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| APPLICATION NO. | P13/V0467/O |
| APPLICATION TYPE | OUTLINE |
| REGISTERED | 26.3.2013 |
| PARISH | MILTON |
| WARD MEMBERS | Bill Jones Michael Murray |
| APPLICANT | Home Farm Trust |
| SITE | Land at Milton Hill, Milton Abingdon, OX14 4DR |
| PROPOSAL | Outline application for proposed residential development of 48 dwellings, five Home Farm Trust residential units and associated access (As amended by illustrative plan P01 Revision b and clarified by Flood Risk Assessment, Foul Drainage Assessment and Addendum to Transport Statement accompanying agent's email of 6 June 2013) |
| AMENDMENTS | One – As above |
| GRID REFERENCE | 448190/191050 |
| OFFICER | Peter Brampton |

1.0 INTRODUCTION

- 1.1 This application relates to an area of land around 2.4 hectares in size. It is located on the outskirts of Milton Heights, part of the village of Milton. This is a greenfield agricultural site accessed from a road known locally as Potash Lane, which runs along the entire western boundary of the site. The site is largely level, rising with a steady gradient from the northeast corner to the southwest. A line of mature trees and security fencing define the western boundary, with further fencing and planting along other boundaries. A large storage barn sits in the northwestern corner.
- 1.2 The site is owned by the Home Farm Trust (HFT). This is a charitable organisation that supports the integration of young people with learning disabilities into society. HFT have a facility to the immediate north of the application site. To the south of the site is Milton United football club.
- 1.3 The application comes to committee as 15 letters of objection have been received.
- 1.4 A location plan is **attached** as Appendix 1.

2.0 PROPOSAL

- 2.1 This application seeks outline planning permission for the demolition of the existing barn on site and the erection of 48 dwellings and five HFT residential units. All matters are reserved except for access. The illustrative masterplan shows a variety of detached, semi-detached and terraced dwellings. Access to the site will be in the northwestern corner onto Potash Lane. This will represent an upgrade of the existing access to the barn. A new indicative access into the HFT facility is proposed along the northern boundary. Public open space is primarily located in the south, adjacent to the football pitches.
- 2.2 The illustrative masterplan has been amended to demonstrate this site can accommodate the proposed quantum of development. The main changes within the illustrative plan are that the westernmost housing now faces Potash Lane whilst, within the site, back to back distances between the new units are consistent with the council's Residential Design Guide.

- 2.3 The applicant has also provided additional information regarding flooding, drainage and highway safety.
- 2.4 Financial contributions towards off-site services are required to mitigate the impact of the additional residents who will occupy the proposed development. As well as ensuring affordable housing and public open space is achieved on site, the applicants will provide financial contributions to a number of infrastructure requirements. The contributions requested can be summarised thus:
- 2.5 **County Council section 106 agreement**
- Education - £140,365
 - Libraries - £9,102
 - Waste Management - £7,104
 - Museums - £555
 - Social and Health Care - £10,500
 - Science Vale UK transport infrastructure - £131,376
 - Highway improvement works - £2,000
- 2.6 **Vale of White Horse section 106 agreement**
- Sport pitches - £13,368
 - All weather pitches - £10,027
 - Tennis Courts and MUGA - £10,095
 - Sports pavilion - £17,708
 - Indoor sports hall - £22,502
 - Indoor swimming pool - £17,402
 - Public Art - £15,900
 - Waste Collection - £8,160
 - Street Names - £663
 - Police - £15,250
 - NHS Primary Care Trust - £19,457
- 2.7 Extracts from the applications plans are attached as **Appendix 2**. Documents submitted in support of the application, included the planning statement, design and access statement, flood risk assessment and transport statement are available on the council's website.
- 3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
- 3.1 **Milton Parish Council** - No strong views, but raised concerns about the ability of the junctions of Potash Lane and Trenchard Avenue with the A4130 to cope with the increase in traffic and an increase in on-street parking
- 3.2 **Neighbour Representations** – 15 letters of objection have been received, and one letter confirming general support for scheme. The main objections can be summarised thus:
- Increase in traffic movements
 - Increase in risk of accidents giving existing junctions at either end of Potash Lane onto A4130
 - Negative impact on character of area
 - Lack of housing demand in area to justify this development
 - Harm to outlook from neighbouring properties
 - Urbanising impact on village
 - Loss of agricultural land
 - Increased risk of flooding

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- Pedestrian links to rest of Milton Heights are unclear
- Loss of wildlife habitat
- Proximity of football pitches and floodlights could affect amenity of future occupiers
- Impact on water pressure
- Cumulative impact of piecemeal development in Milton
- Inadequacy of infrastructure to accommodate additional housing

- 3.3 **Highways Liaison Officer** – No objections subject to conditions relating to visibility, pedestrian links, access and drainage. A traffic regulation order to extend the 30mph zone beyond the access is necessary and the development must fund this. Contributions to Science Vale UK will also be necessary.
- 3.4 **Housing Development Officer** – Requires 40% of units to be affordable, not including the Home Farm Trust units.
- 3.5 **Environment Agency** – Standard comments on flood risk in low probability areas provided.
- 3.6 **Drainage Officer** – No objections following receipt of amended flood risk assessment. Conditions relating to foul and surface water drainage requested
- 3.7 **Landscape Architect** – No objections following submission of amended layout
- 3.8 **Thames Water Development Control** - Information on foul and surface water drainage, and water pressure provided. A condition relating to sewer connections is requested
- 3.9 **Crime Prevention Design Adviser** - No objections, requests condition relating to crime prevention design measures
- 3.10 **Waste Management Officer** – Standard comments on refuse collection provided
- 3.11 **County Council Archaeologist** – Requested archaeological field investigation prior to determination

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 In 2005, an application for the erection of 52 houses on the land was refused and dismissed on appeal as being contrary to the local plan policies at that time which restricted housing development on greenfield sites.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse Local Plan 2011 policies;**

- GS1 - Developments in Existing Settlements
- GS2 - Development in the Countryside
- 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
- 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 - Lowland Vale

Supplementary Planning Documents/Guidance (SPD/SPG)

Residential Design Guide – December 2009
Sustainable Design and Construction – December 2009
Open space, sport and recreation future provision – July 2008
Affordable Housing – July 2006
Flood Maps and Flood Risk – July 2006
Planning and Public Art – July 2006

National Planning Policy Framework (NPPF) – March 2012

Paragraphs 14 and 29 – presumption in favour of sustainable development
Paragraphs 34 & 37 – encourage minimised journey length to work, shopping, leisure and education
Paragraph 47 – five year housing supply requirement
Paragraph 50 – create sustainable inclusive and mixed communities
Paragraphs 57, 60 & 61 – promote local distinctiveness and integrate development into the natural, built and historic environment
Paragraph 99 – Flood risk assessment
Paragraph 109 – contribution to and enhancement of the natural environment
Paragraph 111 – encourage the effective use of land

6.0 PLANNING CONSIDERATIONS

Current policy position

- 6.1 This scheme is contrary to Policies GS2 and H11 of the Local Plan, which restrict development on unallocated greenfield sites and housing developments outside the larger villages of the district. Thus, ordinarily, the council would only consider the potential development of this land through the local plan process given the site's size and location and its potential to be part of a larger strategic housing land allocation. This process would ensure the planning for and management of the necessary combined infrastructure delivery. However, the council must assess this application on its own merits.

Principle of development

- 6.2 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is clear that council's should grant planning permission where the development plan is absent, silent or the 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 of the NPPF as a whole (Para 14 refers).
- 6.3 Paragraph 47 of the NPPF confirms the need for a council to have a demonstrable five-year supply of housing land. It is well documented this council does not currently have this five-year supply. This is due to the lack of delivery of new housing by developers, rather than an under-supply of allocated housing land. This lack of delivery is primarily due to delays in the progress of some major allocations due to the economic downturn and bringing forward the council's new local plan. This lack of a five-year housing land supply requires some flexibility in line with the NPPF when assessing applications that do not accord with local plan policies.

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- 6.4 This approach is necessarily for a limited time, and is aimed at identifying sites suitable to address the housing shortfall whilst meeting the relevant sustainability and design criteria of the NPPF.
- 6.5 It is clear this application is contrary to local plan policies GS2 and H11. However, whilst the council does not have a five-year housing land supply, these two policies are inconsistent with the NPPF. Therefore, the council must assess the proposed application on its site-specific merits and whether, under the NPPF, it is a sustainable form of development.
- 6.6 This assessment needs to balance the desire of the council to assess the scheme through a strategic sites allocation process against the NPPF's tests, which primarily relate to location, design, landscape impact, drainage, and highway safety.

Use of land

- 6.7 Paragraph 111 of the NPPF states, "*planning decisions should contribute to and enhance the natural and local environment.*" The site is presently agricultural land, so it is not brownfield land. This greenfield site lies in relatively open countryside, albeit on the edge of Milton Heights. One neighbouring objection has highlighted the need to retain agricultural land. However, the need for additional housing land would override this desire.

Sustainability credentials

- 6.8 The site is on the edge of Milton Heights, between the existing HFT facility to the north and the football club to the south. Milton Heights sits between the A34 to the east and Potash Lane to the west. This development would not project into the countryside beyond these existing barriers. The illustrative layout shows the site will link into the village via existing pedestrian routes.
- 6.9 Policy H11 of the current Local Plan confirms Milton Heights forms part of a single settlement with Milton. This is one of the larger villages within the district. The village has a convenience shop and school within walking distances. Also close by are the facilities of the Milton Interchange junction with the A34 – a petrol filling station, fast food outlet and hotel. Beyond lies Milton Park, the largest employment area in the district and one that is likely to expand as part of the Science Vale UK Enterprise Zone
- 6.10 Furthermore, the site's proximity to the A34 itself, which links southern Oxfordshire to Oxford, Reading and many other towns and cities is an important factor.
- 6.11 In April 2013, the planning committee resolved to approve an application for 18 houses on land south of Lambe Avenue, which lies around 160 metres to the east of this application site. Like this application site, it adjoins Milton Heights, rather than being within the built up limits. This housing development was approved as a sustainable location for new housing against the tests of the NPPF.
- 6.12 It is also important to highlight the social benefits this scheme offers. The HFT units are deliberately positioned amongst the market housing so they are an integral part of the scheme. It is clear HFT do excellent work in supporting young adults with learning difficulties. Providing them with an independent lifestyle as part of a community is a key part of the HFT approach. This scheme provides an opportunity to achieve this. The tenants of the HFT units will be able to play a role in establishing a community on this site. The development of the market housing will facilitate the expansion of HFT services in southern Oxfordshire.

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- 6.13 Officers have discussed the deliverability of this scheme with the applicant. They have confirmed there is an agreement with a single house builder to build the market, affordable and HFT units. There is also a registered provider who is willing to take on the management of the affordable units.
- 6.14 Given the clear demand for additional housing in the district, the proximity of the site to local services and the major road networks in the area, the resolution to grant consent for the scheme at Lambe Avenue and the social benefits on offer, this site is considered a suitable location for housing development when assessed against the NPPF. Crucially, the site is within single ownership and is deliverable within one year.

Cumulative impact considerations

- 6.15 Using the latest population data available to the council, this development will increase the population of Milton parish by 116 people. This represents a 9% increase in the population of the village, using the latest census data. These figures do not include the Lambe Avenue development, which would provide approximately a further 43 people. Combined, these two sites represent a 12.3% increase in the population of the parish. This is not a significant increase in the population of the parish. Nonetheless, the increase in properties will lead to additional pressure on existing services, hence the need to seek contributions from the applicant, as discussed in Paragraphs 2.4-2.6.
- 6.16 There are no other applications for housing development in Milton Heights at the time of writing.

Affordable Housing and housing mix

- 6.17 The applicant has indicated their acceptance to the requisite affordable housing provision on the site. This is 40% to accord with local plan policy. This provision will be secured through a section 106 agreement should the recommendation of approval be agreed. For clarity, this is 40% of the 48 houses. The HFT units, given their purpose, are excluded from the affordable housing contribution requirements.
- 6.18 The distribution of the affordable housing within the site will be confirmed by the reserved matters application, should this outline planning permission be granted.
- 6.19 There are 26 two-bed units on the illustrative plan, comprising 54% of the total units, in line with council policy. Thereafter, the applicants propose a mix of 1 bed (8%), 3 bed (37%) and 4 bed (10%) units to provide a good housing mix.
- 6.20 A condition is necessary to ensure the HFT units will only be used by the tenants and staff of HFT itself. This allows the council an appropriate level of control over the future use of these buildings. It would be undesirable for these units to be offered to the open market, particularly as they have been made exempt from affordable housing considerations.

Impact on neighbours residential amenity

- 6.21 The one neighbour potentially most affected by this proposal is No.14 Midwinter Avenue, which is located next to the northeastern corner of the application site. The illustrative plan shows the largest HFT unit will be in this corner. Officers consider this building would not have a material impact on the light received or outlook from the rear of No.14. The building may have some impact on the enjoyment of the rear garden of this neighbour, but given the illustrative nature of the plan, this does not represent a reason for refusal.

Visual impact – landscape, layout, design and appearance

- 6.22 The NPPF is explicit in seeking a high quality outcome for good design in terms of

layout and building form, seeing as a key aspect of sustainable development. Paragraph 109 states, “*the planning system should contribute to and enhance the natural and local environment.*”

- 6.23 As outlined in paragraph 1.1, the site benefits from a strong boundary of mature trees along the western boundary. There is development to all three remaining boundaries, giving the site a reasonably self-contained feel. Much of the existing planting will be retained, and supplemented to boost the privacy of the site. A strong landscape margin will be required along the southern boundary due to the proximity to the football pitches. Potash Lane is a natural boundary to development within Milton Heights, and this development will sit within that boundary.
- 6.24 The amended illustrative layout shows housing facing site boundaries to east, south and west. Creating an active frontage onto the public realm is a key component of good urban design. This will be particularly important along the western boundary facing onto Potash Lane, which is where this development will be most easily seen. By having the dwellings facing onto this road, the boundary will be kept open, respecting the rural surroundings. Long distance views into the site will be limited.
- 6.25 The illustrative plan shows good footpath links to the east, allowing easy access to the main part of Milton Heights and to the existing public footpath network beyond, which leads to the Milton Interchange.
- 6.26 Within the site, the illustrative layout demonstrates that this number of units can be accommodated. Back to back distances are acceptable, whilst garden sizes are reasonable. The illustrative layout includes an area of play in an undesirable position next to an internal road junction. This should be integrated into the public open space. However, this is only an illustrative plan, and the precise layout will be confirmed by a subsequent reserved matters application.
- 6.27 The council’s landscape officer has confirmed no objections to the scheme. To ensure the quality of the development, conditions relating to materials, boundary treatments, landscaping and tree protection are considered to be necessary.

Highway Safety

- 6.28 Many of the local objections have focussed on the increase in traffic movements this development will bring to the existing junctions at either end of Potash Lane with the A4130. The Transport Statement provides analysis of potential vehicular movement and trip distribution from the development. The County Council Highways Liaison Officer confirms the Highways Authority focuses on the peak hours when roads are busiest. In the morning peak hour, 26 movements are predicted, whilst 30 movements are predicted in the evening peak house. The Liaison Officer confirms these predictions are reasonable and do not raise any significant safety concerns for traffic movements onto or from the A4130.
- 6.29
- 6.30 Visibility splays at the point of access onto Potash Lane meet agreed standards, subject to the 30mph speed limit zone being extended southwards to include the access. As discussed, pedestrian links are good, with the possibility of further enhancements to allow easier access to nearby bus stops.
- 6.31 The Transport Statement indicates that parking to appropriate standards will be provided, including visitor parking. The precise layout for parking would be secured as part of the reserved matters application. Subject to various conditions relating to the access, visibility and parking, this proposal will have an acceptable impact on highway safety.

Drainage and flooding issues

- 6.32 The applicants have provided a full flood risk assessment with the application, which includes a surface water drainage strategy for the site. The council's drainage engineer has confirmed this is acceptable in principle. A Grampian condition is necessary to ensure the prior agreement to a detailed surface water drainage strategy before work starts on site.
- 6.33 The applicants have also provided a foul drainage assessment that indicates capacity may exist within the wastewater infrastructure near the site. Thames Water has raised no objections on this issue. A Grampian condition will require the applicants to confirm a detailed foul water drainage strategy. This will include a study of the impact on sewerage capacity that Thames Water will need to agree prior to work starting on site.

Other Issues

- 6.34 A pre-commencement condition will require the applicant to demonstrate adequate provision of refuse and recycling storage. This is to meet the requirements of the council's waste contractor.
- 6.35 The public open space totals 15% of the site, as required by the council's Open space, sport and recreation future provision SPD. The applicant will be required to appoint a management company to maintain the land in a good order for 20 years.
- 6.36 The development will need to achieve the equivalent of Level Four when measured against the Code for Sustainable Homes. Details of this will form part of a reserved matters application.
- 6.37 The applicants have carried out an archaeological field evaluation at the request of the County Council archaeologist. This evaluation has found no particular items of interest and no further archaeological works are required.
- 6.38 The section 106 agreements with the Vale and with Oxfordshire County Council are progressing and, to allow time for securing a full and proper set of contributions, officers propose a two month period following this committee to finalise the agreements. If this timetable is not met then officers will bring the application back to committee for further consideration.

7.0 CONCLUSION

- 7.1 This proposal does not accord with the development plan and so the council has advertised it as a departure. However, in light of the current shortfall in the council's five year housing supply, the proposal is considered acceptable given the following:
- Character – The site is visually well-contained, lies between areas of existing development and will not have a materially harmful impact on the wider landscape
 - Sustainability – The site is well located to access the facilities of Milton Heights, one of the districts larger villages, the employment opportunities of Milton Park and the A34 and so is a sustainable location for new residential development.
 - Technical concerns regarding highway safety, flood risk and drainage have been overcome through the provision of additional information.
- 7.2 The proposal would result in a sustainable development in terms of the relationship and proximity to local facilities and services. It would provide an important social benefit by increasing the capacity of HFT to support the young disabled adults in the area. Thus, this proposal accords with the requirements of the NPPF in this regard.

7.3 Importantly, this site is in a single ownership, with a partner house builder and registered social landlord agreed. This makes the site deliverable within one year. This makes a measurable contribution to help address the current housing land shortfall. A condition requiring the commencement of development within one year of the date of the grant of planning permission is recommended and is acceptable to the applicant.

8.0 **RECOMMENDATION**

It is recommended that authority to grant outline planning permission is delegated to the head of planning in consultation with the committee chairman and vice-chairman subject to:

1. A S106 agreement with both the County Council and District Council in order to secure contributions towards local infrastructure and to secure the affordable housing.

2. Conditions as follows

- 1 : Time limit - 1 year
- 2 : Time limit - reserved matters application – 6 months
- 3: Approved plans
- 4 : Sample materials to be agreed
- 5 : Visibility splays to be agreed
- 6 : Access, parking & turning to be agreed
- 7 : Closure of existing acces
- 8 : No drainage to highway
- 9 : Submission of Landscaping scheme
- 10 : Implementation of landscaping scheme
- 11 : Boundary details to be agreed
- 12 : Drainage details (surface and foul) to be agreed
- 13 : Sustainable drainage scheme to be agreed
- 14 : Details of sewer connections to be agreed
- 15 : Construction traffic management plan to be agreed
- 16 : Works in accordance with flood risk assessment
- 17 : Tree protection to be agreed
- 18 : HFT units to be used by tenants and staff of HFT only

3. If the required section 106 agreements are not completed, and planning permission cannot be granted by the determination deadline of 10 September 2013, it is recommended that the application is brought back to the first available planning committee for further consideration.

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