

GRO/20495-X – Rey Construction Ltd
Outline application for mixed-use Class B1 development, open space and playing fields with associated changing and car parking facilities.
Land North of Bellingers Garage, Station Road, Grove.

1.0 The Proposal

- 1.1 This is an outline application with all matters reserved for a mixed B1 development on land between Bellingers Garage and Williams F1 adjacent to Station Road north of Grove. The application is accompanied by an illustrative site layout which is attached at **Appendix 1**.
- 1.2 The application proposes 17,300 sq m of business floor space in mainly 2 storey buildings although there is one 3 storey building, arranged around a central spine road. The remaining site area includes football pitches towards the western edge of the site closest to the Letcombe Brook which bounds the site, and an ecology habitat towards the northern site boundary.
- 1.3 The access to the site on the illustrative layout is proposed directly onto the A338 approximately 120m south of the Williams F1 roundabout.
- 1.4 The site extends to approximately 9.2 Ha and is currently open agricultural land with a couple of utilitarian farm buildings adjacent to the southern boundary. A vacant bungalow is located outside the site but adjacent to its northern boundary. The site is currently grade 2 and 3a agricultural land and therefore classed as best and most versatile.
- 1.5 The application was accompanied by an Environmental Statement and Transport Assessment.
- 1.6 The application comes to Committee as Grove Parish Council fully support the proposal.

2.0 Planning History

- 2.1 There is no recent planning history on this site although representations were submitted in relation to the last review of the now adopted Local Plan. Extracts from the Inspector's report which refer to this site and others in the vicinity are attached at **Appendix 2**.

3.0 Planning Policies

Oxfordshire Structure Plan (Adopted 2005)

- 3.1 Policy G1 of the adopted Structure Plan sets out the general strategy of development for the area by concentrating development in the larger urban areas and reducing the need for the development of greenfield sites.
- 3.2 G2 states that development should be designed to reduce the need to travel and be of a scale and type appropriate to the site and surroundings.
- 3.3 Policy G5 seeks to protect the countryside from harmful development.

- 3.4 Policy E1 refers to employment development and states that it should be located in or adjoining urban areas.
- 3.5 Policy T1 states that development proposals should give emphasis to the needs of pedestrians, cyclists and public transport.
- 3.6 Policy T8 states that development will only be permitted if adequate access is provided and measures to mitigate adverse transport impacts are included.
- 3.7 Policy EN1 seeks to protect the local landscape and Policy EN3 relates to protection of high quality agricultural land.

Vale of White Horse Local Plan (Adopted 2006)

- 3.8 Policy GS1 sets out the general location for development stating that it should be concentrated in the five main settlements including Grove the limits of which are defined by development boundaries.
- 3.9 Policy GS2 states that outside the built up areas of existing settlements new building will not be permitted unless on land which is identified for development in the Local Plan.
- 3.10 Policy E9 refers to new employment developments on sites not identified in the Local Plan stating that they will be only be permitted on sites within the development boundaries of the five main settlements or outside these areas for the expansion of an existing industrial enterprise on its existing site.
- 3.11 The site is located within the Lowland Vale as defined on the Local Plan proposals map. Policy NE9 states that development that would have an adverse effect on the landscape will not be permitted.
- 3.12 Policy DC11 refers to development on the best and most versatile agricultural land (grades 1, 2, and 3a) and states that it will not be permitted unless there are no opportunities for accommodating the development proposed on previously developed sites or land within existing urban areas.
- 3.13 Policy DC5 relates to traffic and access considerations and states that development will only be permitted providing the road network can accommodate the traffic arising from the development without causing environmental and safety problems.
- 3.14 Policy GS10 states that new development will only be permitted in locations where the need to travel particularly by car can be minimised. Development which would generate significant levels of traffic where other modes other than the car are not available will not be permitted.
- 3.15 Policy NE5 relates to the protection and mitigation of the impacts of development on protected species.

4.0 **Consultations**

- 4.1 Grove Parish Council fully support the application stating the following: *“Grove Parish Council has long held a desire for more employment opportunities in Grove – a desire often conveyed to planning officers. Therefore we strongly support this application, in*

principle, as it meets the Local Plan's deficit regarding employment sites for Grove. It has been suggested that part of the northern link road could be constructed ahead of schedule to facilitate access into the site and eliminate the need for an additional access point from the A338." An environmental report carried out by a member of the parish council was also submitted and can be viewed on the file.

- 4.2 The County Highway Authority is objecting to the proposal due to the impact on the highway network contrary to Policy T8 of the Structure Plan. Their full comments are attached at Appendix 3. Further comments on the location of the proposed access as shown on the illustrative layout are awaited and will be reported at the meeting.
- 4.3 The South East Regional Assembly (SEERA) have stated that the application should only be approved if the LPA are satisfied that "the application site is the most appropriate for the proposed development in terms of sustainability and the employment floor space is required to meet the needs of the local economy". Their full response can be viewed on the file.
- 4.4 The South East England Development Agency (SEEDA) state that "we recognise that you may conclude that the application is not in accordance with the development plan. If so then SEEDA considers....there are insufficient grounds to make an exception to the Development Plan in this case. Their full comments are available to view on the file.
- 4.5 The County Council as Structure Plan Authority object to the application. Their full comments are attached at **Appendix 3**.
- 4.6 The Councils Development Policy officer's comments are also attached at **Appendix 3** as is the applicant's response to these comments.
- 4.7 Thames Water has highlighted the inability of the existing waste water and water supply infrastructure to accommodate the needs of the proposed development and have recommended conditions requiring further investigative work should permission be granted.
- 4.8 The Environment Agency has identified part of the site as lying within an area of high flood risk (Flood Zone 3). They are objecting because no evidence has been provided that the flood risk Sequential Test (as required by PPS25) has been adequately demonstrated.
- 4.9 Natural England welcomes some aspects of the scheme but has asked for further mitigation for the loss of a greenfield site with the provision of green roofs and renewable energy. They have also requested further survey work in respect of bats in one of the existing buildings on the site, and that an additional water vole survey is carried out in the right season.
- 4.10 The County Ecologist has no objections subject to the agreement of Natural England.
- 4.11 A letter of objection on behalf of Grove Technology Park has been submitted. This is attached at **Appendix 4** together with the applicant's response.
- 4.12 A letter of objection has also been received on behalf of Bellinger's Garage. This is also attached at **Appendix 4** with a response from the applicants.

4.13 A letter of objection has been received on behalf of the owners of the land to the south of the application site known as Monks Farm. This is attached at **Appendix 4**.

4.14 One letter of objection has been received from a local resident raising the following concerns:

- The development is on a green field site which provides a “green belt” between Grove and the railway/Williams site.
- There are alternative sites available such as Grove Technology Park.
- The proposed access arrangements will lead to an increased traffic hazard on the A338.

5.0 **Officer Comments**

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the Development Plan unless materials considerations indicate otherwise.

5.2 The main issue to consider in determining this application is whether the principle of a large scale B1 development in this location is acceptable in policy terms and, if not, whether there are any material considerations which outweigh this. Other considerations relate to the traffic impact of the development, drainage and flooding, ecology and landscape impact.

5.3 The site is currently medium to high grade agricultural land located to the north of Grove outside the development boundary defined in the adopted local plan and therefore in the open countryside. Although bounded to the north by Williams F1 and partly to the south by Bellingers Garage, these are in themselves sporadic development's which have been established over time and do not form part of the main built up area of Grove.

5.4 The general strategy of both the adopted Structure and Local Plans is to direct major development to the most sustainable locations in the District within the five main settlements or on land specifically allocated for development. The proposed development is clearly contrary to this general strategy and would result in unacceptable development on a green field site in a location outside the Grove development boundary.

5.5 The applicants have submitted a justification for the proposed development based on their assessment of the current requirements for employment land in the District. This was assessed during the previous local plan review where it was concluded that there was sufficient provision to meet the District's requirements within this plan period. Extracts from the Local Plan Inspector's report attached at Appendix 2 include comments in relation to employment land provision and the potential expansion of the existing allocated site at Grove Technology Park which still contains 5ha of undeveloped land within the allocated area. Comments at 11.1.3, 11.5.2 and 11.5.3 clearly show that the current provision was considered sufficient and that no such need to justify the further release of Greenfield lane was identified. No such information has been submitted as part of this application to indicate a material change in circumstances to justify taking a different view.

5.6 The District Planning Authority is currently in the process of undertaking an employment land review in relation to the current LDF. It is as part of this process that

the consideration of additional employment land will be assessed should further land be required. Your Officers do not therefore consider that there is sufficient justification at this time to warrant an exception to Policy.

- 5.7 During the Local plan process this site formed part of a larger area of 52.5ha which was the subject of representations for mixed use development including housing. The Inspector's comments at 8.17.2 highlight the constraints of this area including the quality of the landscape.
- 5.8 Comments made by the Local Plan Inspector in relation to other land in the vicinity of this site (albeit to the east of the A338) at paragraph 11.5.9 suggest that in any event provision to the north of Grove would not be well related to the existing built up area or to the proposed western expansion in terms of cycling and walking.
- 5.9 The County Highway Authority has objected as the proposal is contrary to the transport policies of the development plan and would result in an unsustainable form of development. Whilst the application includes additional measures such as a bus stop and footpath link, the Highway Authority do not consider that the site relates well to the existing residential area, which would discourage the use of other forms of transport to the private car, in particular walking and cycling. Concern was also raised in relation to the current capacity of existing road in the area and the ability to accommodate the additional traffic as a result of this development. As stated earlier, further comments are expected in relation to the principle of an additional access directly onto the A338 and will be reported at the meeting.
- 5.10 Part of the site lies within the flood plain for the Letcombe Brook and although the applicants have carried out a Flood Risk Assessment, the Environment Agency (EA) have objected due to the absence of the sequential test required by PPS 25. Insufficient information has therefore been submitted in order to satisfy the EA that the proposed development would not be at risk from flooding or lead to additional flooding elsewhere.
- 5.11 As stated above, the site is currently an area of open agricultural land which contributes to the rural setting of Grove punctuated only by sporadic uses such as Williams F1 and Bellingers Garage. The proposed scheme if permitted would result in a continuous line of built development extending the urban area into the open countryside. In your Officers opinion this would have a harmful impact on the character of this area which lies in the Lowland Vale as defined on the adopted Local Plan proposals map.
- 5.12 The application is accompanied by an ecological survey which identified the presence of a number of protected species. Natural England has requested additional survey work in order to clarify the impact on these species and identify any necessary mitigation. In absence of these additional surveys required prior to the determination of the application, the impact on these species cannot be properly assessed.

6.0 **Recommendation**

6.1 *It is recommended that the application is refused for the following reasons:*

1. *In the opinion of the District Planning Authority this proposed large scale B1 commercial development on an un-allocated un-developed green field site would result in the loss of BMV agricultural land located outside the Grove Development*

Boundary in the open countryside without justification. As such the proposal is contrary to the adopted Oxfordshire Structure Plan in particular Policies G1, G2, G5, E1 and EN3, and the adopted Vale of White Horse Local Plan in particular Policies GS1, GS2, E9 and DC11.

- 2. In the opinion of the District Planning Authority the capacity of the local road network would be unable to accommodate the level of additional vehicular movements generated by the proposed development. As such the proposal would have harmful impact on the local road network contrary to the adopted Oxfordshire Structure Plan in particular Policy T8 and the adopted Vale of White Horse Local Plan, in particular Policy DC5.*
- 3. In the opinion of the District Planning Authority the proposed development would not be well related to the existing residential area increasing the likelihood of journeys by private car. As such the proposal would result in an unsustainable form of development contrary to the adopted Oxfordshire Structure Plan in particular Policies T1, G1 and G2 and the Vale of White Horse Local Plan Policies DC5 and GS10.*
- 4. Part of the site is located within areas of high flood probability (Zone 3) and medium flood probability (Zone 2) which require the preparation of a sequential test. In the absence of this information, the District Planning Authority and the Environment Agency are not satisfied that all other options with lower flood risk have been explored and that the site will not be at risk from flooding or lead to flooding elsewhere. As such the proposal is contrary to the advice contained in PPS25.*
- 5. In the opinion of the District Planning Authority the proposed development, by reason of its location on a Greenfield site in the Lowland Vale as defined in the Local Plan proposals map, would have a harmful impact on the character of this attractive rural area and would urbanise the current approach to Grove. As such the proposal is contrary to the adopted Oxfordshire Structure Plan in particular Policies G5 and EN1 and the adopted Vale of White Horse Local Plan in particular Policy NE9.*
- 6. In the absence of additional survey work in relation to protected species, the District Planning Authority and English Nature are not satisfied that the proposed development would not have a harmful impact on the protected species identified on the site. As such the proposal is contrary to the adopted Vale of White Horse Local Plan in particular Policy NE5 and to the advice contained in PPS9.*