

<b>APPLICATION NO.</b>	<a href="#">P13/V0145/O</a>
<b>APPLICATION TYPE</b>	OUTLINE
<b>REGISTERED</b>	31 January 2013
<b>PARISH</b>	MILTON
<b>WARD MEMBER(S)</b>	Bill Jones Michael Murray
<b>APPLICANT</b>	Mr S & Mrs G Hartwright
<b>SITE</b>	Land south of Lambe Avenue Milton Abingdon OX14 4DT
<b>PROPOSAL</b>	Erection of 18 dwellings, internal road and paths, general works and open space
<b>AMENDMENTS</b>	None
<b>GRID REFERENCE</b>	448491/190954
<b>OFFICER</b>	Mark Doodes

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## 1.0 INTRODUCTION

- 1.1 The 0.5 hectare application site lies to the south of Lambe Avenue and Duke of York Avenue in Milton Heights. The site comprises a section of an elevated large agricultural field that undulates gently in cross-section and falls generally towards the south and west. The application site forms a tranche of this larger field. No existing natural features such as trees or hedgerows form part of the boundary to the south, but existing hedgerows and private garden boundaries enclose the site's other boundaries.
- 1.2 Residential properties of varying ages exist to the north of the site. The immediate properties in Lambe Avenue and Duke of York Avenue are inter-war or more modern two storey semis and terraces. No conservation areas or listed buildings are nearby. The area is not part of any other special designation.
- 1.3 Of note, is a lack of nearby facilities such as shops, so local residents have to rely on the nearby Milton Park area or Didcot for shopping trips. There is a primary school a short walk from the site.
- 1.4 The application comes to committee due to its size and the number of objections received from local residents.
- 1.5 A location plan is **attached** at appendix 1.

## 2.0 PROPOSAL

- 2.1 This is an outline planning application for the development of 18 dwellings on agricultural land including means of access, with all other matters reserved (i.e. appearance, landscaping, layout and scale).
- 2.2 The 18 units are proposed to be 11 open market private homes and 7 affordable houses.

The proposed mix of units is as follows:

9 x 3 – bed homes

9 x 2 – bed homes

7 of the units are to be affordable homes, and based on input from Housing officers, the

breakdown will be:

Affordable rented:

3 x 2 – bed homes

2 x 3 – bed homes

Shared ownership:

2 x 2 – bed homes

- 2.3 Across the 0.5 ha site the 18 dwelling units would produce a density of about 36 dwellings per hectare. No details of the homes in question have been provided at this outline stage; however an illustrative layout plan shows how the proposed number of units can be accommodated on the site.
- 2.4 The development would take vehicular access from Lambe Avenue, and no access is proposed from Duke of York Avenue. According to the illustrative layout plan, an area of children's play space is proposed as well as parking for residents and visitors.
- 2.5 In support of the application the following documents have been submitted:
- Design and Access Statement
  - Landscape and Visual Impact Assessment
  - Tree Protection Plan
  - Ecological Appraisal
  - Flood Risk Assessment
  - Transport Assessment.
  - Affordable Housing Statement
  - Utilities Statement
- 2.6 The proposal is a major development and is contrary to the policies of the development plan. The application has been publicised as a departure on this basis.
- 2.7 The applicants have been in discussion with council officers and others to agree levels of contributions towards off-site services and to secure on-site facilities such as affordable housing and public open space. The required contributions cover facilities and services such as waste collection, street naming and numbering, education (primary, secondary, sixth-form and SEN), library and museums, waste management, social and health care, highways and transport, and local community and recreational facilities.
- 2.8 Extracts from the application plans are **attached** at appendix 2.
- 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 3.1 Milton Parish Council – Objects on several grounds, their comments are as follows:

*"1. Road infrastructure - Trenchard Ave is suffering subsidence.*

*2. 1990s planning application refused.*

*3. Concern for children's safety during construction as in close proximity to play areas.*

*4. Construction vehicle access to site is not mentioned and access via the current road system is compromised by parked cars.*

*5. The area of east-west land strip (presently uncultivated) is very much larger than the area needed for this proposal. There are concerns that this eighteen dwelling proposal may become a seed proposal or development for a larger number of dwellings at a future time.*

6. Residents road parking and increased congestion along Trenchard Ave, and Lambe Ave from increased traffic flow.
7. Children's safety with increased Lambe Ave traffic and roadside parked cars.
8. Concern that the unmade up area between Havers Ave houses and field boundary becomes an auxiliary parking area for the proposed development and their visitors.
9. Midwinter Ave is badly congested by traffic during school runs. Congestion will increase with more housing.
10. St Blaise School's available capacity to take in additional children.
11. Shortage of amenities in immediate area: village shop, health centre.
12. Impact of proposal and larger number of children on existing play areas - previously there have been difficulties because of late evening vandalism and achieving an age-limited access to the play area.
13. Why is there only one way in and out for the development?
14. Is there a genuine need for additional housing in Milton Heights given that two or three houses have been unoccupied for six months?
15. The impact of the proposed development on the groundwater flooding issues affecting Havers Ave properties and one property in Mackenzie Ave.
16. The impact of additional properties on the presently unsatisfactory drainage from Lambe Ave and evident from the backing-up of water along the pipework.
17. The increasing traffic queues arising from cars exiting Milton Heights near the Milton interchange because of the P13/V0145/O proposal and the very likely approval of HFT's Green Barn development. The exit from Potash Lane into the A4130 is not considered safe by many because of the bend and lack of visibility caused by the tall field-edge bushes immediately west of the turning.
18. The impact of proposals to transform the Milton interchange into a 4-lane carriageway 'hamburger' arrangement making exiting from Milton Heights more difficult."

- 3.2 Thames Water – No objection
- 3.3 County Archaeologist - No objection
- 3.4 Thames Valley Police - No objection, subject to reserved matters meeting Secure By Design standards.
- 3.5 Environment Agency – No objections.
- 3.6 Countryside Officer – No objections
- 3.7 Forestry Team - No objections
- 3.8 Landscape Architect - No strong views, however boundary treatments to the south would need to be treated with care (at the reserved matters stage)
- 3.9 Conservation Officer - No observations
- 3.10 Environment Protection Team - No comments
- 3.11 Waste Management – Standard comments regarding bin sizes
- 3.12 Housing - No strong views
- 3.13 Drainage Engineer – No objection subject to pre-commencement conditions

- 3.14 33 letters of objection from neighbours have been received. The grounds of objection can be summarised as follows: increased traffic in the area including the junction with the Marcham Road, concerns regarding parking shortages, concerns over the impact on the immediate and wider landscaping, impact on views of home owners, flooding issues, drainage concerns in the area, issues over child safety in the play areas and pedestrian safety due to increased traffic.
- 3.15 Three letters of no objection have been received from neighbours.

4.0 **RELEVANT PLANNING HISTORY**

4.1 None

5.0 **POLICY & GUIDANCE**

5.1 *Vale of White Horse Local Plan 2011*

DC1 - Design  
DC3 - Design against crime  
DC4 - Public Art  
DC5 - Access  
DC6 - Landscaping  
DC7 - Waste Collection and Recycling  
DC8 - The Provision of Infrastructure and Services  
DC9 - The Impact of Development on Neighbouring Uses  
GS1 - Developments in Existing Settlements  
GS2 - Development in the Countryside  
H11 - Development in the Larger Villages  
H13 - Development Elsewhere  
H16 - Size of Dwelling and Lifetime Homes  
H17 - Affordable Housing  
H23 - Open Space in New Housing Development  
NE9 - The Lowland Vale

5.2 *National Planning Policy Framework (NPPF)*

Presently, the council is unable to demonstrate a five year housing land supply, largely due to major schemes in the area not delivering the required homes. As a result, proposals on sites such as this which do not accord with the development plan must be considered on their site specific merits and, in particular, whether they constitute a “sustainable” form of development as defined in the NPPF. The following paragraphs of the NPPF are particularly relevant:

Paragraphs 14 and 49 – presumption in favour of sustainable development  
Paragraphs 34 and 37 – encourage minimised journey lengths to work, shopping, leisure and education  
Paragraph 47 – five year housing land supply requirement  
Paragraph 50 – create sustainable inclusive and mixed communities  
Paragraphs 57, 60 and 61 – promote local distinctiveness and integrate development into the natural, built and historic environment  
Paragraph 99 – flood risk assessment  
Paragraph 109 – contribute to and enhance the natural and local environment  
Paragraph 119 – the presumption in favour of sustainable development does not override protected species and habitats

5.3 *Supplementary planning guidance*

Residential design guide (December 2009)

Sustainable design and construction (2009)

Open space, sport and recreation future provision (July 2009)

Affordable housing – provides further guidance in relation to the local plan policy H17

6.0 **PLANNING CONSIDERATIONS**

6.1 *Policy position*

Ideally, the potential development of this site should be considered through the local plan process given the site's size and location and its potential to be considered as part of a larger strategic housing land allocation. This process would ensure that the necessary combined infrastructure delivery would be planned for and managed in co-ordinated, strategic way. However, the submitted planning application needs to be considered on its own site specific merits, particularly in relation to its impact on the landscape setting of Milton Heights.

6.2 *National advice*

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Within the context of the NPPF, planning permission should be granted where the development plan is absent, silent or relevant policies are out of date, unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the NPPF taken as a whole (paragraph 14).

6.3 The current lack of a five year supply of housing land in the district is due to the lack of delivery of new housing by developers rather than an under-supply of allocated housing land. This has primarily been caused by delays in progressing a small number of major allocations due to the economic downturn and the delay in bringing forward the council's new local plan. The current lack of a five year housing land supply requires some flexibility in line with the NPPF in the consideration of planning applications which do not accord with current local plan policy.

6.4 *Land use*

Paragraph 111 of the NPPF says that planning decisions "*should encourage the effective use of land by re-using land that has previously been developed (brownfield land)*." The site is presently agricultural land, so it is not brownfield land. This greenfield site, therefore, lies in the open countryside, albeit on the edge of a settlement, and its development for housing is contrary to local plan policies GS2 and H11. However, as stated above, this is not a restricting factor given the current housing land shortfall. In these circumstances, site specific matters need to be considered, in accordance with the NPPF.

6.5 *Sustainability issues*

The site adjoins an existing settlement. In terms of sustainability, however, it is noted that the location benefits from few of the amenities expected in such a setting. However, there is a nearby school, and very good access to the local and national road network. The assessment of the case put forward by the applicants that the proposal meets the specifications in the NPPF for providing housing in sustainable locations to help to address the council's current housing land shortfall is acknowledged.

- 6.6 However, this assessment is just one consideration. It should be balanced with the proposed development's impact on other factors, particularly in regard to the character and landscape assessments given the site's rural fringe location within the countryside.
- 6.7 *Visual impact – layout, design and appearance*  
The NPPF is explicit in seeking a high quality outcome for good design in terms of layout and building form as a key aspect of sustainable development. The illustrative layout of the housing area and the accessibility to the plots shown provides a residential arrangement offering a level of surveillance and good visual linkages to the proposed open areas and pedestrian routes. The 36 dwellings per hectare density is high for an edge-of-settlement location but within the context of the area it is considered acceptable. Good size gardens will be delivered in the development, subject to reserved matters, making the overall development family-friendly and more in keeping with the surrounding properties.
- 6.8 *Landscape impact*  
Paragraph 109 of the NPPF says that "*the planning system should contribute to and enhance the natural and local environment*". The site is located within the countryside on the edge of an existing settlement. The council's landscape architect is of the view that the local landscape will not be harmed by the proposed development.
- 6.9 In terms of treatment of the southern boundary, this can be dealt with at the reserved matters stage with a view to minimising the impact of the development on wider views. In terms of the impact on the views from existing nearby housing this is considered to be acceptable. Although these properties currently enjoy an open outlook across the site, the protection of a private view is not a material planning consideration.
- 6.10 *Access, parking and sustainable travel demands*  
Vehicular access would be taken from Lambe Avenue. The applicant has undertaken discussions with the local highways authority to help address some of the parking needs of the existing properties in Lambe Avenue by providing unallocated off-street parking spaces on the application site. This will have the positive impact of improving the traffic flow along Lambe Avenue by potentially freeing up road space, particularly in the evenings. The development proposed is, following revisions, now in accordance with the highway authority's standards. Consequently, no objections are raised by the local highway authority, subject to public transport contributions and other standard conditions and matters. The proposed parking provision for the 18 new homes and all other and highways matters are considered to be acceptable.
- 6.11 *Impact on neighbours' residential amenity*  
The proposed development will not have a harmful impact on the residential amenity of adjacent houses in terms of overshadowing, light pollution, over-dominance or loss of privacy because of the lack of any directly adjoining properties.
- 6.12 Waste collection facilities (waste and recycle bin storage and collection points) throughout the site are acceptable.
- 6.13 *Drainage and flooding issues*  
The site is considered large enough to dispose of surface water without causing surface water run-off to the highway or onto neighbouring land. Drainage issues can be addressed satisfactorily through the imposition of conditions. No objections have been raised from Thames Water, the Environment Agency or the Vale's drainage engineer.
- 6.14 *Affordable housing provision*  
The application includes the required number of affordable units in line with local plan

policy H17. The mix of units and the tenure split are acceptable to the council's housing enabling team. The distribution of affordable units across the site has been the subject of discussion and can be agreed at the layout reserved matters stage.

6.15 *Social infrastructure*

Some local concern has been expressed that little infrastructure exists within the area. There has also been some concern expressed that this proposal should be considered as part of a wider strategic land allocation through the local plan process. In addition, there are areas near to this development which could potentially accommodate future growth and provide additional social infrastructure. However, committee has to consider this application on its own merits.

6.16 Contributions to offset the impact of this proposed development have been sought, and the applicant has agreed to the principle of providing these contributions through a S106 agreement.

6.17 *Cumulative impact considerations*

No other similar schemes have been proposed in the vicinity to assist in addressing the identified housing land shortfall across the district. It is not considered that an additional 18 homes would cause an undue impact locally on the local roads, schools and other infrastructure that cannot be offset by S106 contributions.

7.0 **CONCLUSION**

7.1 The proposal does not accord with the development plan and has been publicised as a departure. However, in light of the current shortfall in the five year housing land supply, the proposal is considered acceptable on the basis of the following:

- Character - the scheme is not located in a designated area and makes a minimal impact on the wider landscape.
- Sustainability – the site is proximate to a national road network access (A34) with a nearby school and sports facilities within a reasonable distance. This is considered to be a relatively sustainable location for some growth.
- Highways concerns have been addressed through revised plans, adequate car parking can be provided, including provision for existing residents in Lambe Avenue, and all other highways matters are considered acceptable.

7.2 The proposal will result in a sustainable development and will not harm any heritage assets, the character of the area, highway safety, or local drainage and, therefore, it complies with the NPPF.

7.3 In addition, the scheme can be delivered within one year, making a measurable contribution to help address the current housing land shortfall. To this end, a condition requiring the commencement of development within one year of the date of the grant of planning permission is recommended.

8.0 **RECOMMENDATION**

**It is recommended that the decision to grant outline planning permission be delegated to the head of planning in consultation with the committee chairman subject to:**

- 1. The prior completion of a section 106 agreement within a deadline of three months to complete for on-site affordable housing provision, contributions towards off-site facilities and services including highway works, education improvements, waste management and collection, street naming and numbering, public art, library and museum services, social and health care,**

sports and recreation improvements, public transport provision and commuted sum for the maintenance of the public open space;

2. The following conditions, including the requirement to commence development within one year of the date of the decision to help address the immediate housing land shortfall:

- 1 : TL2 - Time limit (outline 12 months)
- 2 : Landscape – submission and implementation of a detailed scheme
- 3 : Tree protection – in accordance with submitted plans
- 4 : Boundary treatments
- 5 : Plot curtilage boundaries – management of planting
- 6 : Plot restriction to southern boundary – as part of a landscaping scheme to be agreed
- 7 : Ecology – in accordance with submitted strategy
- 8 : Drainage scheme – surface water and foul water
- 9 : Construction traffic management plan traffic
- 10 : Travel information packs
- 11 : Access visibility splays
- 12 : Parking provision in according with an agreed plan
- 13 : Materials – to be submitted prior to commencement of development
- 14 : Refuse bin storage

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