

APPLICATION NO.	P21/V1171/FUL
SITE	Former Esso Research Centre Abingdon Road Milton Hill Abingdon, OX13 6BD
PARISH	MILTON
PROPOSAL	Full application for erection of 4no. commercial buildings for purposes within Classes B2 and B8 together with access and servicing arrangements, parking, landscaping, boundary treatment, gatehouse building, public art installation and associated works (as per amendments received 30th November 2021 and Transport Assessment Addendum received 10 January 2022 and additional and amended information received 18 January 2022).
WARD MEMBER(S)	Janet Shelley Matthew Barber
APPLICANT OFFICER	Equation Properties Limited Hanna Zembrzycka-Kisiel

RECOMMENDATION

It is recommended that authority to grant planning permission is delegated to the head of planning subject to:

1. A section 106 legal agreement

A section 106 legal agreement with the Oxfordshire County Council being entered into to secure financial contributions towards local infrastructure.

2. The following planning conditions:

Standard

1. Commencement of development – 3 years
2. Development in accordance with approved plans

Pre-commencement

3. Construction Environmental Management Plan (CEMP)
4. Biodiversity Enhancement Plan (BEP)
5. Biodiversity Offsetting (for 17.89 units)
6. Surface Water Drainage
7. Foul water drainage scheme

8. Land Drainage (survey of boundary ditch and downstream culverts)
9. Contaminated Land - Linked Conditions
10. Cycle Parking Facilities
11. Construction Traffic Management Plan (CTMP) (incl. wheel washing facilities)
12. Landscape Management Plan
13. Tree Protection
14. Community Employment plan (CEP)

Pre-occupation

15. Contaminated Land - Linked Conditions
16. Access, Parking and Turning in Accordance with Specified Plan (incl. electric vehicle charging points)
17. Travel Plans
18. SUDS Compliance Report
19. Water network upgrades / phasing plan
20. Details of the Public Art Scheme
21. Implementation of the mitigation measures in the Noise Assessment Report (Noise)

Compliance

22. Development in accordance with the Environmental Statement
23. Implementation of the mitigation measures in the Operational Noise Management Plan (Noise)
24. Environment Agency Condition – Contamination
25. Lighting scheme

Informatives

1. Road Agreements Team (S278)
2. Water mains crossing or close to the development
3. Development located within 15m of Thames Waters underground assets
4. Planning Obligations

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application is presented to planning committee due to an objection from Milton Parish Council.
- 1.2 The application seeks full planning permission to redevelop the former Esso research centre with commercial buildings for purposes within Classes B2 (general industrial) and B8 (storage or distribution) together with, access and servicing arrangements, parking, landscaping, boundary treatment, gatehouse building, public art installation and associated works. The proposal originally sought permission for five buildings but has since been amended to four buildings of a total floorspace of 38,839 sqm (GIA) across the site. Further detail on this change is set out later in this section of the report.
- 1.3 The site is located approximately 6 kilometres south of Abingdon and 2.5km west of Didcot, in open countryside for planning purposes and is not on the edge of a built-up area. The site is approximately 11.1 hectares in area and relatively level. The site is approximately 1km north of the North Wessex Downs Areas of Outstanding Natural Beauty (AONB).
- 1.4 The Site was previously occupied by a former Esso Research Centre (for fuels and lubricants) with all buildings and above ground structures being demolished to slab level in 2007. It is therefore previously developed land as defined in the National Planning Policy Framework (NPPF). The existing site comprises areas of hardstanding, access roads, a wide range of trees and woodland protected by a Tree Preservation Order and ephemeral areas with mosaic of habitats.
- 1.5 The site is adjacent to Abingdon Road (A4130) with Featherbed Lane to the west. The site is bound by a Public Right of Way (ProW) (ref. 299/12/10) to the north and a variety of buildings and uses to the south (Inc. the Infineum Office building, Milton Hill Business and Technology Centre, Milton Hill House Hotel, and the Wise Owls Day Nursery). Vehicular and pedestrian access to the site is via the Abingdon Road.
- 1.6 The site location plan is **attached** at Appendix 1.
- 1.7 *Planning background*
- 1.8 The site was originally allocated for employment use within the Vale of White Horse Local Plan 2011, under Policy E12: Large Campus Sites. In the Vale of white Horse Local Plan 2031 Part 1, Core Policy 6 identifies the site as contributing to employment land needs and identifies the site as being allocated through saved Local Plan 2011 policy (E12).
- 1.9 However, since Local Plan 2031 Part 1 adoption, the Vale of White Horse Local Plan 2031 Part 2 considered the remaining saved policies of Local Plan 2011 and whether they should be taken forward. Saved policy E12 was not taken forward as Core Policy 29 of the Local Plan 2031 Part 1 provides sufficient flexibility to enable appropriate unallocated existing employment sites to come forward. As a result, the site is no longer allocated in the

development plan.

1.10 *Amendments to the scheme*

Since submission of the application in May 2021, there have been several amendments submitted by the applicant to address technical issues raised by the landscape officer, drainage engineer, environmental protection officers, countryside officer, forestry officer, conservation officer, urban design officer and Oxfordshire County Council as Highway Authority.

1.11 The latest amendments, submitted in December 2021 are:

- Unit 1 – Building extent reduced by 20.5m from the eastern Site boundary to allow for strengthening of the landscape buffer;
- Units 3A and 3B – Removal of both units to allow for strengthening of landscape buffer through additional tree and shrub planting on the southern Site boundary with Milton House Hotel. Overflow car parking provided in this location;
- Unit 4 – Landscape buffer strengthened by 1m along western unit façade, with a greater extent of soft landscaping added to the southern and northern sectors of the yard;
- Unit 5 – Building extent reduced on south-west façade by between 1.7m and 3m to avoid Root Protection Areas of two trees.

1.12 The proposed layout plan and elevations of the buildings are **attached** at Appendix 2. All other plans and technical documents are available to view online at www.whitehorsedc.gov.uk.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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

Milton Parish Council	<p><i>Re-consultation (December 2021)</i></p> <p>Objection, the amendments have not overcome the parish Council's previous objections and adds:</p> <ul style="list-style-type: none"> • Whilst the further reduction in the overall floor space to be provided and consequent reduced impact on ecology constitute an improvement, the amended proposals still fail to overcome the objections • B2 use is inappropriate and unacceptable in this location • The increase on HGV traffic passing nearby residential properties at all hours will cause detriment to residents amenities. • The development, even as further amended, still leads to a significant net loss of green
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	<p>infrastructure</p> <ul style="list-style-type: none"> The proposed entrance to the development in close proximity to the access to the existing business park and hotel would give rise to highway conditions detrimental to highway safety both for vehicles and pedestrians <p><u>Comments received</u></p> <p>Objection, for the following reasons:</p> <ul style="list-style-type: none"> The proposed use of the site (especially the B2 use) would harm the amenities of neighbouring properties and guests of nearby hotels in terms of noise and potential fumes. The number of traffic movements to and from the site, particularly of HGVs, and particularly overnight, would be excessive and would be detrimental to the amenities of nearby residential properties and guests at the nearby hotels. Impact on highway safety Impact on pedestrian safety and public health The development would lead to an unacceptable ecological impact. In particular it would lead to an unacceptable loss of protected trees.
<p>Steventon Parish Council</p>	<p><u>Re-consultation (December 2021)</u></p> <p>Objection, the amendments have not overcome the parish Council's previous objections, and adds:</p> <ul style="list-style-type: none"> A site at Didcot would be more sustainable Though the site connects to the A34 with its constant problems due to lack of capacity. Steventon is already overwhelmed with traffic other than cars Transport report only mentions HGV at peak hours No provision has been made for cyclists who will be using this route via Steventon Light and noise pollution from the site operating 24 hours per day with traffic movements and reversing alarms will affect residents and wildlife in a wide area <p><u>Re-consultation (August 2021)</u></p> <p>No comments received.</p> <p><u>First Consultation (May 2021)</u></p> <p>Objection, for the following reasons:</p> <ul style="list-style-type: none"> Over development of the site with insufficient screening. Its location will stand out and dominate

	<p>the area.</p> <ul style="list-style-type: none"> • The traffic flows mentioned are excessive particularly during the night, disrupting the amenities of residents in the vicinity.
<p>Harwell Parish Council</p>	<p><u>Re-consultation (December 2021)</u> No comments received</p> <p><u>Re-consultation (August 2021)</u> Objection, for the following reasons:</p> <ul style="list-style-type: none"> • None of the issues raised have been adequately addressed. • Surrounding roads are not suitable for the increase in large vehicles and therefore the application should not go ahead until the Rowstock Relief, Featherbed Lane, Milton Hill etc, projects have been decided upon and implemented <p><u>First Consultation (May 2021)</u> Objection, for the following reasons:</p> <ul style="list-style-type: none"> • The site is not classed as a Strategic Employment Site in the Local Plan Part 1. • The location is not sustainable in transport terms. • The site lacks quality pedestrian and cyclist links, to the site from any of the nearby villages. • There are no crossings, and the footpaths are not continuous on either side of the A4130 • Light pollution • Previous approved applications limited height of buildings to 12m. These buildings are taller, up to 17m • Diversions from A34 closures already lead to an increase in large lorries using the A4130 through Rowstock, leading to complaints from residents about speed, noise, pollution, possible damage to property and lack of sleep) • Highways England says HGVs should not be diverted from the A34 along the A4130 • Traffic modelling: Serious concerns over junction capacity as there are a significant number of on road cyclists using this area in peak hours due to inadequate alternative provision and modelling does not capture the capacity-reducing effect of this. • Should the development be permitted, traffic calming measures will be required, safe crossings and pavements should be included for pedestrians, cycle lanes should be provided,

	<p>and speed limits should be lowered so that the A4130 between Milton Interchange and the site is a 30 mph zone</p> <ul style="list-style-type: none"> • All traffic to and from the site should be routed via Milton Interchange and not through Rowstock.
<p>East Hendred Parish Council</p>	<p><u>Re-consultation (December 2021)</u> Objection, the amendments have not overcome the parish Council's previous objections and adds:</p> <ul style="list-style-type: none"> • The application, if approved, would lead to a loss of amenity for recreational use. • The public footpath on the northern boundary of the site will be adversely affected by the proposal. <p><u>Re-consultation (August 2021)</u> No comments received</p> <p><u>First Consultation (May 2021)</u> Objection, for the following reasons:</p> <ul style="list-style-type: none"> • The site is not allocated as a Strategic Employment Site in the LPP1. The site is therefore an unallocated site within the open countryside. • The Site for the proposed development is not in or on the edge of a Market Town, which can support the most sustainable development through the level of facilities & services, or Local Service Centres. The proposal is contrary to the Settlement Hierarchy Policy CP3 in the LPP1 • There is sufficient allocated and safeguarded employment land in South-East Vale sub area to meet employment needs up to 2031 • The proposals do not comply with Policy CP6 of the LPP1 • The proposal does not comply with CP7, CP15 and CP28 of the LPP1 • The transport assessment does not demonstrate sufficient mitigating measures to comply with Policies CP33 and CP34 of the LPP1 • The proposals, by their location, siting, scale & nature, would have an adverse impact on Environmental Protection Policies, which would outweigh the economic benefits of the proposals in this location • The economic benefits of the proposals at Milton Hill are outweighed by being contrary to LPP1 Policies

<p>Chilton Parish Council</p>	<p><u>Re-consultation (December 2021)</u> Objection,</p> <ul style="list-style-type: none"> • the amendments do not change the Parish Council's comments on this application. <p><u>Re-consultation (August 2021)</u> Objection, for the following reasons:</p> <ul style="list-style-type: none"> • Impact on highway safety due to increased number of large articulated lorries exiting and joining the A34 via the Chilton interchange. • Effect of noise and pollution from the increased number of HGVs • The applicant claims that the effect of noise and pollution from the increased number of HGV s will be negligible, this seems very unlikely. <p><u>First Consultation (May 2021)</u> No comments received</p>
<p>Residents / Local Businesses / Rowstock Residents Association</p>	<p>During the assessment process and re-consultations carried out, objections have been received from 104 respondents, raising the following concerns:</p> <p><u>Re-consultation (December 2021)</u></p> <ul style="list-style-type: none"> • Remain concerned about traffic impacts and impact on the highway network • Improvements to infrastructure required. • All HGV traffic to be diverted to Milton Interchange to access the A34 and not use Chilton Interchange • The scale of the proposal is inappropriate in this location • The quality of life will be blighted by this development • Impact on character of the area remains adverse • Impact on residential amenity remains adverse • Noise, dust, fumes and disturbance • Whilst the proposed amendments addressed in-part concerns regarding the potential adverse visual impact of units 3a and 3b, no regard was paid • to the wider potential adverse impact of the proposed development and particularly units 4 and 5 • The relationship between the application site and the hotel and its grounds is set to change materially despite the amendments made • Visually and operationally, the proposed employment buildings are at significant odds with

	<p>the hotel characteristics and use</p> <ul style="list-style-type: none">• The proposal is considered to be in conflict with paragraph 111 of the NPPF and local transport policies CP33 LPP1 and DP16 LPP2• Operational Noise Management Plan completely ignores the concerns of residents regarding the noise generated by thousands of daily HGV movements on local roads for the first or final part of their journey• Only when the warehouses are occupied and operational will we truly know the true impact on Milton House Hotel and the nearby residential properties• The proposal will clearly have an impact on the consistency of high levels of noise and a major impact on mental health due to the generated level of traffic and will turn an infrequent nuisance into a permanent and intolerable impact on resident's lives• Chopping down mature trees to replace with saplings elsewhere is a convenient abuse of planning• The scoping exercises has not been completed in a transparent fashion which will enable interested parties to understand the application and its effects• TAA report (10th January 2022), which has numerous drafting errors suggests was completed in haste and is possibly incomplete, attempts to minimise the impact of traffic from the site through use of questionable numbers leading to minimal mitigation measures and therefore cost• A petition with 1,100 (as of 27th January 2022) signatures has also been submitted by the association reiterating the points above. <p><u>Re-consultation (August 2021)</u></p> <ul style="list-style-type: none">• Traffic data and modelling is outdated• Amendments have not addressed the issue regarding traffic impacts• Significant increase in traffic and queues• Adverse ecological impacts• Lack of cycle links• Noise and disturbance to nearby residents, particularly during the night• Overdevelopment of the site• Warehousing not appropriate in this location, and no need for this• Parking provision inadequate
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	<ul style="list-style-type: none">• Impact on highway safety• Light pollution• Amendments have not gone far enough to reduce building heights and density• Harmful to rural character of the area• Loss of trees and impact on biodiversity• The TA impact assessment work to support development proposal does provide a comprehensive assessment• The analysis in the LVIA underplays the true effects of the development (in terms of the visual impact upon the immediate and surrounding area)• There are technical discrepancies in the in the landscape and visual ratings presented in the submitted LVIA, although limited, these will result in fundamental differences in the outcome of the assessment• The applicant has failed to fully address through this amended scheme the concerns• Raised before, and largely focussed upon seeking to address identified shortcomings in the technical submissions• The A34 is regularly closed due to accidents and roadworks, sometimes overnight. The plans do not include any detail on the arrangements of HGV arrivals and departures in these circumstances• The proposal has not met requirement 1 or 3 under Core Policy 28• Air Quality - a receptor has resulted in a moderate impact within the AQMA which the applicant considers to be theoretical and acceptable. <p><u><i>First Consultation (May 2021)</i></u></p> <ul style="list-style-type: none">• Increase in traffic and impact on highway safety• Impact on the amenities of residents from noise, speed, vibrations and disturbance from additional traffic, particularly during the night• Increase in pollution and impact on air quality• inadequate levels of visibility and capacity of the access to accommodate the development traffic;• Milton Hill is not well linked up to cycle networks and bus networks• Road improvements required• Hours of operation• New buildings unnecessary• Environmental impact in AONB• Impact on local independent businesses• Inappropriate location for distribution centre
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	<ul style="list-style-type: none">• Potential damage to property through increase of HGVs• Impact on health and well-being of nearby residents• Concerns regarding consultation process• Does not go far enough to address sustainability and impact on climate change• Size and scale of development, overdevelopment of the site• Loss of trees and vegetation• Harm to the rural character of the area• Shared access with other businesses may need to be closed for a temporary period during the construction works- this would be unacceptable• Proposed mitigation measures in the submitted technical reports (including 2.0m acoustic fence) would provide an inadequate level of protection• This large distribution centre is not well suited to this location due to the local road system, the commercial character of the area, and the availability of better positioned sites for this type of business in the local area• The applicant has failed to address matters raised by officers in pre-application advice• There are discrepancies between the “sensitive receptors” identified in various technical documents• Height, scale and massing are out of character and represent an overdevelopment of the site• The proposed unit 3b is too close to the Hotel building and its curtilage• The proposed development will materially change the relationship between the Esso site and the hotel• It is not clear if the potential noise transmission was considered in full• full consideration should be given to the potential for revised access arrangements• The development of a major distribution and logistics hub cannot be said to be meeting local needs and supporting facilities• The site is far removed from Milton and no facilities are close to the site• The development is not consistent with the ‘Science Vale’ concept• The proposal does not comply with Policy CP3 of the LPP1• The proposal will have a detrimental effect on the amenities of nearby residents from increase in
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	<p>traffic and type of traffic, causing noise and disturbance</p> <ul style="list-style-type: none"> • Lack of mitigation measures • Impact on highway safety • Light pollution • Scale and height of proposed buildings not in keeping with the character of the area • The proposal does not comply with Policy CP28 of the LPP1
<p>Oxfordshire County Council – Transport Development Control</p>	<p><u>Re-consultation (January 2022)</u> No objection subject to conditions and financial contributions:</p> <ul style="list-style-type: none"> • <u>Their latest comments are attached at Appendix 3</u> <p><u>Re-consultation (December 2021)</u> Objection</p> <ul style="list-style-type: none"> • Appropriate contributions to strategic highway schemes • Car and cycle parking provision levels uncertain due to precise site class use split • Appropriate upgrades to existing footway provisions along A4130 • Cycle/footway links within site to be widened appropriately and internal missing links to be addressed • Delivery of 3m wide cycleway connection from the site to Featherbed Lane and Byway 299/12/10 • Cycle/footway provision along the A4130 • Review distribution to the south of the site as will have impact on validity of the modelling <p><u>Re-consultation (August 2021)</u> No comments received</p> <p><u>First Consultation (May 2021)</u> Objection</p> <ul style="list-style-type: none"> • Car and cycle parking provision levels uncertain due to precise site class use split • Appropriate upgrades to existing footway provisions along A4130 • Cycle/footway links within site to be widened appropriately and internal missing links to be addressed • 3m wide cycleway connection from the site to Featherbed Lane and Byway 299/12/10 • Cycle/footway provision along the A4130 • Review distribution to the south of the site as will

	<p>have impact on validity of the modelling</p>
<p>Oxfordshire County Council – Lead Local Flood Authority</p>	<p><u>Re-consultation (December 2021)</u> Objection</p> <ul style="list-style-type: none"> • The use of pumps does not appear necessary so must be justified. • The run-off is shown as being based on existing drainage rates <p><u>Re-consultation (August 2021)</u> No further comments received</p> <p><u>First Consultation (May 2021)</u> Objection:</p> <ul style="list-style-type: none"> • Full calculations for the site’s drainage are required. • Use of a run-off rate greater than the greenfield rate must be justified. • Responsibility for maintenance and the details of the maintenance are required. • The use of pumping for drainage is generally unacceptable and can only be permitted when drainage by gravity is not possible.
<p>Oxfordshire County Council – Archaeology</p>	<p><u>Re-consultation (December 2021)</u> No objection</p> <p><u>Re-consultation (August 2021)</u> No comments received</p> <p><u>First Consultation (May 2021)</u> No objection</p>
<p>Highways England</p>	<p><u>Re-consultation (December 2021)</u> No objection</p> <p><u>Re-consultation (August 2021)</u> No objection</p> <p><u>First Consultation (May 2021)</u> No objection</p>
<p>Conservation Officer</p>	<p><u>Re-consultation (December 2021)</u> No objection</p> <p><u>Re-consultation (August 2021)</u> No objection</p> <p><u>First Consultation (May 2021)</u></p>

	<p>Holding Objection</p> <ul style="list-style-type: none"> • There are potential negative low-level impacts caused by Unit 3 to the significance of Milton Hill House Hotel which has been identified as a non-designated heritage asset
<p>Countryside Officer</p>	<p><u>Re-consultation (December 2021)</u> No objection, subject to conditions on:</p> <ul style="list-style-type: none"> • Construction environmental management plan (CEMP) • Biodiversity enhancement plan (BEP) • Biodiversity offsetting <p><u>Re-consultation (August 2021)</u> Holding objection:</p> <ul style="list-style-type: none"> • Clarification required over the GCN survey and HIS assessment • Additional bat surveys are required • The biodiversity metric assessment to be reviewed <p><u>First Consultation (May 2021)</u> Holding objection:</p> <ul style="list-style-type: none"> • Insufficient information submitted to fully assess the ecological impacts of the development
<p>Drainage Engineer</p>	<p><u>Re-consultation (December 2021)</u> No objection, subject to conditions on:</p> <ul style="list-style-type: none"> • Detailed sustainable drainage scheme • SUDs compliance report • Detailed foul drainage scheme • Survey and inspection <p><u>Re-consultation (August 2021)</u> Holding objection</p> <ul style="list-style-type: none"> • Further survey work and calculations required to be undertaken and submitted. <p><u>First Consultation (May 2021)</u> Holding objection</p> <ul style="list-style-type: none"> • Further survey work and calculations required to be undertaken and submitted. SUDs to be incorporated within the scheme
<p>Forestry officer</p>	<p><u>Re-consultation (January 2022)</u> No objection, subject to condition:</p> <ul style="list-style-type: none"> • Tree Protection Plan

	<p><u>Re-consultation (December 2021)</u> Holding objection</p> <ul style="list-style-type: none"> The proposal to be further redesigned to allow for the retention of more protected trees throughout the site, development removed from the RPA of trees to be retained and more space be provided for suitable tree planting to be implemented on the site. <p><u>Re-consultation (August 2021)</u> Holding objection</p> <ul style="list-style-type: none"> The proposal to be further redesigned to allow for the retention of more protected trees throughout the site, development removed from the RPA of trees to be retained and more space be provided for suitable tree planting to be implemented on the site. <p><u>First Consultation (May 2021)</u> Holding objection</p> <ul style="list-style-type: none"> The proposal to be redesigned to allow for the retention of more protected trees throughout the site, development removed from the RPA of trees to be retained and more space be provided for suitable tree planting to be implemented on the site.
Air Quality	<p><u>Re-consultation (December 2021)</u> No objection, subject to conditions on securing:</p> <ul style="list-style-type: none"> Mitigation as set out in air quality report On-site eclectic vehicle charging points <p><u>Re-consultation (August 2021)</u> No objection, subject to conditions for:</p> <ul style="list-style-type: none"> On-site eclectic vehicle charging points <p><u>First Consultation (May 2021)</u> Objection:</p> <ul style="list-style-type: none"> Impact on Marcham AQMA. Modelled impacts at this site to be reflected accurately and include modelling for a street canyon and accurate representation of traffic speeds.
Contaminated Land	<p><u>Re-consultation (December 2021)</u> No objection, subject to conditions:</p> <ul style="list-style-type: none"> Phased contaminated land risk assessment Contaminated land informative <p><u>Re-consultation (August 2021)</u></p>

	<p>No objection, subject to conditions:</p> <ul style="list-style-type: none"> • Phased contaminated land risk assessment • Contaminated land informative <p><i>First Consultation (May 2021)</i></p> <p>No objection, subject to conditions:</p> <ul style="list-style-type: none"> • Phased contaminated land risk assessment • Contaminated land informative
<p>Environmental Health Protection Team</p>	<p><i>Re-consultation (January 2022)</i></p> <p>No objection, subject to conditions:</p> <ul style="list-style-type: none"> • Full implementation of mitigation measures identified in acoustic report and in the Operational Noise Management Plan (December 2021) • Restriction on the use of vehicle reversing alarms on the site <p><i>Re-consultation (December 2021)</i></p> <p>No objection, subject to conditions:</p> <ul style="list-style-type: none"> • Full implementation of mitigation measures identified in acoustic report • Restriction on the use of vehicle reversing alarms on the site <p><i>Re-consultation (August 2021)</i></p> <p>No additional observations</p> <p><i>First Consultation (May 2021)</i></p> <p>No objection, subject to conditions:</p> <ul style="list-style-type: none"> • Full implementation of mitigation measures identified in acoustic report
<p>Landscape Architect</p>	<p><i>Re-consultation (January 2022)</i></p> <p>No objection:</p> <ul style="list-style-type: none"> • I do not consider that the landscape harm caused by the proposals would be sufficient to merit a reason for refusal on landscape grounds. <p><i>Re-consultation (January 2022)</i></p> <p>Holding objection:</p> <ul style="list-style-type: none"> • There is some improvement to the scheme, by removing two units, however in overall, the proposed changes do not address satisfactorily previous comments <p><i>Re-consultation (August 2021)</i></p> <p>Holding objection:</p> <ul style="list-style-type: none"> • Limited changes made to layout which do not address previous comments

	<p><u>First Consultation (May 2021)</u> Holding objection:</p> <ul style="list-style-type: none"> • Overdevelopment of the site with inadequate space for mitigation
<p>Environment Agency</p>	<p><u>Re-consultation (December 2021)</u> No objection, subject to the following conditions:</p> <ul style="list-style-type: none"> • Potential contamination and remediation strategy <p><u>Re-consultation (August 2021)</u> No objection, subject to the following conditions:</p> <ul style="list-style-type: none"> • Potential contamination and remediation strategy <p><u>First Consultation (May 2021)</u> No objection, subject to the following conditions:</p> <ul style="list-style-type: none"> • Potential contamination and remediation strategy
<p>Thames Water</p>	<p><u>Re-consultation (December 2021)</u> No objection, subject to previous conditions</p> <p><u>Re-consultation (August 2021)</u> No objection, subject to previous conditions</p> <p><u>First Consultation (May 2021)</u> No objection, subject to condition:</p> <ul style="list-style-type: none"> • No occupation until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied. • Where a development and infrastructure phasing plan is agreed <u>no occupation shall</u> take place other than in accordance with the agreed development and infrastructure phasing plan.
<p>Historic England (South East)</p>	<p><u>Re-consultation (December 2021)</u> No view</p> <p><u>Re-consultation (August 2021)</u> No view</p> <p><u>First Consultation (May 2021)</u> No view</p> <p>On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions.</p>

<p>Natural England</p>	<p><u>Re-consultation (December 2021)</u> Natural England has no comments to make on this application.</p> <p><u>Re-consultation (August 2021)</u> Natural England has no comments to make on this application.</p> <p><u>First Consultation (May 2021)</u> Natural England has no comments to make on this application.</p>
<p>North Wessex Downs Area of Outstanding Natural Beauty</p>	<p><u>Re-consultation (December 2021)</u> No comments received</p> <p><u>Re-consultation (August 2021)</u> No comments received</p> <p><u>First Consultation (May 2021)</u> No comments received</p>
<p>Oxfordshire County Council - Countryside Access</p>	<p><u>Re-consultation (December 2021)</u> No comments received</p> <p><u>Re-consultation (August 2021)</u> No comments received</p> <p><u>First Consultation (May 2021)</u> No comments received</p>
<p>SGN Plant Protection Team</p>	<p><u>Re-consultation (December 2021)</u></p> <ul style="list-style-type: none"> ▪ Our records show those cables owned by SSE Telecoms. Service cables, etc. may not be shown but their presence should be anticipated. No warranties are therefore given in respect of it. ▪ They also provide indications of electric cables owned by other IDNO, or otherwise privately owned, which may be present in this area. This information is not information of SSE Telecoms and SSE Telecoms is unable to verify this information or to confirm whether it is accurate or complete. <p><u>Re-consultation (August 2021)</u></p> <ul style="list-style-type: none"> ▪ Our records show those cables owned by SSE Telecoms. Service cables, etc. may not be shown but their presence should be anticipated. No warranties are therefore given in respect of it.

	<ul style="list-style-type: none"> ▪ They also provide indications of electric cables owned by other IDNO, or otherwise privately owned, which may be present in this area. This information is not information of SSE Telecoms and SSE Telecoms is unable to verify this information or to confirm whether it is accurate or complete. <p><u>First Consultation (May 2021)</u></p> <ul style="list-style-type: none"> ▪ Our records show those cables owned by SSE Telecoms. Service cables, etc. may not be shown but their presence should be anticipated. No warranties are therefore given in respect of it. ▪ They also provide indications of electric cables owned by other IDNO, or otherwise privately owned, which may be present in this area. This information is not information of SSE Telecoms and SSE Telecoms is unable to verify this information or to confirm whether it is accurate or complete.
<p>Waste Management Officer (District Council)</p>	<p><u>Re-consultation (December 2021)</u> No comments</p> <p><u>First Consultation (May 2021)</u> No comments</p>
<p>Urban Design Officer (South and Vale)</p>	<p><u>Re-consultation (December 2021)</u> No comments received</p> <p><u>Re-consultation (September 2021)</u> No comments received</p> <p><u>First Consultation (May 2021)</u></p> <ul style="list-style-type: none"> ▪ Further landscaping should be proposed to soften the overall development and the impact of parking (Milton Park is a good example of successful landscaping strategy). Wherever trees are proposed to soften the impact of parking, it is also important to make sure that these have enough room to establish themselves ▪ Consider porous paving for large areas of parking ▪ Waste and recycling points should be conveniently located for the users and also for the efficient removal of the materials by collection vehicles (Principle DG100 of the Vale Design Guide) - Applicants are encouraged to attain the BRE s Environmental Assessment Method (BREEAM) rating of Excellent (Principle DG 101 of the Vale Design Guide).

	<ul style="list-style-type: none"> ▪ Consider green roofs ▪ Mesh fencing could be screening visually via landscaping
Economic Development	<p><u>Re-consultation (December 2021)</u> No objection, subject to condition to secure:</p> <ul style="list-style-type: none"> • Community Employment Plan <p><u>Re-consultation (August 2021)</u> No objection, subject to condition:</p> <ul style="list-style-type: none"> • Community Employment Plan <p><u>First Consultation (May 2021)</u> No objection, subject to condition:</p> <ul style="list-style-type: none"> • Community Employment Plan
Didcot Garden Town Team	<p><u>Comments received (October 2021)</u></p> <ul style="list-style-type: none"> • The Didcot Garden Town team note the economic benefits of the proposed development but also note the concerns of residents about the environmental impact • The Didcot Garden Town team supports the comments made by the countryside officer, environmental protection officer and conservation officer • Provides summary of the smart community principles and ideas from Didcot Garden Town Delivery Plan
Planning Policy (Vale of White Horse District Council)	<p><u>Re-consultation (December 2021)</u> No objection</p> <p><u>Comments (August 2021)</u> No objection</p>

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P11/V2565/EX](#) - Approved (22/12/2011)

Application to extend the time limit of Outline Planning Permission 06/01200/OUT, for 'Redevelopment of site involving demolition of all buildings, removal of hardstandings and remediation of the site, for 280, 957 sqft/26,102 sqm of floorspace comprising 134,333 sqft/12,480 sqm B1 office, 144,624 sqft/13,436 sqm B2/B8 industrial, warehousing and distribution. Associated supporting facilities including a 2,000 sqft/186 sqm A3 cafe, A1 shop and associated car parking spaces.'

[P06/V1200/O](#) - Approved (07/11/2006)

Redevelopment of site involving demolition of all buildings, removal of hardstandings and remediation of the site, for 280, 957 sqft/26,102 sqm of floorspace comprising 134,333 sqft/12,480 sqm B1 office, 144,624 sqft/13,436

sqm B2/B8 industrial, warehousing and distribution. Associated supporting facilities including a 2,000 sqft/186 sqm A3 cafe, A1 shop and associated car parking spaces.

3.2 **Pre-application History**

[P20/V2749/PEJ](#) - Advice provided (15/12/2020)

Outline planning application for erection of buildings for use within Class E (light industrial), Class B2 and Class B8 along with access and servicing arrangements, car parking, landscaping and associated works.
(Follow up to P20/V0293/PEJ)

[P20/V0293/PEJ](#) - Advice provided (13/03/2020)

Outline planning application for employment development (Classes B1c, B2 and B8) including access with all other matters reserved

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The application is accompanied by an Environmental Statement (ES) and addendums. These are available to view online at www.whitehorsedc.gov.uk

4.2 Mitigation measures have been identified and designed into the proposed development to reduce potentially significant adverse effects where possible. These include preparation of and adherence to:

- *Construction Environmental Management Plan (CEMP)*
- *Construction Method Statement*
- *Construction Traffic Plan*
- *Tree Survey Report*
- *Tree Protection Plan*
- *Timing of habitat clearance (if required)*
- *Acquirement of bat mitigation and compensation licences (if required)*
- *Biodiversity offsetting contributions; and*
- *Landscape and Ecological Management Plan*
- *Framework Travel Plan*
- *Financial contributions to highway infrastructure (via the S.106 and S.278 agreements)*

4.3 The latest amendments to the proposal do not change the conclusions of the ES or the identified mitigation.

5.0 **MAIN ISSUES**

5.1 The main issues are:

- Principle of development
- Traffic and highway safety
- Landscape impact
- Biodiversity
- Residential amenity
 - *Noise*
 - *Air Quality*
 - *Contaminated land*

- Flood risk and drainage
 - *Foul water*
 - *Water supply*
- Historic environment
 - *Heritage assets*
 - *Archaeology*
 - *Energy and sustainability*
- Urban Design
 - *Energy and sustainability*
- Other considerations
 - *Community Employment Plan*
 - *Public art*
- Financial contribution requests
 - *Community Infrastructure Levy*
 - *Legal agreement s106 (agreement)*

5.2 **Principle of development**

5.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan for this proposal comprises the adopted Local Plan 2031 Part 1 (LPP1) and the adopted Local Plan 2031 part 2 (LPP2). There is currently no neighbourhood plan for Milton.

5.4 As set out in the introduction the site is not allocated in the development plan. It therefore falls to be considered under Core Policies 28 and 29 of LPP1 which provide the flexibility to enable other employment sites, that are not allocated in Core Policy 6, to come forward where it can be demonstrated they accord with the development plan as a whole. This is supported by the National Planning Policy Framework (paragraph 81).

5.5 Core Policy 29 -*Change of Use of Existing Employment Land and Premises* would apply to this site if it is considered that the site is an existing employment site. The council are, however, aware that employment use on the site ceased in 2000 and it has been cleared of any structures in 2005. The proposal therefore falls under Core Policy 28 - *New Employment Development on Unallocated Sites*.

5.6 This policy (when taken as a whole) sets out that proposals for new employment development (Use Classes B1, B2 or B8) will be supported on unallocated sites in or on the edge of, the built-up area of Market Towns, Local Service Centres and Larger and Smaller Villages provided that the benefits are not outweighed by any harmful impacts, taking into account the following:

- (i) *the effect on the amenity of nearby residents and occupiers*

(ii) the provision of safe site access for pedestrians and cyclists and for all types of vehicles likely to visit the sites, and measures to promote the use of sustainable modes of transport where possible, and

(iii) the scale, nature and appearance of the employment development and its relationship with the local townscape and/ or landscape character

5.7 The site lies in open countryside for planning purposes and is not on the edge of a built-up area, as such the latter part of Core Policy 28 also applies which states:

In the rural areas the re-use, conversion or adaptation of suitable existing buildings for employment will also be supported subject to criteria (i)-(iii) where applicable. Other rural proposals will be supported, provided that, in addition to criteria (i)-(iii) where applicable:

(iv) the proposal cannot reasonably be accommodated on employment land identified as vacant or developable, and

(v) it can be demonstrated that the proposal will benefit the local economy and will not undermine the delivery of the strategic employment allocations.

5.8 The applicant has provided a Market Report (March 2021) and an Economic Benefits Statement (April 2021) to demonstrate that the proposal cannot be accommodated on employment land elsewhere and that it does not undermine the delivery of other strategic employment allocations of the Local Plan. Both documents were assessed by the Council's Economic Development Team and the Policy Team.

5.9 In their comments the Economic Development Team state that "*economic report provides additional comprehensive information to support the economic benefits to the area and Oxfordshire which highlights an accelerated shift to e-commerce as a result of COVID-19 and Brexit resulting in increased demand in the industrial sector for storage and logistics. There is evidence showing how the development will provide relevant employment opportunities for the local area and Oxfordshire and potentially creates an additional 600-1200 jobs*".

5.10 The Planning Policy Team consider that the submitted Market Report is a robust and sound basis on which to determine whether the proposals are consistent with policy CP28. It was also stated that "*the Market Report highlights continued and growing demand for high quality, well located, logistics floorspace (ranging from large regional logistics centres to smaller urban depots for last-mile delivery services), particularly along the A34 corridor.*"

5.11 The report indicates that supply of suitable accommodation for B8/logistics uses (especially accommodation which services the mid and big box logistics sectors) is currently limited, with only two available Grade A speculative

industrial/warehouse units in Didcot and limited availability elsewhere in the locality.

5.12 The report also examines the potential of the strategic employment allocations identified in the Vale Local Plan 2031 (Part 1) to accommodate the type/scale of industrial uses proposed for the Milton Hill site. It explains why there is little scope to accommodate these uses as part of the planned development schemes at Giant, Didcot and Signia Park, Didcot (the former Didcot A Power Station).

5.13 Both, the Planning Policy Team and the Economic Development Team conclude that it has been satisfactorily demonstrated that:

- there is no available or developable land that could accommodate the development proposals.
- the proposal will not prejudice the delivery of any of the strategic employment allocations, and
- the proposals will bring benefits to the local economy.

Consequently, the application proposal is considered consistent with criteria (iv) and (v) of Core Policy 28 of the Vale Local Plan 2031 (Part 1).

5.14 Therefore, the principle of the proposed development is acceptable, subject to the remaining criteria (i) to (iii) of the Policy CP28 being met. The proposal is assessed against these requirements and the Development Plan when taken as a whole, below.

5.15 **Traffic and Highway Safety**

5.16 Policy CP33 of LPP1 actively seeks to ensure that the impacts of new development on the strategic and local road network are minimised, to ensure that developments are designed in a way to promote sustainable transport access and to promote and support improvements to the network that increase safety and improve air quality.

5.17 Policy CP35 of LPP1 promotes public transport, cycling and walking and together with policy DP17 of LPP2 requires proposals for major developments to be supported by a Transport Assessment in accordance with OCC guidance.

5.18 Policy DP16 of LPP2 requires evidence that adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning as well as it requires evidence to demonstrate that acceptable off-site improvements to highway infrastructure can be secured where these are not adequate to service the development.

5.19 The application is supported with a Transport Assessment and addendum reports which have been assessed by the Local Highway Authority (LHA). Notwithstanding, much local concern has been raised on traffic generation and its impact upon the local highway network and residents, including initial objections from the LHA.

5.20 In response, the Applicant has submitted a further Transport Assessment Addendum, TAA4 and the LHA's latest comments in reply are **attached** at Appendix 3.

5.21 *Trip Distribution & Generation*

5.22 The LHA initially raised concern with the original Transport Assessment (TA) assumption that Heavy Goods Vehicles (HGV) movements associated with the site were from/towards the direction of Milton Interchange (79.7%), with a reduced figure from/towards the direction of Rowstock Roundabout/Chilton Interchange (20.3%). Subsequently, this has been re-visited and amended distribution figures of 45% (Milton Interchange) and 55% (Rowstock Roundabout/Chilton Interchange) at the respective key junctions have been submitted. These assumptions are accepted by the LHA as a fair distribution of movements on the network.

5.23 The total numbers of all vehicles generated by the development during the AM and PM peaks is 123 and 98 respectively. This level of trips is considered acceptable in the Local Highway Authority's assessment.

5.24 With regard to HGV movements, the main focus of concern is at the Rowstock Roundabout. The LHA were also primarily concerned with movements during the respective AM and PM peak times through this junction and analysis undertaken on the impact of increase in HGV movements during these respective times. It can be deduced from the submitted data that there are 11 and 3 additional HGV movements at the junction during the AM and PM peaks. This addition on the network is assessed to be acceptable by the LHA.

5.25 *Modelling and mitigation*

5.26 Concern has been raised on transport modelling, and the LHA were of the view that the impact on the Rowstock Roundabout would be greater than originally indicated by the applicant. The modelling for the proposal has therefore been revised and updated through the submission of a TA Addendum and has been accepted by the LHA.

5.27 The latest assessment (dated January 2022) has indicated that without mitigation the proposal would be detrimental to the local network, particularly in the following locations:

- Trenchard Ave/A4130.
- Featherbed Lane/A417.
- A4130/High Street (Steventon Lights).
- Milton Interchange; and
- Rowstock Roundabout.

Financial contributions are therefore sought to mitigate the impact of the proposal. The level of contribution has been discussed and agreed between the LHA and the applicant, and satisfactorily addresses the impact of the proposal on the local highway network.

- 5.28 In addition, the key junctions of Rowstock Roundabout and Steventon Lights Junction require further detailed assessment to establish appropriate mitigation measures to solve existing transport capacity issues. Whilst such mitigation schemes may not be known at this time, the contributions identified to mitigate the impact of the proposal could be collectively secured and put forward to part fund wider strategic highway improvement schemes at these locations.
- 5.29 Officers are satisfied that the proposed mitigation will be beneficial to the local area network, whilst taking into account of the proposed forecast of development traffic associated with this proposal. The LHA also consider the submitted improvement plans for Rowstock Roundabout, Dwg. No. J32-4630-PS-103 REV E and Steventon Lights Junction, Dwg. No J32-4630-PS-112 REV A comply with relevant Design Manual for Roads and Bridges (DMRB) standards, subject to more detailed design and technical approval under Highway legislation.
- 5.30 *Site access/layout*
- 5.31 The applicant has submitted a stage 1 Road Safety Audit (RSA) and a set of amended plans and documents to address comments regarding internal visibility splays and forward visibility at the site access with the A4130 (in both ways), and internal carriageway, footway and cycleway dimensions. The submitted plans and documents have been assessed by the LHA and are considered acceptable.
- 5.32 *Cycling and Walking*
- 5.33 To promote cycling and walking, part of the Highway mitigation works include a toucan crossing and an upgrade of the existing northbound footway on the A4130 (to a minimum 3m width to allow for a shared-use route for cyclists and pedestrians), from the Packhorse Inn bus stops/byway (299/13/30) up to the Steventon Lights Junction (without compromising the A4130 running lane widths).
- 5.34 Whilst on plan a 3m wide shared use provision can be delivered, which is welcomed, it is evident that just to the north of the proposed development access, a section of the shared route is encroaching on third party land, is not currently in the control of the Applicant and/or LHA. However, OCC has confirmed the unknown land status of this land between the adopted Highway and application boundary can be dedicated through the Land Registry 'gap protocol' process and at this stage is not detrimental as to whether any planning permission be granted or otherwise.
- 5.35 Nevertheless, this land issue will need to be resolved by the applicant before a highway agreement for the delivery of the mitigation works can be completed. This requirement can be secured through a S106 legal agreement or negatively worded condition.
- 5.36 The signalised toucan crossing is located approximately 170m north of the vehicular entrance to the proposed development site together with an informal refuge crossing on the A4130 (just to south of the junction with Milton Hill).

These are acceptable and can be delivered to promote cycling and walking opportunities to and from the site to accord with policy CP35.

5.37 *Public Transport*

5.38 Existing pole and flag bus stops are provided to the north of the Pack Horse Inn, south of the proposed development access. These stops require repositioning marginally further north, so as to be closer to the development (i.e. within 400m). Both stops also require:

- suitable hardstanding and kerbs;
- at least a 3-bay bus shelter with seating and full-end panels;
- Real Time Passenger Information displays;
- pole, flag and timetable case and
- bus stop clearway markings.

5.39 The LHA are of the view that the relocated bus stops can be delivered without encroaching on the A4130 or third-party land. It is expected that the Applicant will deliver these works as part of a S278 Agreement, together with a commuted sum for maintenance.

5.40 *Conclusion on Traffic and Highway Safety*

5.41 Both, the local Highway Authority (Oxfordshire County Council) and the national Highway Authority (Highways England) raise no objections to the proposed amended scheme. The proposed mitigation and timing for its delivery are considered acceptable to both highway engineers and your officers.

5.42 On this basis, officers consider the proposal to be acceptable in terms its impact upon the public road network and would not cause serve harm to conflict with the requirements of Policies CP33, CP35, DP16 and DP17 of the Local Plan 2031 or to advice in the NPPF in respect of promoting sustainable transport.

5.43 **Landscape Impact**

5.44 Policy CP44 of LPP1 confirms that key features that contribute to the nature and quality of the district's landscape will be protected from harmful development, and where possible enhanced. Where development is acceptable in principle, proposals will need to demonstrate how they have responded to landscape character and incorporate appropriate landscape proposals.

5.45 A Landscape and Visual Appraisal (LVIA) as part of the Environmental Statement (ES) and an addendum has been submitted in support of the application. The LVIA and Supplementary Landscape and Visual Information. The LVIA found that there will be local views of the upper extent of the proposed development, and some local visual receptors will experience adverse visual effects. The additional tree planting will not provide full screening of the proposed development, but will provide an increase in successional planting. Further to that, the removal of Units 3a and 3b will reduce the visibility of the proposed development in views from the south.

- 5.46 The Landscape Architect initially raised a holding objection to the proposal. The areas of concern related to the location of the proposed built form (buildings were considered too close to the northern, southern and western boundaries); a lack of space for the planting; conflicts with tree root protection areas and proposed services/utilities, and the height of the proposed buildings (18 metres).
- 5.47 The proposed scheme has been amended to address these objections. As a result, two units (3a and 3b) have been omitted from the scheme, creating a wider green buffer between the application site and the Milton Hill House Hotel. Further to that the extent of Units 1 and 4 have been reduced, as well as the landscape buffer strengthened by 1m along western façade of Unit 5. The amendments also include provision of some additional planting throughout the layout.
- 5.48 In the latest comments, the Landscape Architect states that it is disappointing that the submitted amendments have not addressed the height of the buildings and do not provide peripheral planting to ensure long-term softening and filtering of views and the long-term replacement of existing vegetation where this has a limited life expectancy. However, the Landscape Architect concluded that *“I do not consider that the landscape harm caused by the proposals would be sufficient to merit a reason for refusal on landscape grounds.”*
- 5.49 The site is a brownfield site and the landscape in the area although comprises a mixture of uses with limited sense of remoteness or tranquillity, it is not assessed to be of special quality; vegetation helps to obscure views. Due to the location of the site the proposals would not affect the North Wessex Downs Area of Outstanding Natural Beauty located to the south, neither in landscape or visual terms.
- 5.50 With regards to the scale and massing of the proposed buildings, only a limited number of visual receptors would be affected, with few views from the surrounding footpath network (most impact would be for users of a short section of Abingdon Road) which are considered to be lesser sensitive receptors in landscape visual terms.
- 5.51 *Landscaping and Trees*
- 5.52 Trees form a dominant feature of the landscape on this site, clearly visible to the public, making an important contribution to the landscape character of the area. There are also trees on site that are protected by a tree preservation order (TPO).
- 5.53 The Forestry Officer initially raised a holding objection as *“the extent of development being proposed, and the amount of built form and hard surfacing is significant, and the proposal fails to provide sufficient space in the design to accommodate tree planting needed to screen and soften the site and mitigate the loss of the trees proposed to be removed.”*

- 5.54 It was recommended that the proposal be redesigned to allow for the retention of more protected trees throughout the site, removing developer away from Root Protection Areas (RPA) of trees retained, and more space provided for suitable tree planting to be implemented on the site.
- 5.55 The applicant has amended the scheme to address these objections. In comparison to the original plans, the latest layout design removes Units 3a and 3b, reduces the size of Units 1 and 5 to increase some of the areas for planting. There is also a reduction in areas of hard surfacing that initially encroached into root protection areas. Where areas do encroach, the use of a no-dig solution is suggested.
- 5.56 The Forestry Officer has assessed these changes and confirms that on balance the loss of trees requiring removal for the proposed development will be mitigated by new planting that will be implemented throughout the site. Therefore, officers are satisfied the initial concerns raised have been satisfactorily addressed.
- 5.57 The proposed landscaping scheme is considered acceptable, subject to a planning condition securing its implementation. The additional condition requested by the Forestry Officer (Tree Protection) will also be imposed to a planning permission.
- 5.58 Officers consider the proposed development would not cause unacceptable landscape, visual or arboricultural harm to result in a conflict with policy CP44.
- 5.59 **Biodiversity**
- 5.60 The principle of this development is being considered under Core Policy 28 of the LPP1. This policy seeks to allow new employment development on unallocated sites, in certain locations, where the benefits of development outweigh any harm. This approach is consistent with Core Policy 46 of the LPP1.
- 5.61 Core Policy 46 seeks to avoid impacts on sensitive ecological receptors, such as protected species, priority habitats and designated sites, and secure net gains for biodiversity. When adverse impacts are identified, the development must meet the tests under the policy (related to need, benefit, reasonable alternatives and net gain) to be acceptable.
- 5.62 Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or of importance for geological conservation interests, either directly or indirectly, will not be permitted unless:
- i. the need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest;*
 - ii. it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and*

iii. measures can be provided (and are secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for, the adverse effects likely to result from development.

- 5.63 This application is supported by an Environmental Statement (ES). Chapter 11 of the ES addresses biodiversity and ecological matters, along with the relevant appendices.
- 5.64 The Countryside Officer initially raised a holding objection, as the submitted ecological information was not considered sufficient to meet the Natural England requirements, and further surveys (including botanical surveys, bat surveys, reptile surveys, Great Crested Newt (GCN) survey and invertebrate survey work) have been requested to be carried out.
- 5.65 Further to that the submitted Biodiversity Net Gain (BNG) assessment presented results showing that the development will result in a significant net loss of biodiversity (approximately 34 biodiversity units), and a request for the full metric used to undertake the assessment to be provided to ensure that the assessment is scrutinised properly.
- 5.66 The applicant has carried out the requested surveys and amended the proposal. The amended scheme will reduce the overall level of biodiversity impact. This is corroborated by a supporting BNG metric which is showing a net loss of 17.89 biodiversity units.
- 5.67 The proposed landscape scheme has been designed to ensure there is no adverse impact on bat habitat areas. The illumination that would normally be free flowing from site boundaries has been restricted to mitigate any potential impact within any ecology and bat habitat zones. Light spill has been restricted to a maximum of 3 lux and below at ground level within these zones.
- 5.68 The Countryside Officer has re-assessed the scheme and accepts the metric calculation and confirms this can be secured through off site enhancements. The officer has also stated that *“the amended scheme is unlikely to have any significant adverse impact on the ability of the local bat population to forage or commute around the edges of the site. Landscape connectivity will likely be retained and no impacts on roosting bats are anticipated.”*
- 5.69 The following conditions have been requested by the Countryside Officer:
- Construction environmental management plan (CEMP)
 - Biodiversity enhancement plan (BEP)
 - Biodiversity offsetting (a restrictive condition securing the offsite delivery of at least 17.89 biodiversity units)
- 5.70 These are considered reasonable and justifiable, and subject to their inclusion on any permission given, officers consider the amended proposal complies with the requirements under CP46 of the LPP1.

5.71 **Residential amenity**

5.72 Local Plan Policies DP23, DP24, DP25 and DP26 seek to prevent development that would result in a loss of privacy, daylight, or sunlight for neighbouring properties or that would cause dominance or visual intrusion for neighbouring properties and the wider environment. Design principles DG63-64 of the Design Guide pertain to amenity, privacy and overlooking.

5.73 Objections received from residents and Parish Councils consider the proposal will have a detrimental impact upon the residential amenities of homes and nearby businesses, such as Milton Hill House Hotel, in terms of noise, vibrations and disturbance resulting from the operation of the proposal and additional HGV traffic (particularly during the night) that will be generated.

5.74 *Noise*

Policy DP25 in states that noise-generating development that would have an impact on environmental amenity or biodiversity will be expected to provide an appropriate scheme of mitigation that should take account of:

- i. the location, design, and layout of the proposed development
- ii. existing levels of background noise
- iii. measures to reduce or contain generated noise, and
- iv. hours of operation and servicing.

Development will not be permitted if mitigation cannot be provided within an appropriate design or standard.

5.75 The applicant has submitted a Noise and Vibration Assessment. This assesses potential noise levels generated by the operation of the site, proposed mitigation and noise management.

5.76 The assessment compares the development against the existing baseline, and concludes “*there would be a change in noise level of up to 2.3 decibels (dB) at sensitive receptors. This falls within the No Observed Adverse Effect Level threshold. When comparing the Development to the future baseline scenario, there would be a change in noise level of up to 1.8dB. This falls within the Lowest Observed Adverse Effect Level threshold.*” Officers are satisfied this level of change would not be materially harmful to warrant refusal of the application.

5.77 The assessment also assessed cumulative noise impact levels and states that:

“cumulative operational noise levels during the daytime and night-time periods are predicted to be below the guideline noise intrusion criteria at nearby properties assuming both a windows-open and a windows-closed scenario.

When assessed on a worst-case basis, noise from the proposed distribution unit is predicted to have a low impact and noise levels fall within the Lowest Observed Adverse Effect Level (LOAEL).

Therefore, the proposed distribution facilities are not expected to have an

adverse impact on health or quality of life.”

- 5.78 The Environmental Health Protection Team assessed the report and raise no objection subject to the full implementation of the mitigation measures identified (which can be secured by condition). Notwithstanding, a further condition prohibiting the use of vehicle reversing alarms (other than broad band alarms) on site to protect the amenity of nearby noise sensitive premises (hotel) was recommended.
- 5.79 The suggested condition to prevent the use of vehicle alarm use on site is considered by your officers and the applicant to be unenforceable. In response the applicant has provided an Operational Noise Management Plan (December 2021). Implementation of this plan (by condition) is considered acceptable to Environmental Protection Team as an alternative, and consequently no objection from Environmental Health on noise grounds, remains.
- 5.80 The proposal is therefore considered to be in line with the requirements of Policy DP25 of LPP2.
- 5.81 *Light*
- 5.82 The proposed lighting scheme has been designed to ensure there is no adverse impact upon amenity on the adjoining property areas (including Milton Hill House Hotel) due to glare through shielding of the lamps, choice of luminaires and efficient mounting heights.
- 5.83 The implementation of the lighting scheme can be secured by a planning condition.
- 5.84 *Air Quality*
- 5.85 Policy DP26 of LPP2 confirms that development proposals that are likely to have an impact on local air quality, including those within relative proximity to existing air quality management areas (AQMA) will need to demonstrate measures / mitigation to minimise any impacts associated with air quality. Paragraph 186 of the NPPF states decisions should ensure that any new development in AQMA is consistent with the local air quality action plan.
- 5.86 The applicant has provided an assessment of air quality as part of the ES and an addendum has been submitted in support of the application. It considered both construction and operational impacts. It predicts that the principle operational air quality impact will be from traffic emissions. Modelling includes assessment of the impacts on the Marcham AQMA which lies along the A415, a principal route linking the A34 to the A420. The modelling predicts that air quality impacts generally will not be significant, and this is generally accepted.
- 5.87 Whilst the overall air quality impacts are predicted to be not significant, the Air Quality Officer raised a holding objection on specific impacts in the Marcham AQMA, particularly at modelled receptor R12 which represents 10 Packhorse Lane(S16), where the highest concentrations of nitrogen dioxide in the AQMA are recorded.

- 5.88 The Air Quality Assessment predicts the impact at this point will be a 1% increase on the air quality objective which is a 'Moderate' impact according to EPUK/IAQM guidance. It was considered this prediction may represent an underestimation, and new modelling was requested to include modelling for a “street canyon” and “accurate representation of traffic speeds for receptor R12 which represents 10 Packhorse Lane(S16). An Air Quality Briefing Note was submitted in response which has been reviewed by the Air Quality Officer and it is accepted air quality impacts from this development upon the Marcham AQMA will be negligible and in view of this there is no objection in respect of the impact upon Marcham AQMA.
- 5.89 Notwithstanding, the following conditions have been requested to offset any air quality impact:
1. implementation and adherence to the mitigations identified in the Air Quality Assessment; and
 2. provision of on-site electric vehicle charging points (in accordance with the Vale of White Horse Air Quality Developers Guidance).
- 5.90 Subject to these conditions, the proposal is considered to accord with Policy DP26 of LPP2 and Paragraph 186 of the NPPF.
- 5.91 *Contaminated land*
- 5.92 Policy DP27 of LPP2 requires developers to address all land contamination risks to the development, environment, controlled waters and adjacent land associated with the development.
- 5.93 The applicant submitted a Ground Investigation Report (GIR) and subsequent revisions in response to comments from the Contaminated Land Officer. The Phase II Ground Investigation Report (Ref: 135565 Rev.3 dated 1st April 2021) concludes that no further intrusive investigations other than groundwater and gas monitoring, post completion are required.
- 5.94 Consequently, the contaminated land officer and the Environment Agency raise no objections subject to conditions for further monitoring (groundwater and gas as above) and remediation for dealing with contamination (as set out in section 9 of the report).
- 5.95 Given the legacy of contamination identified in the report resulting from the site's former use, to ensure that the development is not exposed to any unacceptable risks from contamination, and any potential groundwater impacts are quantified and subsequently mitigated, these conditions are necessary to ensure compliance with Policy DP27 of the LPP2 and paragraph 185 of the NPPF.
- 5.96 **Flood Risk and Drainage**
- 5.97 Policy CP42of the LPP1 seeks to ensure that development provides appropriate measures for the management of surface water as an essential element of reducing future flood risk to both the site and its surroundings.

- 5.98 The Flood Risk Assessment (FRA) submitted with the application confirms that the site lies within Flood Zone 1 and is at a low risk of flooding from rivers or sea as well as from other potential sources of flood risk.
- 5.99 The Council's Drainage Team initially raised a holding objection and requested further survey work and calculations to be submitted along with a Sustainable Urban Drainage system (SUDs) to be incorporated within the scheme.
- 5.100 The Lead Local Flood Authority (County Council) also initially objected to the proposal and required calculations for the site's drainage and requested for the proposed drainage scheme to be redesigned.
- 5.101 The amended scheme was submitted for re-assessment and the Council's Drainage Team is satisfied that their holding objection can be withdrawn, subject to conditions.
- 5.102 The requested conditions relate to the details of the surface and foul water drainage strategy to be submitted for approval, the submission of the SUDs verification report and a detailed survey and inspection of the boundary ditch and downstream culverts to a suitable receiving watercourse to be submitted to and approved in writing. Officers are satisfied these conditions are necessary to ensure the proposal mitigates flood risk.
- 5.103 *Foul water*
- 5.104 Thames Water has advised that with regard to foul water sewerage network infrastructure capacity, Thames Water would not have any objection to the above planning application.
- 5.105 *Water supply*
Thames Water has however identified capacity issues with water supply. Some capacity exists within the water supply network, but upgrades will be required. A Grampian condition is requested that prevents occupation until confirmation has been provided that all water network upgrades required to serve the development have been completed, or alternatively a development and infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied. Officers consider the requested condition to be reasonable and necessary.
- 5.106 Subject to the conditions set requested above, the proposed development is considered to accord with policy CP42.
- 5.107 **Historic Environment**
- 5.108 *Heritage assets*
- 5.109 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.

- 5.110 Policy DP36 of LPP2 and Core Policy 39 of LPP1 state that proposals for new development that may affect heritage assets must demonstrate that they conserve and enhance the special interest or significance of the heritage asset and its setting.
- 5.111 There are no Listed buildings or conservation areas nearby where their setting could be affected by this proposal. However, in initial comments from the Council's Conservation Officer it was stated that there is potential low-level impact caused by Unit 3 to the significance of Milton Hill House Hotel, which has been identified as a non-designated heritage asset.
- 5.112 The amended proposal has removed Units 3a and 3b, and the Conservation Officer considers that any indirect visual impacts on the setting of Milton Hill House Hotel has now been lessened to an acceptable degree to remove their objection.
- 5.113 Officers consider therefore there is no objection on heritage grounds to justify withholding permission or that could be reasonably defended on appeal. The proposal complies with the Policy DP36 of LPP2, Core Policy 39 of LPP1 and the NPPF.
- 5.114 *Archaeology*
- 5.115 DP39 of LPP2 states that development will be permitted where it can be shown that it would not be detrimental to the site or setting of Scheduled Monuments or nationally important designated or non-designated archaeological remains.
- 5.116 The County Archaeologist confirmed that there are no known archaeological features or monuments within the application area. Overall officers consider that the proposed development is in conformity with policy DP39 of LPP2.
- 5.117 **Urban Design**
- 5.118 Policy CP37 of LPP1 states that new development must demonstrate high quality design that responds positively to the site and its surroundings, creating a distinctive sense of place through high quality townscape and landscaping that physically and visually integrates with its surroundings.
- 5.119 Policy CP38 of LPP1 sets out more detailed design criterion required for strategic and major development sites, whereas Policy CP40 of LPP1 refers to Sustainable Design and Construction and encourages developers to incorporate climate change adaptation and design measures to combat the effects of changing weather patterns in all new development.
- 5.120 The Council's Urban Design Officer provided comments on the initial submission that further landscaping should be provided to soften the overall development and the parking proposed within the site. Comments also suggested the applicant should aim to attain the Building Research Establishment's Environmental Assessment Method (BREEAM) rating of Excellence.
- 5.121 A BREEAM assessment uses recognised measures of performance (and it is

a recognised sustainability assessment method for assessing new development). It assesses the environmental, social and economic sustainability performance of a development against set criteria across the built environment lifecycle, from construction to completion and operation.

- 5.122 It is considered that the proposed design of the office building broadly follows the principles outlined within the adopted Council's Design Guide, in particular Section 9: "Commercial and Employment areas". In this section of the Design Guide, the emphasis is placed on the simplicity of form and a contemporary design language.
- 5.123 *Energy and sustainability*
- 5.124 Although the current Local Plan 2031 Parts 1 and 2 have no policies requiring BREEAM rating, in line with the Policies CP37 and CP38 of the LPP1 any new proposals are expected to be sustainable and delivered to a high quality.
- 5.125 According to the submitted documents, the Applicant confirmed that they are committed to achieve BREEAM Excellent accreditation, which is considered to be a benefit to the proposal as it demonstrates that is actively trying to address the climate change.
- 5.126 The design measures proposed to be used in order to minimise the energy consumption include effective built form and orientation; construction methods (use of pre-fabricated units); installation of Photovoltaic (PV) panels on unshaded roof areas and the incorporation of the Air-Source Heat Pumps (ASHPs). It is also proposed to use of LED lighting utilising low-energy control systems, water efficient fixtures and to provide the electric charging points for all van and car parking spaces on-site, to encourage the use of electric vehicles.
- 5.127 With regards to the scale and massing of the proposed buildings, taking into account advice provided by the Landscape Architect it is considered that only a limited number of visual receptors would be affected, with few views from the surrounding footpath network who are generally considered less sensitive receptors, therefore the proposal is considered acceptable.
- 5.128 Overall, Officers consider that the incorporation of the design measures to minimise the energy consumption address the requirements under the Policy CP40. It is not considered that the proposed development would cause unacceptable visual harm that would result in a conflict with policies CP37, CP38 and CP44 of the LPP1 and the adopted Council's Design Guide.
- 5.129 **Other considerations**
- 5.130 *Community Employment Plan*
- 5.131 The proposal will provide relevant employment opportunities for the local area and Oxfordshire and potentially creates an additional 600-1200 jobs. The Economic Development Team supports the proposed development and asks for the submission of the detailed Community Employment Plan (CEP) to be secured by a condition, in line with the policy DP11.

5.132 *Public Art*

5.133 Policy DP20 of LPP2 requires proposals for all major development to provide public art that makes a significant contribution towards the appearance of the scheme or character of the area, or which benefits the local community.

5.134 The applicant has submitted a Public Art Location plan, which illustrates the approximate location for on-site public art. The proposed area is located within the open space in the south-western corner of the application site, adjacent to the proposed access point and is acceptable. The exact details and form of the proposed Public Art will be secured by a planning condition, in line with the Policy DP20 of LPP2.

5.135 **Financial contribution requests**

The NPPF advises that planning obligations should only be sought where they meet all of the following tests in paragraph 204:

- I. Necessary to make the development acceptable in planning terms;
- II. Directly related to the development; and
- III. Fairly and reasonably related in scale and kind to the development.

Policy CP7 of LPP1 provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured

5.136 *Community Infrastructure Levy*

5.137 The proposed development by a nature of the proposed use (commercial) is not CIL liable, and the financial contributions that are sought towards the infrastructure improvement will be secured via a bipartite legal agreement (s106) directly between the applicant and the Oxfordshire County Council.

5.138 *Legal agreement S106*

5.139 The following developer contributions are considered fair and proportionate and should be secured through a section 106 agreement:

Oxfordshire County Council	Amount (£)
Strategic Highway Contributions	£1,650,000
Public transport services	£225,000
Travel Plan Monitoring	£2,379
Administration and Monitoring Fee	TBC
Total	£1,877,379

6.0 **CONCLUSION**

- 6.1 This is full application for erection of 4no. commercial buildings for purposes within Classes B2 and B8 together with access and servicing arrangements, parking, landscaping, boundary treatment, gatehouse building, public art installation and associated works.
- 6.2 This application has been determined in accordance with the development plan unless material considerations indicate otherwise as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 6.3 In considering the application, due regard has been given to the representations received from statutory and other consultees. These have been taken into account in assessing the overall scheme.
- 6.4 The site is not allocated in the development plan for employment use in the Local Plan 2031 (Part 1 and Part 2) therefore the principle of the proposal was assessed against the requirement of the Core Policy 28 - *New Employment Development on Unallocated Sites*.
- 6.5 This policy sets out that proposals for new employment development (Use Classes B1, B2 or B8) will be supported on unallocated sites in or on the edge of, the built-up area of Market Towns, Local Service Centres and Larger and Smaller Villages provided that the benefits are not outweighed by any harmful impacts, taking into account the following:

- (i) the effect on the amenity of nearby residents and occupiers*
- (ii) the provision of safe site access for pedestrians and cyclists and for all types of vehicles likely to visit the sites, and measures to promote the use of sustainable modes of transport where possible, and*
- (iii) the scale, nature and appearance of the employment development and its relationship with the local townscape and/ or landscape character*

The site lies in open countryside for planning purposes and is not on the edge of a built-up area, as such the latter part of Core Policy 28 also applies which states:

In the rural areas the re-use, conversion or adaptation of suitable existing buildings for employment will also be supported subject to criteria (i)-(iii) where applicable. Other rural proposals will be supported, provided that, in addition to criteria (i)-(iii) where applicable:

- (iv) the proposal cannot reasonably be accommodated on employment land identified as vacant or developable, and*
- (v) it can be demonstrated that the proposal will benefit the local economy and will not undermine the delivery of the strategic employment allocations.*

- 6.6 Due to distance of the proposed development and the nearest residential properties, there is no unreasonable overbearing, over shadowing or overlooking impacts for residents. The recommended planning conditions can control light and noise emissions preventing unreasonable impacts for residents.
- 6.7 The proposed access and traffic impact of the proposal was assessed by the Local Highway Authority and is acceptable. Along the financial contributions secured towards improvement of the strategic highway improvements (as identified by the Local Highway Authority) and the public transport, a signalised toucan crossing (approximately 170m north of the vehicular entrance to the proposed development site) and an informal refuge crossing on the A4130 improved (south of the junction with Milton Hill) will be delivered.
- 6.8 Further to that the existing northbound footway on the A4130 will be upgraded to a minimum 3m width, to allow for a shared-use route for cyclists and pedestrians from the Packhorse Inn bus stops/byway (299/13/30) to the Steventon Lights Junction.
- 6.9 The scale and appearance of the proposed employment development was assessed by the Council's Landscape Architect, Urban Design Officer and Forestry Officer and its relationship with the surrounding area is considered acceptable.
- 6.10 Officers are satisfied that it's been demonstrated that the proposal cannot be reasonably accommodated on employment land identified as vacant (or developable), and that the proposal will benefit the local economy and will not undermine the delivery of the strategic employment allocations.
- 6.11 The identified economic benefits outweigh any potential adverse impacts that the proposal may cause. Further to that, these can be further mitigated by the recommended planning conditions and completion of a Legal Agreement (S106) with the Oxfordshire County Council. Therefore, on balance, it is considered that the amended proposal is development plan compliant and is recommended for approval.

The following planning policies have been taken into account

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

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP06 - Meeting Business and Employment Needs
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP28 - New Employment Development on Unallocated Sites
- CP29 - Change of Use of Existing Employment Land and Premises
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness

- CP38 - Design Strategies for Strategic and Major Development Sites
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure
- CP46 - Conservation and Improvement of Biodiversity

7.2 **Local Plan 2031 Part 2**

- CP15a - Additional Site Allocations for South-East Vale Sub-Area
- CP15b - Harwell Campus Comprehensive Development Framework
- DP10 - Ancillary Uses on Employment Land
- DP11 - Community Employment Plans
- 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
- DP39 - Archaeology and Scheduled Monuments

7.3 **Neighbourhood plan**

There is no Neighbour Plan for Milton Village.

7.4 **Supplementary Planning Guidance/Documents**

Vale of White Horse Design Guide (2015)

Developer Contributions – Delivering Infrastructure to Support Development (2017)

7.5 **National Planning Policy Framework and Planning Practice Guidance**

The National Planning Policy Framework (NPPF)

The National Planning Practice Guidance (NPPG)

7.6 **Other Relevant Legislation**

7.7 Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

7.8 Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

Contact officer – Hanna Zembrzycka-Kisiel

Email – planning@whitehorsedc.gov.uk

Tel – 01235 442600