. <p><i>Original Submission</i></p> <p>Objection</p> <ul style="list-style-type: none"> • Whilst it is understood that phase 1B will not directly impact the Letcombe Brook corridor, the phasing of the habitat restoration works takes into account that newly created habitats will only serve as protective green infrastructure once properly established. This may take one or two growing seasons to have restored and created habitats successfully established. • The proposed wording of the condition would in effect, only require the restoration and management of habitats prior to commencement of Phase 1B, meaning that significant other areas of the site could be occupied prior to this. • Condition 12 should be retained as currently worded. • The early prioritisation of the Letcombe Brook corridor restoration is important to ensuring effective and lasting habitat creation. |
| Thames Water | <p><i>Original Submission</i></p> <p>No objection.</p> |
| Forestry Officer | <p><i>Amended submission – September 2023</i></p> <ul style="list-style-type: none"> • No further comments |

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| | <p><i>Original Submission</i></p> <ul style="list-style-type: none"> • No objections to a change in wording to condition 17 to allow details to be agreed in phases. • The inclusion of a condition to allow for site clearance and demolition appears to contradict condition 17 although aware of plans that have been agreed as a partial discharge under ref. P22/V0879/DIS. • It would be important for the wording of condition 17 to account for this if any changes are to be merited. Important for the condition to be clear that these plans are only relevant to the demolition of the farm building and do not extend to the construction phase. |
| <p>Oxfordshire County Council – Transport Development Control</p> | <p><i>Amended submission – October 2023</i> No objection</p> <ul style="list-style-type: none"> • Amended wording to conditions 12 and 13 are acceptable. <p><i>Amended submission – August 2023</i> No objection</p> <ul style="list-style-type: none"> • No comments to make regarding the variation to condition 12. • Due to delays on the development site it has been requested that the pre-commencement trigger for the detailed design is delayed/ amended to ‘no more than 20 dwellings shall be occupied’. Such a proposal is considered undesirable by OCC, however mindful that condition 4 of P21/V3516/RM is imposed that restricts no more than 55 dwellings to be occupied until such time that the proposed Letcombe Brook Bridge and associated Eastern Link Spine Road linking to Kingside and the A338 Station Road have been constructed and opened for public use. • OCC does not have an objection to this proposal however it is recommended that the council seeks an earlier trigger for the design work of the bridge to be completed and approved, i.e., prior to first occupation of the site to ensure its early delivery and benefit to the overall site allocation of Monks Farm. |
| <p>Urban Design Officer</p> | <p><i>Amended submission – August 2023</i> No objection</p> <p><i>Original Submission</i></p> |

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| | <p>No objection</p> <ul style="list-style-type: none"> Variations to condition wording do not have an impact on the design of the masterplanning previously approved. |
| Heritage Officer | <p><i>Amended Submission – August 2023</i> No objection</p> <p><i>Original Submission</i> No objection</p> |
| Historic England | <p><i>Amended Submission – August 2023</i> No comments</p> <p><i>Original Submission</i> No comments</p> |
| Natural England | <p><i>Amended Submission – August 2023</i> No comments</p> <p><i>Original Submission</i> No comments</p> |
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| SGN Plant Team | <p><i>Original Submission</i></p> <ul style="list-style-type: none"> Advice provided on location of assets. |

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P23/V1338/DIS](#) - Approved (25/07/2023)
Discharge of condition 11 (Construction Environment Plan (Biodiversity)) on application P16/V0981/O

[P22/V0321/DIS](#) - Approved (19/04/2023)
Discharge of condition 7 (Construction traffic management plan) under application reference number P16/V0981/O

[P22/V1020/RM](#) - Approved (13/03/2023)
Reserved matters approval for appearance, landscaping, layout and scale for primary school expansion land, including two car parks, 3G artificial pitch, playing fields, footpath connections, lighting, landscaping and ancillary works, and approval of details in relation to Phase 1C for conditions 1 and 16, pursuant to planning permission P16/V0981/O. The outline application was EIA development and an Environmental Statement was submitted and approved under outline planning application P16/V0981/O.(as amended by plans and information received 16 September 2022 and 30 November 2022).

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[P22/V1075/DIS](#) - Approved (01/03/2023)

Discharge of condition 6 (construction of site access) on application number P16/V0981/O.

[P22/V2781/DIS](#) - Approved (11/01/2023)

Discharge of condition 14 (Written scheme of archaeological investigation) under application reference number P16/V0981/O

[P22/V0644/DIS](#) - Approved (29/09/2022)

Discharge of condition 6 (construction of site access) on application ref. P16/V0981/O.

[P22/V1671/NM](#) - Approved (29/09/2022)

Non Material amendment to application P16/V0981/O to vary conditions 8, 9 and 17 to reflect that the development is coming forward in phases.

[P21/V3516/RM](#) - Approved (28/09/2022)

Reserved matters approval for 83 dwellings (Phase 1B), including appearance, landscaping, layout and scale, and approval of details in relation to Phase 1B for conditions 1, 16, 19, 20 pursuant to planning permission P16/V0981/O.

[P22/V0879/DIS](#) - Approved (25/07/2022)

Discharge of condition 11 (CEMP - Biodiversity) and Condition 17 (arboricultural method statement) under application reference number P16/V0981/O.(As amended by plans received 31 May 2022)

[P22/V0322/DIS](#) - Approved (01/04/2022)

Discharge of condition 10 (Contaminated land risk assessment) under application reference number P16/V0981/O

[P16/V0981/O](#) - Approved (08/04/2021)

Application for outline planning permission for up to 400 dwellings, extension to the Grove CE primary school, associated landscaping and infrastructure with all matters except access reserved.(As amended & amplified by information received 3 January 2018 & amended by drawings and letter received 13 January 2020).

3.2 Pre-application History

[P22/V2436/PEJ](#) - Advice provided (02/06/2023)

It is proposed that Phase 2 provides 197 dwellings, comprised of 147 open market units, and 50 affordable units. This equates to just over 25% affordable homes provided in this phase of development. The 50 affordable units would include 33 social rented units (66% of the affordable housing provision) and 17 shared ownership units (34% of the affordable housing provision). (As amended and amplified by information received 27 February 2023.)

[P21/V2240/PEJ](#) - Advice provided (09/12/2021)

The site received outline planning permission on 8 April 2021 under application reference P16/V0981/O for the following:

Application for outline planning permission for up to 400 dwellings, extension to the Grove CE primary school, associated landscaping and infrastructure with all matters except access reserved. (As amended & amplified by information received 3 January 2018 & amended by drawings and letter received 13 January 2020).

This pre-application enquiry relates principally to the strategy on phasing for future reserved matters applications on the site and we request a meeting to discuss this. We would also like to discuss key principles and expectations for the first phase of housing at this meeting before arranging a separate meeting to discuss the detail and design of this reserved matters application.

3.3 Screening Opinion requests

None.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 A section 73 application is considered to be a new application for planning permission under the 2017 Environmental Impact Assessment Regulations. The outline application was EIA development. The applicant has submitted a Highways Technical regarding the effect of the proposed changes on the highways network which demonstrates that Phase 1B can be accommodated from the approved Denchworth Road access.

4.2 Given the nature of the amendments proposed, officers are satisfied that the findings of the original ES in all other regards remain sound and no further assessment is required.

5.0 MAIN ISSUES

5.1 **The relevant planning considerations are the following:**

- **Principle of development**
- **Amending condition 12 of outline permission**
- **Amending condition 13 of outline permission**
- **Commencement of development**
- **Other outline conditions**
- **Other matters**
- **S106 Agreement**

5.2 Principle of development

The application site is part of a wider site allocation in the adopted local plan that is aiming to deliver around 885 dwellings. Outline planning permission for up to 400 dwellings and associated infrastructure has been granted on this site in April 2021 under application ref. P16/V0981/O. Subsequently reserved matters approval has been granted for 83 dwellings known as Phase 1B in the south of the site under application ref. P21/V3516/RM. The principle is therefore established.

5.3 Amending condition 12 of outline permission

Condition 12 of the outline permission required a Habitat Restoration Method Statement for the Letcombe Brook Corridor to be submitted and approved prior to works commencing on the first phase of development on site. This method

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statement is to follow the structure and principle of the outline method statement agreed at outline stage to ensure the restoration and long-term management of the Letcombe Brook, a UK Priority Habitat. The brook is currently neglected and works under the outline application via a more detailed Habitat Restoration Method Statement to be submitted provides an opportunity to positively manage it in the long term.

- 5.4 An application to discharge condition 12, providing a Habitat Restoration Method Statement, has been submitted under application no. P23/V2433/DIS. Officers are currently awaiting consultation responses from the Environment Agency and Ecology Officer before determining the application.
- 5.5 It was originally envisaged that the phasing of construction would start from east to west however the applicants have commenced works on site in phase 1B in the south west of the site. The applicant notes that the Letcombe Brook area to which the method statement relates will not be impacted by phase 1B and therefore seeks to vary the wording of condition 12 to allow works in phase 1B to continue prior to the submission and approval of the method statement.
- 5.6 Originally the applicant requested the condition wording to be changed so that the method statement was to be submitted and approved prior to the commencement of the relevant phase containing the Letcombe Brook. Both the Ecology Officer and the Environment Agency (EA) raised concerns with this being ambiguous and wish to see the method statement approved and implemented as early as possible in the development programme to ensure habitats can be successfully established. The EA advised that if the commencement of Phase 1B is to be allowed to continue, then the method statement should be submitted and approved before the commencement of works of any other phase or sub-phase. The applicant has agreed to amend the wording to reflect that requested by the EA. In addition, the EA sought to ensure that Phase 1B shall only be accessed from the west via Denchworth Road and this wording has also been included.
- 5.7 Officers are satisfied that the amended wording (see paragraph 1.9), allowing the continuation of works in phase 1B prior to the submission of the Habitat Restoration Method Statement, but before the commencement of works of any other phase, will not have a detrimental impact to the priority habitat of the Letcombe Brook corridor, as phase 1B is not located on or near the Letcombe Brook. Officers therefore do not consider there are grounds for refusing the application in this regard.
- 5.8 **Amending condition 13 of outline permission**
As approved at the outline stage, the site is to be served by two vehicle access points, one off the A338; known as the Grove Northern Link Road, which includes a bridge crossing the Letcombe Brook and a secondary access link onto Denchworth Road at The Maples junction.
- 5.9 Condition 13 of the outline permission required details of the bridge to be submitted and approved prior to development commencing on site. The condition was drafted at the time of granting outline consent on the basis of

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development commencing from east to west, whereby the bridge would be required early on in build out.

- 5.10 A discharge of condition application (ref. P22/V1080/DIS) providing the details for condition 13 was submitted in May 2022 however flood modelling detail was not acceptable to the Environment Agency and this application was withdrawn in April 2023. Subsequently the applicant continues to engage with the EA and Oxfordshire County Council on flood modelling and revised bridge design details.
- 5.11 The applicant therefore wishes to amend the wording of condition 13 to allow the continuation of phase 1B prior to bridge details being submitted and approved to prevent further delay to the build out of the site and the future delivery of housing on what is a strategic housing allocation site.
- 5.12 Following the receipt of consultation responses, the applicant has agreed to amend the wording of condition 13 so that the details of the bridge are to be submitted and approved prior to the first occupation within phase 1B and prior to commencement of any other phases. This would allow for the continuation and regularisation of the construction of phase 1B but restricts the occupation of any dwellings on site prior to the bridge details being approved. The amended wording also states that phase 1B is only to be accessed from the west via Denchworth Road until the bridge is constructed.
- 5.13 Oxfordshire County Council as Highway Authority raise no objections to the proposed amended wording. Your officers also consider the change in trigger has little impact on the highway network and the impact arising from phase 1B construction traffic has been considered when assessing the reserved matters application. Officers are also aware that the applicant is actively engaging with the Environment Agency and Oxfordshire County Council towards seeking approval for the bridge design.
- 5.14 Officers are also mindful of condition 4 of the reserved matters consent for phase 1B (application ref. P21/V3516/RM) which restricts the occupation of no more than 55 dwellings until the bridge and associated road linking to Kingside and the A338 Station Road have been constructed and opened.
- 5.15 The Environment Agency (EA) raised concerns with the applicant's original proposed amended wording which was that no more than 20 dwellings would be occupied prior to bridge details being submitted and approved. This was because this would not preclude the construction of housing on parts on the site beyond phase 1B. Their concern was that the bridge crossing could have an influence on the habitat restoration along the Letcombe Brook Corridor and therefore the details of the bridge design need to be agreed early in the development programme to ensure that the Habitat Restoration Method Statement (as required by condition 12 discussed above) can be agreed and implemented.
- 5.16 Subsequent amended wording submitted by the applicant sought to allow the construction of works within both phase 1B and 1C prior to submission of the

bridge details. The EA again raised concerns with this as phase 1C is close to the bridge crossing and they were not satisfied that it had been demonstrated that works within phase 1C would not affect floodplain storage compensation for the bridge.

- 5.17 The amended wording now sought (see paragraph 1.13), so that the details of the bridge are to be submitted and approved prior to the first occupation within phase 1B and prior to commencement of any other phases, is as requested by the EA. In addition, the last part of the condition has been amended from 'Phase 1B should only be accessed from the west via Denchworth Road until the bridge is constructed' to 'Phase 1B shall only be accessed from the west via Denchworth Road until the bridge is constructed' as further requested by the EA.
- 5.18 Officers are satisfied that the proposed amended wording to condition 13, allowing no occupation of phase 1B prior to submission of the bridge details and restricting the construction of any other phase, will not have a severe impact on highway safety or be detrimental in biodiversity or flood risk terms. Officers do not consider that there are grounds for refusing the application in this regard.
- 5.19 **Commencement of development**
The current wording for conditions 12 and 13 requires the Habitat Restoration Method Statement and bridge design details to be submitted and approved by the local planning authority prior to the commencement of development. As set out below, these are the only outstanding pre-commencement conditions, all other matters have been submitted and approved. As details under these conditions remain to be approved, work that has commenced on site is currently unauthorised and is being carried out at the applicant's own risk.
- 5.20 Notwithstanding objections received to work commencing ahead of these conditions being discharged, this application needs to be assessed on its own planning merits. The carrying out of unauthorised works on site or the lack of enforcement action to date by the Local Planning Authority is not a material planning consideration for this application and officers do not consider there are grounds for refusing the application in this regard. Furthermore, the amended wording sought in this application would, if approved, regularise work on site.

5.21 **Other outline conditions**

Government advice confirms that where an application under section 73 is granted, the effect is the issue of a new planning permission. A decision notice describing the new permission should be issued, setting out all the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. It is therefore necessary to review all conditions originally imposed to ensure they remain relevant to the new proposal.

Since approval of the outline consent a number of other conditions have been discharged or partially discharged and therefore amendments to the wording of the following conditions are sought to ensure wording is up to date:

| | Wording from outline permission | Proposed amended wording |
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| 6 | Prior to the commencement of any development, full details of vehicular access to the site shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include visibility splays in both directions. The access and visibility splays shall be provided prior to the occupation or use of the new development and, thereafter, the visibility splays shall be permanently maintained free from obstruction to vision. | <p>The access and visibility splays shall be provided prior to the occupation or use of the new development in accordance with the following details approved under applications no. P22/V0644/DIS and P22/V1075/DIS:</p> <ul style="list-style-type: none"> - Denchworth Road General Arrangement drwg 21-104-115E - Denchworth Road Refuse SPA drwg 21-104-113C - Link Road Refuse SPA drwg 21-104-112 - Designer’s Response to Stage 1 RSA Denchworth Road ref: 21-104-16 - Station Road Signalised Access drwg 21-104-329 Rev C - Designer’s Response to Stage 1 RSA Station Road Signalised Access ref: 21-104-20A - Designer’s Response to Stage 1 RSA Grove Northern Link Road ref: 21- 104-21A <p>Thereafter, the visibility splays shall be permanently maintained free from obstruction to vision.</p> |
| 7 | No development shall commence until a Construction Traffic Management Plan | The development shall be carried out in accordance with the Construction Traffic Management |

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| <p>has been submitted to and approved in writing by the local planning authority. The Plan shall include:</p> <ul style="list-style-type: none"> a) Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures; b) Details of haul routes within the relevant parts of the site; c) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractors compound during the construction period to be agreed on a phased basis; d) Collection and delivery times for construction purposes; e) Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction / engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant / equipment; f) Access and protection arrangements around the site for pedestrians, cyclists and other road users; g) Procedures for interference with public highways; h) The provision of safe walking and cycling routes through the construction site including routes serving completed phases of the development; | <p>Plan (ref. CTMP Odyssey 21-104 rev G 29.03.23) approved under application no. P22/V0321/DIS.</p> |
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| | <p>i) A Travel Plan setting out measures to encourage site operatives and visitors to travel to and from the site using sustainable means of transport; and</p> <p>j) On-site waste management and off-site disposal</p> <p>All construction activities shall be carried out in accordance with the approved plan to which they relate.</p> | |
| <p>8</p> | <p>Prior to the commencement of any development, a fully detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.</p> <p>The scheme shall also include details of the following:</p> <ul style="list-style-type: none"> - Discharge Rates - Discharge Volumes - Maintenance and management of SUDS features - Sizing of features - attenuation volume - Infiltration in accordance with BRE365 - Detailed drainage layout with pipe numbers - SUDS (to include the suds features detailed within the FRA to ensure they are carried forward into the detailed drainage strategy) | <p>Wording as approved under non-material amendment ref. P22/V1671/NM:</p> <p>Prior to the commencement of each phase of development, a fully detailed surface water drainage scheme, based on the sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of the following:</p> <ul style="list-style-type: none"> - Discharge Rates and Volumes - Maintenance and management of SUDS features - Sizing of features - attenuation volume - Infiltration in accordance with BRE365 - Detailed drainage layout with pipe numbers - SUDS (to include the suds features detailed within the FRA to ensure they are carried forward into the detailed drainage strategy) - Network drainage calculations' |

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| | <ul style="list-style-type: none"> - Network drainage calculations - Phasing | <ul style="list-style-type: none"> - Phasing <p><i>Surface water details relating to phase 1B were approved in August 2023 under application no. P23/V1775/DIS.</i></p> |
| 9 | <p>Prior to the commencement of any development, a fully detailed drainage scheme for on-site foul water shall be submitted and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before any respective dwelling to which it relates is occupied.</p> | <p>Wording as approved under non-material amendment ref. P22/V1671/NM:</p> <p>Prior to the commencement of each phase of development, a fully detailed drainage scheme for on-site foul water shall be submitted and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before any respective dwelling to which it relates is occupied</p> <p><i>Foul water details relating to phase 1B were approved in August 2023 under application no. P23/V1775/DIS.</i></p> |
| 10 | <p>No development shall commence until a phased risk assessment has been carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice such as CLR11 "Model Procedures for the Management of Land Contamination" and BS10175 "Investigation of potentially contaminated sites". Each phase shall be submitted to and approved in writing by the Local Planning Authority. Phase 2 shall include a comprehensive intrusive investigation in order to</p> | <p>Phase 2 comprehensive intrusive investigation addressed under application ref. P22/V0322/DIS with no significant contamination having been identified. Condition no longer required.</p> |

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| | <p>characterise the type, nature and extent of contamination present, the risks to receptors and, if significant contamination is identified, to inform the remediation strategy. Phase 3 requires that a remediation strategy be submitted to and approved by the LPA to ensure the site will be rendered suitable for its proposed use. No development or phase of development shall be occupied until any previously approved remediation strategy has been carried out in full and a validation report confirming completion of these works has been submitted to and approved in writing by the Local Planning Authority. All implemented works shall be maintained in place thereafter.</p> | |
| <p>14</p> | <p>Prior to the commencement of development an archaeological investigation shall be carried out by a professional archaeological organisation in accordance with a Written Scheme of Investigation that has first been approved in writing by the Local Planning Authority.</p> | <p>Prior to the commencement of development an archaeological investigation shall be carried out by a professional archaeological organisation in accordance with the Written Scheme of Investigation prepared by Red River Archaeology approved under application no. P22/V2781/DIS.</p> |
| <p>17</p> | <p>Prior to the commencement of any development, an arboricultural method statement to ensure the protection of trees on the site during construction shall be submitted to and approved in writing by the Local Planning Authority. No</p> | <p>Wording as approved under non-material amendment ref. P22/V1671/NM: Prior to the commencement of each phase of development, an arboricultural method statement for that phase to ensure the protection of trees during construction shall be submitted to</p> |

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| <p>works shall be carried out on site (including any demolition works) before the arboricultural method statement has been approved. The arboricultural method statement shall include details of the following:</p> <ol style="list-style-type: none"> 1. - The location, materials and means of construction of temporary tree protective fencing and/or ground protection measures (in accordance with the current BS 5837 'Trees in relation to design, demolition and construction'); 2. - The programme for implementing and retaining such tree protection measures; 3. - Any works to trees (in accordance with the current BS 3998 'Tree Works') to be carried out to prevent accidental damage by construction activities. <p>All works shall be carried out in accordance with the approved arboricultural method statement. At all times during construction, the tree protected areas shall not be used to park or manoeuvre vehicles, site temporary offices or other structures, store building materials or soil, mix cement/concrete or light bonfires.</p> | <p>and approved in writing by the Local Planning Authority. No works shall be carried out on site (including any demolition works) before the associated arboricultural method statement has been approved. The arboricultural method statement shall include details of the following:</p> <ol style="list-style-type: none"> 1) The location, materials and means of construction of temporary tree protective fencing and/or ground protection measures (in accordance with the current BS 5837 'Trees in relation to design, demolition and construction'); 2) The programme for implementing and retaining such tree protection measures; 3) Any works to trees (in accordance with the current BS 3998 'Tree Works') to be carried out to prevent accidental damage by construction activities. <p>All works shall be carried out in accordance with the approved arboricultural method statement. At all times during construction, the tree protected areas shall not be used to park or manoeuvre vehicles, site temporary offices or other structures, store building materials or soil, mix cement/concrete or light bonfires.</p> <p><i>An Arboricultural method statement relating to phase 1B was approved in August 2023 under application no. P23/V1552/DIS.</i></p> <p><i>An Arboricultural method statement relating to phase 1A and 1C was approved in January 2024 under application no. P23/V2532/DIS.</i></p> |
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5.22 Other matters

The relevant planning considerations for this application are only matters for which the variation is sought. All other matters were dealt with as part of the approved application and are not for re-consideration here.

5.23 S106 Legal Agreement

The original S106 agreement contains provisions for S73 applications and therefore a Deed of Variation is not required for this application.

6.0 CONCLUSION

6.1 This application has been assessed against the development plan, the National Planning Policy Framework (NPPF) and all other material planning considerations. In considering this application, due regard has been given to the representations received from statutory and other consultees.

6.2 The proposed changes to conditions 12 and 13 are considered acceptable and are not considered to have a detrimental impact upon highway safety, biodiversity or flood risk. Officers are satisfied that there are no material planning considerations that would warrant refusal of this application.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 (LPP1) Policies:

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP22 - Housing Mix
- CP23 - Housing Density
- CP24 - Affordable Housing
- CP26 - Accommodating Current and Future Needs of the Ageing Population
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- 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

A Regulation 10A review for Local Plan Part 1 (LPP1) has been completed, evaluating LPP1's policies for their consistency with national policy, considering current evidence and any relevant changes in local circumstances. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.

Vale of White Horse Local Plan 2031 Part 2 (LPP2) Policies:

- DP02 - Space Standards
- DP16 - Access
- DP17 - Transport Assessments and Travel Plans
- DP20 - Public Art
- DP21 - External Lighting
- DP23 - Impact of Development on Amenity
- DP24 - Effect of Neighbouring or Previous Uses on New Developments
- DP25 - Noise Pollution
- DP26 - Air Quality
- DP27 - Land Affected by Contamination
- DP28 - Waste Collection and Recycling
- DP30 - Watercourses
- DP33 - Open Space
- DP34 - Leisure and Sports Facilities
- DP36 - Heritage Assets
- DP38 - Listed Buildings
- DP39 - Archaeology and Scheduled Monuments

NEIGHBOURHOOD PLAN

Grove does not currently have a neighbourhood plan.

JOINT DESIGN GUIDE 2022 – the Joint Design Guide sets out design principles to guide future development and encourage a design-led approach to development.

DEVELOPER CONTRIBUTIONS SPD – Provides guidance on how planning obligations will work alongside CIL to deliver the infrastructure needed to support development in the Vale.

NATIONAL PLANNING POLICY FRAMEWORK 2023 and PLANNING PRACTICE GUIDANCE

OTHER RELEVANT LEGISLATION

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- Section 149 of the Equality Act 2010
- Provisions of the Human Rights Act 1998
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)
- Section 85 of the Countryside and Rights of Way Act 2000
- Environment Act 1995

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