APPLICATION NO. <u>P23/V0667/RM</u>

SITE Parcel 1P Land to the west of Great Western

Park (Valley Park) Didcot

PARISH HARWELL

PROPOSAL Reserved Matters submission relating to phase

1P pursuant to outline planning permission P14/V2873/O, comprising 172 dwellings with associated infrastructure and landscaping.

(Outline planning application for a residential development of up to 4,254 dwellings, mixed use local centres, primary schools, sports pitches, community and leisure facilities, special needs school, open space and extensive green

infrastructure, hard and soft landscaping, attenuation areas, diversions to public rights of way, pedestrian and vehicular access and

associated works)

WARD MEMBER(S) Debra Dewhurst

Hayleigh Gascoigne

APPLICANT Persimmon Homes Wessex Ltd

OFFICER Adrian Butler

RECOMMENDATION

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

1. Approved plans

Pre Commencement Conditions

- 2. Provision of tree and Moor Ditch protective fencing
- 3. Update the submitted Ecological Construction Management Plan to add the construction clerk/management contact details

Pre-Occupancy or Other Stage Conditions

- 4. Noise mitigation Passive ventilation systems and double glazing providing 31dB and 25dB attenuation for those residential properties fronting the A4130 and northern plots along the spine road respectively. Two metre wall on the east boundary of plot 19 and on west boundaries of plots 16 and 23, as per the fences & enclosures plan
- 5. Noise mitigation implementation verification report
- 6. Details of proposed materials
- 7. Boundary treatments in accordance with approved plans
- 8. Vision splays to be provided in accordance with the approved plan and thereafter maintained with no structure or vegetation except for trees, above 0.9m in height

- 9. Cycle parking for each dwelling to be provided prior to occupation of each plot
- 10. Electric vehicle charging points in accordance with approved plan

Post Occupancy Monitoring and Management Conditions

- 11. Permitted development rights removal extensions, dormer windows, outbuildings
- 12. Retention of garages for parking

Informatives

- No construction shall take place within 5m of the water main.
 Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved by Thames Water.
- 2. Interference with a water main may be an offence under s174 of the Water Industry Act 1991. Any work that may require diversion of a water main, works within 5m of a strategic water main or piling within 15m of a water main could need the approval of Thames Water.
- 3. Bird nesting
- 4. Broadband provision
- 5. Need for a S278 agreement under the Highways Act
- 6. It is an offence under S151 of the Highways Act for vehicles to carry mud onto roads
- 7. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.

1.0 INTRODUCTION AND PROPOSAL

- 1.1 The application is presented to committee at Chair's discretion. Since April 2023 the site is within Western Valley parish.
- 1.2 This application is located on the wider Valley Park site which benefits from outline planning permission for up to 4,254 dwellings granted under application no. P14/V2873/O on 21 February 2022. It relates to a first parcel of housing in the north western part of the Valley Park site and is shown on the plan attached as Appendix 1 and the scheme layout plan attached as Appendix 2.
- 1.3 Valley Park is not reliant on the HIF1 scheme going ahead. On and off site services and infrastructure provision including timing for their delivery which will include healthcare provision, schools, cycling and footpath links, public open spaces and play areas, community facilities and local centres are secured through the S106 agreement associated with the outline planning permission. Consequently their provision does not fall to be considered as part of this application and this application is not an opportunity to amend requirements for their provision.

1.4 The application seeks approval of reserved matters with these being internal access, appearance, landscaping, layout and scale. The application has been revised following the applicant's review of planning officer and consultee responses with main changes being a reduction in housing numbers from 179 to 172 dwellings, revised layout, larger gardens, changes to landscaping, addressing vision splays at junctions, inclusion of solar panels on roofs and provision of 110 bird nesting boxes.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

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

Western Valley	No objection:				
Parish Council	 Although they still have concerns about the level of noise which will be experienced by th closest dwellings to the A4130. 				
	Officer response: The submitted noise assessment has been reviewed by the council's environmental protection team who are satisfied with the proposed mitigation. Mitigation includes passive ventilation systems and double glazing providing 31dB and 25dB attenuation for those residential properties fronting the A4130 and northern plots along the spine road respectively but this should be extended to all dwellings to ensure that all dwellings have reasonable living conditions particularly should dualling of the A4130 take place as part of HIF1. These measures are required by condition 4 in the recommendation above.				
Harwell Parish Council	 July 2023 Amendments: Object: The developer is proceeding as if HIF1 is available. Is this permissible? Some infrastructure to serve the site including health care, schools and a cycle link to Cow Lane, Harwell will not be provided until the 500th occupation which could be around 5/10 years. All infrastructure should be delivered before homes are occupied. Timing for delivering roundabouts to facilitate access to Valley Park should be readdressed as it would mean additional traffic through Hagbourne and on the A417. Safe walking routes to schools should be provided. Question Thames Water advice that water and sewage capacity is available given issues				

- at Great Western Park where run off and sewage has been problematic. As this site is on a slope there is need to protect the A4130.
- Ask for clarification about road surfacing as similar surfacing is already in existence at Great Western Park and in some locations this has already proved problematic (refuse collection not occurring in roads of a certain surface).

Officer response:

Valley Park is not reliant on HIF1 being provided. The Valley Park site does safeguard land for widening the A4130 and for 'landing' the Science Bridge and this is secured through the S106 associated with the Valley Park outline planning permission. This proposal does not encroach into these areas.

The provision and timings for the delivery of infrastructure on Valley Park including healthcare, schools, cycle and footways, play areas, sports pitches, roundabouts, is all approved and secured through the outline planning permission. This reserved matters application is not an opportunity to revisit these matters.

As mentioned below Thames Water has no objection in respect of the sewer network.

Road surfaces will be macadam and brick paviours. The council's waste management team has no objection.

Original Comments:

Object:

- Houses should not be built until health care provision is in place for new residents.
- Question whether there is adequate school provision before new ones are built.
- Cycling and walking infrastructure must be in place to surrounding areas before any dwelling is sold to ensure residents are not stranded/car dependent.
- Too many small gardens that do not meet guidelines.
- Density has been increased and could result in more than the permitted 4,254 dwellings being built on the wider Valley Park site.

- Lack of car parking and unclear whether infrastructure will allow residents to be car free
- Flats sharing EV points could cause conflict and unclear who maintains them.
- A firm commitment to solar provision is required.
- Object to installing gas boilers and this does not align with district or County Council objectives.
- Windows on many dwellings are too small.
- No provision of swift boxes.
- The north/south footpath on the western side of the development should be shared with cyclists.
- The play area should be provided ideally by first occupation.
- Can Thames Water handle the sewage?

Officer response:

Garden sizes meet requirements in the SDC which reflect those in the Design Guide.

Density is in accordance with the parameters set out as part of the outline application. Should a developer wish to build more than 4,254 dwellings a new planning permission would be required.

Car parking accords with OCC standards as confirmed by the highway officer.

Each flat has its own parking space with electric vehicle charging point (EVCP). EVCP are not therefore shared.

Each dwelling is provided with solar panels and Persimmon has stated it will provide air source heat pumps rather than gas boilers. (Installing gas boilers is not development and therefore, we cannot impose a condition that gas boilers are not provided).

Windows are a reasonable size.

110 bird boxes for swifts, swallows, house martins, sparrows and starlings are proposed and secured through the Biodiversity Enhancement Plan (condition 18 of the outline permission).

	The existing north/south footpath is retained as a public footpath and is intended as an informal path to protect the biodiversity interest of Moor Ditch.				
Milton Parish Council	No comments received.				
Residents	July 2023 Amendments: No responses received. Original Plans: Three letters of objection have been received as follows: • Lack of bird boxes. A condition should require 1 swift nest box or brick for 80 precent of buildings and at suitable heights. • Support comments made on design by the Crime Prevention Officer and other officers. • The application fails to consider dualling the A4130 which could make noise levels for residents unacceptable contrary to policy DP24. • Too many plots with rear access through a garage for refuse storage which does not seem safe and convenient access for occupants contrary to policy DP28. • Occupants of terraced houses may store bins at their fronts as rear bin storage would be difficult to manoeuvre to the road side due to car ports and parking (GWP spine road is blighted by this practice). • Question why development is starting as far away as possible from existing services with no bus services and probably no safe route for pedestrians and cyclists to connect to Great Western park and Didcot. • Cycleways and footpaths should be made available prior to occupation to connect with facilities such as schools. • Other routes in the area should be made available prior to occupation to connect with facilities such as schools. • Other routes in the area should be made safe for pedestrians and cyclists such as the pavement to the Milton Interchange and tunnel into Milton Park. • Can Thames Water handle the sewage? • Are spaces available in the schools for children? • No point providing houses if they cannot access medical care.				
	Will the developer stop installing gas boilers?				

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Drainage Engineer	 Full comments on the drainage strategy for this parcel cannot be provided until the wider drainage infrastructure package has been agreed with associated constraints incorporated on the plan. We note that further information can be provided at discharge of condition stage and based on the information currently known with regard the wider strategy, we would have no objection to the reserved matters layout for this phase and note that there are locations where additional storage can be provided if required.
Thames Water	 Waste Water: No objection: This catchment is subject to high infiltration flows during certain groundwater conditions.
	No development shall be occupied until confirmation has been provided that either:-all water network upgrades required to accommodate the additional demand to serve the development have been completed or a development and infrastructure phasing plan has been agreed
Forestry Officer	July 2023 Amendments: No objection. • Previous comments have been addressed.
	 Condition: Tree protection measures to be implemented in accordance with the submitted details.
	 Original Comments: No objection to the loss of a section of hedge and replacement planting as part of a landscaping scheme . The layout is designed to protect TPO trees.

- Root protection fencing is required for all trees including those that are outside the site but which could be affected.
 The combined services and drainage plans show services in the root protection area (RPA) of tree T229 which is not acceptable
- The levels plans should be amended to show proposed levels within the RPA of T229 and the protected trees to the south, demonstrating that the levels will remain as existing within RPAs of the retained trees.

and the plans should be revised to avoid this.

Landscape Officer

Original Plans:

Holding objection:

Boundary Treatments

- Walls should be used to the parking courts and more opportunities should be taken to soften these boundaries with planting.
- Changes in boundary treatment should not be prominent on the street scene. Such as adjacent to plot 12 parking.
- The parking of plot 51 is the focus at the end of the street, walling should be used in this location.
- Walling should be used at the entrance to the apartments plot 131, to plot 136, the current proposed fencing will create a poor appearance at the end of the street.

Planting

- Potential clashes between lighting columns and tree planting at Plots 12, 36, 116 and 122.
- Street tree species in areas for adoption by County Council will need their approval, Carpinus betulus Frans Fontaine is proposed this is a tree species that County Highways have concerns about with regards to adopting this species.
- Sufficient rooting volume has not been provided for a number of the proposed street trees such as by plot 12, 10.5m2 of rooting area is provided which equates 6.5m3 of soil volume which is not acceptable. Soil rooting volume will need to be provided by underground crating, this should be illustrated on the plans.

Over 26% of the tree planting is proposed as Carpinus betulus Frans Fontaine this is not acceptable in biodiversity and biosecurity terms, as covered in the Joint Design Guide. More variety in the street tree planting is required but the Carpinus betulus Frans Fontaine should be replaced with a similar taller growing street tree species rather than a small growing species. Too much Ligustrum as hedging is proposed throughout the site. There needs to be more variation of hedging species. For example: a different type of hedging to the green around the retained tree. This planting should provide ornamental planting with species that provide seasonal change. Also along the western edge of the side, the hedge should provide more seasonal interest and biodiversity to the eastern side of the Moor Ditch Area. Alternative treatment should be provided to the parking area of plots 86 to 90, plots 131 to 133 with more seasonal interest and biodiversity is required rather than the Ligustrum hedge. Climbers and shrubs should be used to break down the mass of boundary treatments backing onto parking courts and to add to the seasonality, biodiversity of these areas. Such as the garden boundaries of plots 14-15 and 12 where they back onto the parking for plots 1 to 9. More diversity is required in the proposed climber species, just 2 species are proposed. Trees within the Moor Ditch area west of the boundary hedging should be larger growing species, i.e. it is not appropriate to use a street tree such as Pyrus calleryana 'Chanticleer' in the Moor Ditch area. It is difficult to assess the appropriateness of the boundary planting proposals of the northern and western boundaries without seeing how these relate to the adjacent POS/ open space. The street with plots 172 to 197 is very hard. look at how this street could be softened. Countryside Officer Comments: The roadway terminus close to plots 40 and 109 encroaches into the watercourse buffer zone and this roadway should be pulled back

	 to comply with the requirement of condition 26 of the outline permission. Recommend that a fenced 10 metres construction and storage exclusion zone is demarcated along the Moor Ditch with temporary fencing, to minimise any risk of physical damage or pollution during the construction phase. The submitted Biodiversity Enhancement Plan is acceptable.
Air Quality Officer	No objection Notes the provision of EV charging.
Contaminated Land Officer	No objection.
Environmental Protection Team (noise)	 No objection. The proposals outlined for noise mitigation are acceptable. The report recommendations, as outlined in section 6.16; 6.19 and Figure 6.1, should be implemented and prior to the first use of the development, a written verification report demonstrating the implemented noise mitigation measures at required plots, is submitted to and approved by the Local Planning Authority.
Housing Team	 July 2023 Amendments: The submitted updated housing mix breakdown demonstrates affordable housing units across all phases conforms with the overall anticipated affordable housing mix as per the S106 agreement, with the applicant sufficiently addressing discrepancies highlighted previously. Pleased to see that the applicant has reduced the quantum of affordable rented units proposed as flats, as houses are considered more suitable for families needing rented accommodation. Where flats have been provided, it is pleasing to see that the applicant is no longer proposing the provision of 2- bedroom flats on 2nd floors or above. Pleased to see individual gardens allocated to plots 14 and 15.

- The distribution of affordable housing conforms with the S106 requirement for clusters of no more than 15 affordable dwellings.
- There are no allocated parking spaces for plot 46. Whilst it is assumed that allocated parking plot 56 is likely to be allocated to affordable plot 46, this should be confirmed by the applicant. Parking for plot 13 could be closer to the dwelling.

Original Comments:

- The detailed unit breakdown of affordable housing units across all phases, the overall affordable housing mix conforms with the overall anticipated mix as per the S106 agreement.
- There are a few of discrepancies within the Housing Delivery Document. The breakdown provided within Parcel 6Tc of the phasing plan suggests the delivery of 19 affordable rented units, with the overall total stating 18. Similarly, the breakdown suggests delivery of 11 shared ownership units, with the overall total stating the delivery of 3. Overall totals (both tenures) equate to 30 affordable housing units, rather than the 20 stated. It is advised the applicant clarifies affordable housing proposals for this phase.
- Further, the detailed breakdown provided for Parcel XP/T suggests the delivery of 21 affordable housing units, all for affordable rent. However, the total affordable housing stated for this phase suggests the delivery of 31 units. It is advised the applicant clarifies affordable housing proposals for this phase.
- It is noted that over 50% of the affordable rented units proposed on this phase are flats. This is a high proportion of flats and it is advised that the applicant explore possibilities of greater provision of houses for affordable rent across the site. Where 2-bedroom properties are provided, it is preferable that these units incorporate 4 persons due to eligibility criteria and household requirements.
- Affordable apartment blocks (1 and 3, as per submitted House type and Apartment Packs), include a total of seven 2-bedroom flats on 2nd floors or above. Registered Providers generally advise that 2-bedroom flats should

- not be situated on 2nd floors or above due to difficulties surrounding housing management and units being hard to let, as they are not always suitable family accommodation.
- Affordable apartment block 6 (plots 14 & 15), includes 2 x 1-bedroom flats. For housing management purposes, it is preferable that the applicant revise plans to deliver these units as maisonettes.
- The submitted Planning Layout (A1P)
 (drawing no. 201.100) indicates communal
 garden space for plots 14 & 15. It is advised
 the applicant explores possibilities of
 providing individually allocated garden space
 for each unit, rather than the current
 communal arrangement.

Crime Prevention Officer

July 2023 Amendments:

Comments:

- Pleased to see the changes but has concerns as mentioned below:
- Maintain significant concerns with the proposed parking court between plots 29 and 30, which consists purely of tandem parking spaces in a tight space and possibly lacking surveillance. This parking arrangement is inconvenient for users, particularly when the car park is full and the inner car is required by the owner a complex shunting manoeuvre is required, which is highly likely to lead to vehicles being inappropriately parked on the highway instead for convenience. The tight nature of this parking area creates a risk of vehicle collisions, property damage and subsequent neighbour disputes.
- Highly likely that plot 31 will abandon the parking spaces in this parking court in favour of parking in the two visitor bays directly outside their house.
- FOG accessed parking courts are left at risk of crime and ASB due to being insecure. I ask that electronic, fob activated gates are provided to prevent unauthorised access to private parking areas.
- Apartment blocks 1, 2 and 3 do not have a secure lobby at the ground floor level.
- Apartment block 3 appears to have mailboxes on every level, providing an offender with a legitimate excuse to be in a place that they shouldn't. All postal services should be

contained within the secure lobby at ground floor level. Original Comments: Holding objection: The development is generally well designed with defined perimeter blocks and good surveillance to reduce opportunities for crime and antisocial behaviour to occur. Gates should not be recessed. Horizontal hit and miss, and lap fencing should not be used with close boarded fencing used instead... An additional window must be added to provide surveillance from dwellings over parking for plots 20, 24, 42, 43, 45, 50, 57, 112, 113, 126, 127, 170. Gates should be provided to courtyard parking access beneath a flat over a garage (FOG). Tandem parking between plots 29 and 30 is tight, inconvenient to users and likely to lead to on street parking. (6m which is the space required between rows of parking ion a car park). The drive through beneath plots 130-136 could be vulnerable to crime and ASB and should be removed. Defensible space landscaping is required e.g. at plots 57, 36, 49, 50, 55-56, 127, 146, 148, 108, 109 Condition: An application shall be made for Secured by Design Silver accreditation and the development implemented accordingly. Urban Design Officer July 2023 Amendments: No objection. Previous comments have been addressed and there are no key design issues. Original Comments: Some gardens sizes do not accord with the Joint Design Guide minimum requirements. Some off set distances are below the 21m back to back Joint Design Guide requirements.

- Screen walls should be used around apartment block parking courts rather than fences.
- Access to the parking court for an apartment building (plots 130-136), is continued into the mews street serving plots 137- 147. This creates the potential for traffic to use this link as a shortcut and would mean vehicular traffic using the parking court as a through route.
- Could support the scheme if the above are responded to and mitigated.

Didcot Garden Town Team

Comments:

Design:

- The architecture, while not pioneering, will
 potentially endure over time but the spaces in
 between are not well considered and do not
 prioritise green space, although it is
 recognised that the overall proportion of open
 space across the wider Valley Park
 development is reasonable.
- To an extent the proposal brings technology to the forefront by using solar panels and EV charging for all homes but it would be good to see better links with Science Vale or offer science and technology opportunities.

Local Character

- The proposal retains a small area of open green space around a protected tree near the centre of the parcel, but otherwise the proposal does not identify or protect key views.
- The site is bounded by green space on the west and south edges, mostly outside the application boundary and links to those spaces are reasonably well defined.
- The streets in the parcel would be relatively easy to navigate and with reference to the National Model Design Code Part 2 Guidance Notes 2021, the plans do provide the required compact form of development, appropriate building types and forms, consistent building heights, and a reasonably consistent approach to the building line or street frontage. The mix of materials, for example red brick and darkened timber, does reflect local character to a certain extent.
- The parcel includes part of the main street on its east boundary, and the Design Compliance

Document shows that the main street will include cycle lanes parallel to the road in both directions but, once within the parcel, bikes will have to share the streets with cars.

Density and Tenure

- The proposal does not use higher densities to allow for more open space and, other than back gardens, road verges and the area designed around a protected tree, there is no open space in the application area.
- The development only offers 34% affordable housing, which does however include affordable rented, shared ownership options and private homes that may cater for the private rented market in Science Vale. There is no reference to any specialist accommodation.

Transport and Movement

- The development is not particularly close to the main transport hub at Didcot Parkway but the plans do include roadside bus stops, at least one parking space per house, with EV charging and bike storage areas for all.
- While there are pavements, the road layout prioritises cars and there is no evidence of encouraging permeable, connected, futureproofed, multi-modal transport.

Landscape and Green Infrastructure

- There are no usable open spaces in the application area and the landscaped verges are clearly subsidiary to the road layout. However there is reasonable access to open space corridors west and south of the parcel and the Planning Layout plan shows block paving paths out to and along both open space corridors.
- The planting plan includes native hedgerows, tree planting and reasonable back gardens but the verges are predominantly mown grass and the parcel does not include multifunctional green space.
- The proposals should integrate blue infrastructure, which this application does not although the parcel is adjacent to SuDS 'swales' and the outline plans include SuDS features elsewhere. Verge areas could be used as rain gardens.

	 Public spaces be well lit, overlooked and animated to encourage interaction. The public spaces mainly comprise verges and while these are well lit they do not encourage interaction. There is a strategy for street lighting but carefully designed street furniture is also needed to encourage use of spaces. Social and Community Benefits As a result of being for a small parcel within the wider development, this application does not provide community benefits and there are no cultural amenities, recreational facilities, shopping or business amenities. However it is noted that shopping and community facilities are to be provided elsewhere in the development. While allotments are also provided elsewhere in the wider development, to access the nearest one, on the western edge of the wider site, requires a journey via the main road. Other than back gardens this application does not promote local food growing and one partial solution to this may be to include fruit bearing tree species.
Waste Management Officer	 Comments: The bins stores for apartment blocks 1-11, 63-69, 86-95 and 130-136 are each one bin short of requirements. (Officer note: the FOGs have their own bin storage and stores. Therefore, the bin stores for the flats are correct). Where will bins be stored for FOG's? Bin collection point discrepancies between plans for plots 19, 41 to 44. (Officer note: there is no discrepancy).
Oxfordshire County Council (OCC) - Highways	 September 2023 Response: OCC revised its July response to the following: The approved Design Code for the site and infrastructure secured by the outline permission has been considered. One design issue that has arisen since the adoption of the Design Code is with the 7.5m width requirement of the shared surface street which for adoption now needs an additional 0.8m width to provide a wider service/margin strip. Support the hierarchy of routes for pedestrians, cyclists, and low traffic speeds.

- The future access corridor road to North West Valley Park site accords with the Design Code.
- The design speed will need to be supported by a Traffic Regulation Order and vision splays of 2.4m x 25m provided. There are some areas where these vision splays are not met for example one area has a 20m vision splay. If this vision splay is to be accepted an evidence based justification must be provided to OCC using appropriate guidance in Manual for Streets (MfS).
- Hedges in vision splays must not exceed 0.9m in height.
- Some vison splays shown on the plans are incomplete. (Officer note: now corrected).
- The Road Safety Audit needs to be updated (Officer note: now updated (August 2023)).
- The distance of trees from street lights, their set back from roads appear to have been addressed.
- Parking is provided to appropriate standards.
- The locations of electric charging points accords with the Council's parking standards.
- Internal garage dimensions meet appropriate standards.
- Cycle parking provision accords with standards.

July 2023 Amendments:

Comments:

- Support the hierarchy of routes for pedestrians, cyclists, and low traffic speeds.
- The future access corridor road to North West Valley Park site accords with the Design Code.
- The design speed will need to be supported by a Traffic Regulation Order and vision splays of 2.4m x 25m provided. There are some junctions where this is not achieved but a 20m vision splay would be acceptable as table 7.1 of MfS can allow reduced vision splays where vehicle speeds are likely to vary between 15mph and 20mph. A reduced vision splay of 20mph can be accepted on this occasion.
- Hedges in vision splays must not exceed 0.9m in height.
- Some vison splays shown on the plans are incomplete. (Officer note: now corrected).

The Road Safety Audit needs to be updated (Officer note: now updated (August 2023)). The distance of trees from street lights, their set back from roads appear to have been addressed. Parking is provided to appropriate standards. The locations of electric charging points accords with the Council's parking standards. Internal garage dimensions meet appropriate standards. Cycle parking provision accords with standards. Original Comments: Comments: The submitted planning statement confirms this parcel is provided with clear hierarchy of routes for pedestrians, cyclists, and low traffic speeds. This approach is fully supported and is clearly set out within the approved Valley Park Strategic Design Code. Visibility splays at junctions will need to accord with the design guidance within Manual for Streets (MfS) i.e. an X distance of 2.4m by a Y distance of 25m. Having reviewed the plans there are some areas where such design requirements are not met. Boundary hedges in vision splays must not exceed 0.9m in height. Carriageway widths are sufficient for refuse vehicles and cars to pass. All proposed trees appear sufficiently distant from road sides and street lamp columns. Car parking provision accords with current parking standards. Electric vehicle charging point provision accords with parking standards. Internal garage dimensions meet requirements. Cycle parking provision is adequate July 2023 Amendments: Oxfordshire County Council - Drainage Comment: The current application for plot 1P is in accordance with the LLFA's requirements. Original Plans: Holding objection:

	 Inadequate description of the scheme and inadequate permeable paving.
Oxfordshire County Council – Archaeologist	No objection
Oxfordshire County Council - Education	No comment necessary as education provision is covered by the S106 agreement accompanying the outline permission.

3.0 RELEVANT PLANNING HISTORY

3.1 **Planning Applications:**

P22/V2798/DIS - Approved (01/09/2023)

Partial discharge of condition 10 (Framework Plan) under application reference number P14/V2873/O

P22/V2744/RM – Under consideration

Reserved Matters application relating to Phase 1T of Outline Planning Permission P14/V2873/O for scale, layout, landscape and appearance comprising 246 new homes with associated infrastructure with 35% affordable housing.

P22/V0907/RM - Withdrawn (27/03/2023)

Reserved Matters submission relating to phase P1 pursuant to outline planning permission P14/V2873/O, comprising 161 dwellings with associated infrastructure and landscaping.

P22/V2338/DIS - Approved (24/02/2023)

Discharge of condition 6 (housing delivery document) on application P14/V2873/O.

P22/V2407/DIS - Approved (24/02/2023)

Discharge of condition 11 (Phasing Plan) on application P14/V2873/O.

P22/V2066/DIS - Approved (22/11/2022)

Discharge of condition 9 (Strategic Design Code) on application P14/V2873/O.

P22/V0604/RM – Under consideration

Reserved matters application for access, appearance, landscaping, layout and scale following consent granted under reference P14/V2873/O relating solely to Phase 1a of the overall allocation regarding infrastructure elements to enable works for Phase 1 and 2.

P14/V2873/O - Approved (21/02/2022)

Outline planning application for a residential development of up to 4,254 dwellings, mixed-use local centres, primary schools, sports pitches, community and leisure facilities, special needs school, open space and extensive green infrastructure, hard and soft landscaping, attenuation areas, diversions to public rights of way, pedestrian and vehicular access and associated works

3.2 **Pre-application History**

P22/V2589/PEJ - Advice provided (28/11/2022)

Reserved matters (layout, appearance, scale and landscaping) application for 178 dwellings and associated infrastructure pursuant to Outline Planning Permission P14/V2873/O (Re-submission of P22/V0907/RM).

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The outline application was subject to an Environmental Statement that addressed ecology, landscape and visual, historic environment, flood risk, traffic and transport, transport, air quality and climate, noise and vibration, agriculture, and community and socio economics. The environmental information already provided is considered adequate to assess the significance of effects of the development on the environment. This information has been taken into consideration in considering this application.

5.0 MAIN ISSUES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. There is no neighbourhood plan for the Western Vale Parish or covering this site, so the development plan for this case comprises of the Vale of White Horse Local Plan 2031 Part 1 (the LPP1) and the Vale of White Horse Local Plan 2031 Part 2 (the LPP2).

The relevant planning considerations are the following:

- Principle of development
- The Valley Park Strategic Design Code and Framework Plan
- The Reserved Matters:
 - Appearance
 - Landscaping
 - Layout
 - Scale
- Access and parking
- Housing mix
- · Residential amenity
- Climate change
- Biodiversity
- Drainage
- Conditions

Principle of Development

The site is allocated for housing by the LPP1 and benefits from an extant outline planning permission for housing granted under application no. P14/V2873/O. The principle of development is therefore, established. The outline permission also approved access to the site including a signalised junction with the A4130 from which this application site will be served.

The Valley Park Strategic Design Code and Framework Plan

- 5.3 Policy CP37 of the LPP1 seeks to ensure that all new development is of high-quality design that, amongst other aspects, should respond positively to the site and surroundings and be physically and visually integrated with its surroundings. Policy CP44 of the LPP1 seeks to ensure that key features, such as trees and hedgerows, that contribute to the nature and quality of the landscape will be protected from harmful development and where possible enhanced.
- 5.4 The site is subject to an approved Strategic Design Code (SDC) which the development needs to comply with and which was permitted under application P22/V2066/DIS, and Framework Plan permitted under application no. P22/V2798/DIS. The SDC and Framework Plan accord with design policies including Policies CP37, CP38 and CP44 of the LPP1, the Joint Design Guide, the Didcot Garden Town Delivery Plan and NPPF design guidance.
- 5.5 The SDC defines character areas for the Valley Park site, and the development parcel in this Reserved Matters application falls within two areas; the northeast part is part of the 'Northern Gateway' character area and the remainder is part of the 'Northern Residential Neighbourhood'.
- 5.6 The Northern Gateway (shown on the plan <u>attached</u> at Appendix 3) is to provide a definitive arrival point to Didcot along the A4130 being a statement feature frontage on to the main access route with built form achieving this through high-quality contemporary architecture and a strong urban frontage addressing the development edge with increased building heights and massing.
- 5.7 The Northern Residential Neighbourhood is divided into sub-character areas which for this application site include:
 - The central core and hamlets;
 - The core (primary);
 - The core (secondary); and
 - The green edge.

These are shown on the plan **attached** as Appendix 3 below:

5.8 The Northern Residential Neighbourhood is to be designed to create an attractive, welcoming, lively and vibrant character created by a higher density urban environment with contemporary influences with housing structured around a movement and green infrastructure network.

The Reserved Matters

Appearance

5.9 The Northern Gateway features a four and three storeys building of contemporary design thereby providing a statement feature at the site entrance, with mass and a strong building line creating enclosure. This is continued through the Central Core and Hamlet which fronts the main street leading south from the A4130, creating a consistent building line with terraced dwellings and flats containing three storeys with feature buildings at street corners defined by their height and materials. The dwelling designs provide frontage to the main

street with usable front doors with windows aligning horizontally with vertical offsets providing massing and height with pedestrian width gaps between buildings to create the enclosure and the strong building line expected. Materials are primarily red/brown brick for the walls with some render and grey coloured weather boarding used for visual breaks to the street scene and for feature buildings, under primarily grey coloured tiled roofs although some feature buildings have flat roofs. Metal railings above low brick walls or with brick piers and backed by planting define the front boundaries with the tree lined main street.

- 5.10 The Northern Gateway and Central Core and Hamlet transition to the Core Primary and Secondary and Green Edge character areas and are distinguishable in terms of appearance by using a less formal street hierarchy including mews streets, dwellings of lower heights being primarily two storeys semi-detached or detached houses and flats above garages (FOGs), with predominantly wider spacing between dwellings for parking together with focal points and variation in appearance and materials creating an informal appearance and softer edge to the development. Dwellings turn corners with main windows facing streets. House types have balanced facades with clear fronts and backs. Dwellings are simple in form with rectangular footprints and pitched roofs with balanced windows with vertical emphasis. Materials are red brick with greater use of render and reconstituted stone and roof tiles in 'red' or grey colours. Front boundaries are mostly defined by hedges with some use of metal railings.
- 5.11 The appearance of the proposals follows the guidance in the approved Valley Park SDC and is also compliant with policies CP37 and CP38 of the LPP1.

Landscaping

- 5.12 The protected tree on site and those adjacent to the site are retained; the protected tree on site forms a focal point in a square in the north western part of the development. A condition can ensure tree protection during construction.
- 5.13 Landscaping has been revised to address the landscape and planning officer comments and to aid variance between character areas. For example at the western Green Edge, hedge planting is native species with ornamental hedging within the Primary and Secondary Cores and Central Core and Hamlets but also holly hedging is used. As requested by the landscape officer there are fewer Ligustrum (privet) hedges proposed.
- 5.14 The landscape officer was concerned at the lack of street tree variety being largely Carpinus betulus Frans Fontaine (hornbeam). With revisions to the landscaping scheme this is addressed with a variety of street trees now proposed including flowering cherry, rowan, silver birch and hazel with four hornbeam remaining. At the western boundary of the application site, tree species have been revised to reflect those recommended in the SDC. Lamp posts no longer clash with tree locations and adequate rooting volumes are proposed.

- 5.15 Walls rather than fences are proposed around the parking areas associated with the flats and walls are proposed to define boundaries in the public realm including beside parking spaces as recommended by the landscape officer. The appearance of walls are softened in the public realm with the use of climbing plants and shrubs e.g. honeysuckle and berberis and planting lines the western side of mews streets softening their appearance.
- 5.16 With the landscape officers comments addressed the landscaping scheme is considered acceptable and the proposal is compliant with the SDC and Policies CP37 and CP44 of the LPP1.

Layout

- 5.17 The layout comprises a hierarchy of connected streets with dwellings in perimeter blocks with clear fronts and backs. The eastern edge of the application site is defined by a main street serving the western part of the wider Valley Park site and the development provides a strong and tree lined frontage with formal appearance. Secondary roads lead from the main street and in turn tertiary roads lead from them including mews streets and finally private drives, the private drives enabling lower density development and a softer green edge to the development. The mews streets are used to provide rear on plot parking for houses fronting the main street thereby avoiding frontage parking and courtyard parking which could diminish the scheme. The mews streets incorporate flats above garages to provide a frontage and passive surveillance. There is no policy requirement for electronic (or manual) gates and it is understood Registered Providers are not keen on their provision due to maintenance costs.
- 5.18 Parking courts are to be used as a last resort according to the SDC. It is accepted that courtyards of parking for flats are an acceptable exception and they are kept to a minimum with these surrounded by walls and including planting, and accessed from secondary streets. There is one small courtyard of parking which enables housing to form a square around the on-site protected tree. This courtyard is overlooked by habitable rooms in plots 28 and 29 as requested by the Crime Prevention Officer. Tandem parking is typical of parking for dwellings and there is sufficient space for vehicles to manoeuvre. Given the positive street design this courtyard of parking then allows, it is an acceptable solution in this instance.
- 5.19 The overall density of development at 44 dwellings per hectare (dph) accords with the 35 to 45 dph parameter for this part of the site proposed by the outline permission with the density being inflated due to the requirement of higher density in the Northern Gateway and Central Core and Hamlet. Whilst public open space within the application site is limited to the square around the protected tree and a strip of open land on the western boundary, the wider provision of 17 percent open space across the Valley Park site needs to be considered rather than this site considered in isolation.
- 5.20 The proposed layout is considered compliant with the SDC and Policies CP37, CP38 and CP44 of the LPP1.

Scale

5.21 Building heights reflect the parameters set at outline permission stage varying between 5.7m and 15m, and expectations of the SDC with two and a half, three and four storeys development along the eastern site frontage (the Northern Gateway and Central Core and Hamlets), with two and two and a half storey dwellings elsewhere reflecting the hierarchy of streets and character areas. The proposal complies with the SDC and Policy CP37 of the LPP1.

Access and Parking

- 5.22 Policy DP16 of the LPP2 seeks to provide adequate provision for loading, unloading, circulation, servicing and vehicle turning and make provision for any improvements to highway infrastructure. Policy CP33 of the LPP1 seeks to promote sustainable travel and accessibility including minimising impacts on the local and strategic road networks. Policy CP35 of the LPP1 promotes the use of public transport, cycling and walking and to ensure adequate car parking is provided in accordance with Oxfordshire County Council (OCC) parking standards.
- 5.23 Access from the A4130 via a signalised junction was approved as part of the outline planning permission. Road hierarchies and widths were approved in consultation with OCC as part of the SDC. All roads meet the SDC road width requirements. Whilst OCC now requests some shared streets have a width of 8.3m rather than 7.5m, this does not accord with the approved SDC. The applicant advises the street is 7.6m wide having been widened following a previous request by OCC. Officers note that in responding to applications seeking approval of the SDC. OCC had required this shared street type to be widened to 7.5m including a 1.5m wide service strip/margin. In responding to application P22/V2066/DIS OCC advised ""The other cross sections that needed updating were the 'Shared Surface' design (now on page 59). These have been amended and widened for future service / maintenance requirements and are now considered acceptable". OCC's request is contrary to the SDC and is not required for highway safety purposes and it is noted that OCC does not object but may not adopt this street type. Officers consider the street at 7.5m/7.6m wide benefits the scheme design creating enclosure, definition is street hierarchy and a design not dominated or arranged around car access.
- 5.24 Internal roads are designed for traffic speeds of 20mph or less. Whilst OCC now seeks justification for 20m vision splays it had already (as has the applicant), provided the justification in its response to the July 2023 amendments by explaining that "in this instance guidance in MfS needs to be considered, specifically Table 7.1. Within this table where vehicle speeds are likely to vary between 15mph to 20mph a reduced visibility may be considered appropriate. Due to the location of the junction shown, the no through streets it is serving, and the alignment of the main section of the street shown. It is considered appropriate for a reduce 20m sightline to be accepted on this occasion". On this basis I can only conclude the 20m vision splay is justified, accords with MfS and is acceptable. Other than pavements and a cycle lane alongside the main street at the eastern edge of this application site, no cycle or footways are included in this application site but cycle and footway links are

required and secured as part of the outline planning permission which will ultimately link this site more conveniently to future on site facilities, Great Western Park and Didcot. In the meantime there are links to the cycle and footway beside the A4130. The main street will include a bus link and the proposal includes a bus stop. The proposal is considered compliant with Policies CP33 and CP35 of the LPP1 and policy DP16 of the LPP2 and the SDC.

5.25 Car and cycle parking meets OCC standards as confirmed by the highway officer. Each dwelling and flat is allocated an electric vehicle charging point which exceeds the requirements of condition 41 of the outline planning permission. Consequently car and cycle parking meet the requirement of Policy CP35 of the LPP1.

Housing Mix

Affordable Housing Mix

- 5.26 A condition of the outline planning permission required a Housing Delivery Document (HDD) to be approved for the wider Valley Park site although the condition recognises the need for this Document to be flexible and it can be updated as part of reserved matters applications. A HDD was approved under application P22/V2338DIS and it has been updated as part of this application to reflect the fewer number of dwellings in this parcel following the submission of revised plans. Policy CP22 of the LPP1 requires a mix of dwelling types and sizes to meet the needs of current and future households. Policy CP24 of the LPP1 aims to provide 35 percent affordable housing which should be indistinguishable from the market dwellings and evenly distributed across the site. The S106 agreement for the outline permission requires a policy CP24 complaint 35 percent affordable housing across the wider Valley Park site. The approved HDD recognises that some housing parcels will have fewer than 35 percent affordable housing with the shortfall in those parcels made up in other housing parcels. In the case of this application, 35 percent affordable housing would be 60 dwellings whereas 59 affordable dwellings are proposed. The updated HDD submitted with this application still sets out the delivery of a Policy CP24 compliant requirement for affordable housing across the Valley Park site. The S106 agreement for the Valley Park site permits clusters up to a maximum of 15 dwellings.
- 5.27 The affordable housing mix shown in the table below accords with the S106 agreement for this development and is considered to accord with the HDD and Policies CP22 and CP24 of the LPP1:

	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house
Affordable rent	17	2	12	12	2
Shared ownership	0	0	3	11	0

5.28 The affordable housing is in clusters of 15 or fewer dwellings and evenly distributed over this application site. Furthermore, they are indistinguishable from market dwellings.

Market Housing Mix

5.29 Policy CP22 of the LPP1 requires a mix of dwelling types and sizes to meet the needs of current and future households. This should be in accordance with the council's current Strategic Housing Market Assessment unless an alternative approach can be demonstrated to be more appropriate through the Housing Register or where proven to be necessary due to viability constraints. Across the Valley Park site the outline permission expects a SHMA compliant development. A comparison between the proposed market housing and SHMA expectation is shown in the table below:

	1 bed	2 beds	3 beds	4+ beds
Proposed	2	34	60	17
SHMA	7	24	48	33

5.30 Whilst the market housing mix for this housing parcel is not compliant with the SHMA it provides a mix reflective of higher density and the design expectations for this part of the site. Across the wider Valley Park site the updated housing mix submitted with this application provides a SHMA and Policy CP22 compliant mix of market housing that does not exceed 4,254 dwellings on the Valley Park site.

Residential Amenity

- 5.31 Policies DP23 and DP24 of the LPP2 seek to protect the living conditions of residents. The adopted Joint Design Guide recommends distances between dwellings of 21m back to back, 10m to fronts and 12m back to side. There are no existing neighbouring dwellings and no occupants of existing dwellings are directly overlooked or overshadowed by the proposals. The dwellings are reasonably separated to prevent unreasonable overlooking and overshadowing. The number of dwellings has been reduced ensuring all dwellings have adequate garden sizes or flats have 5 sq m balconies as required by the SDC for the site and which reflect the Joint Design Guide expectations. Floor areas for the affordable dwellings accord with the requirements of the S106 agreement associated with the outline planning permission or the Nationally Described Space Standards as expected by policy DP2 of the LPP2.
- 5.32 The submitted noise assessment concludes occupants of dwellings will not be adversely affected by noise including that from traffic using the A4130 subject to passive ventilation systems and double glazing providing 31dB and 25dB attenuation for those residential properties fronting the A4130 and northern plots along the spine road respectively and including two metre high walls on the eastern boundary of plot 19 and on the western boundaries of plots 16 and 23. These measures can be required by condition and the proposal can therefore, comply with policies DP23 and DP24 of the LPP2. HIF1 is a scheme that does not benefit from planning permission and it needs to be designed to mitigate for its impacts on existing development and developments already

permitted such as Valley Park which benefits from an outline planning permission. It is not for this development to mitigate for schemes which have yet to be permitted.

Climate Change

5.33 The council has declared a climate emergency and Policy CP40 of the LPP1 encourages developers to incorporate climate change adaption and design measures. All dwellings include solar panels on their roofs and they are provided with electric vehicle charging points. The applicant's planning statement advises that all dwellings will be provided with air source heat pumps. The majority of dwellings have windows within 30 degrees of south and all dwellings allow for natural ventilation. A fabric first approach to heat loss can be used. The Valley Park outline planning permission requires a series of measures for active travel including a network of cycle and footways, bus services and a range of facilities and services on site to make the development accessible and seeking to reduce reliance on private transport for journeys. The proposal is Policy CP40 compliant.

Biodiversity

- 5.34 Policy CP46 of the LPP1 seeks to protect important ecological receptors (designated sites, protected species, priority habitats, etc.) and secure net gains for biodiversity. Where adverse impacts on important ecological receptors are likely, development must meet the criteria outlined under the policy to be acceptable. Net losses of biodiversity will not be supported. Policy DP30 of the LPP2 expects a 10m buffer to watercourses.
- 5.35 The outline planning permission includes conditions aimed at enhancing biodiversity. As required by conditions 18 and 27 of the outline planning permission this application is supported by a Biodiversity Enhancement Plan and Ecological Construction Management Plan. Both documents are considered acceptable and their mitigation measures need to be implemented in accordance with the conditions. The BEP proposes 110 bird boxes for swifts, swallows, martins, sparrows and starlings. In addition, bee bricks, insect 'hotels' and hedgehog 'highways' are proposed.
- 5.36 Condition 26 of the outline planning permission requires a 20m buffer free of built development beside Moor Ditch which flows along the western Valley Park site boundary. A 20m wide buffer is proposed except where a road linking the site to adjacent land (the North West Valley Park LPP1 housing allocation). As this road will be required in future and presently it needs to extend in to Moor Ditch buffer to allow for refuse vehicle turning, this exception is considered acceptable. Condition 26 also requires a 30m buffer adjacent to water vole colonies on the Moor Ditch. However, recent surveys have found no presence of water voles. 30m wide buffers can be achieved to the north and south of the site in case water voles do re-establish themselves.
- 5.37 It is considered biodiversity enhancements can be delivered and the proposals do not encroach within 10m of a watercourse. As requested by the countryside officer, a condition can secure a barrier during construction works to separate the site from the Moor Ditch watercourse (the tree protection barrier proposed

is suitable). The proposal is compliant with Policies CP46 of the LPP1 and DP30 of the LPP2.

Drainage

- 5.38 Policy CP42 of 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.
- 5.39 The site is flood zone 1 and an appropriate site in terms of fluvial flooding for housing development. The outline planning permission is subject to conditions 23, 24 and 25 requiring a detailed surface and foul water drainage scheme to be approved by this council and implemented. Approval of surface and foul water drainage details is subject to application P22/V2624/DIS and remains under consideration and is the most appropriate mechanism for considering the drainage arrangements. In respect of foul water disposal and capacity of foul water infrastructure, it is noted that Thames Water does not object.

Conditions

- 5.40 In accordance with conditions 13, 14, 15, 17, 18, 27 and 41 of the outline planning permission, this application provides acceptable details of the following for this phase of the Valley Park development:
 - A landscape works maintenance schedule;
 - Tree protection plan;
 - Hard and soft landscaping;
 - · Noise impact and mitigation;
 - A Biodiversity Enhancement Plan
 - Ecological Construction Management Plan; and
 - Electric vehicle charging points.
- 5.41 In so far as these details relate to this application site, a partial approval of these conditions can be given.

6.0 **CONCLUSION**

6.1 This application has been determined in accordance with the development plan unless material considerations indicate otherwise. This is considered a well-designed development that results in no adverse harm. The proposal is considered development plan compliant as a whole and compliant with the Strategic Design Code for the Valley Park site and therefore, it is recommended that the reserved matters (internal access, appearance, landscaping, layout and scale), are approved.

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031: Part 1 – core policies:

- CP1 Presumption in favour of sustainable development
- CP2 Cooperation on unmet housing need for Oxfordshire
- CP3 Settlement hierarchy
- CP4 Meeting our housing needs

CP5 – Housing supply ring fence

CP7 – Providing supporting infrastructure and services

CP15 - Spatial Strategy for South East Vale Sub-Area

CP17 - Delivery of Strategic Highway Improvements within the South-East Vale Sub-Area

CP18 - Safeguarding of Land for Transport Schemes in the South East Vale Sub-Area

CP22 – Housing mix

CP23 - Housing density

CP24 – Affordable housing

CP26 - Accommodating current and future needs of the ageing population

CP33 – Promoting sustainable transport and accessibility

CP35 – Promoting public transport, cycling and walking

CP36 - Electronic communications

CP37 – Design and local distinctiveness

CP38 – Design strategies for strategic and major development sites

CP39 - The historic environment

CP40 – Sustainable design and construction

CP42 - Flood risk

CP43 - Natural resources

CP44 - Landscape

CP45 - Green infrastructure

CP46 – Conservation and improvement

CP47 – Delivery and contingency

A Regulation 10A review (five-year review) for Local Plan Part 1 (LPP1) has been completed. The review shows that five years on, LPP1 (together with LPP2) continues to provide a suitable framework for development in the Vale of White Horse that is in overall conformity with government policy.

Vale of White Horse Local Plan 2031: Part 2

CP4a – Meeting our housing needs

CP15A - Additional Site Allocations for South East Vale Sub-Area

CP16b - Didcot Garden Town

CP18a - Safeguarding of Land for Strategic Highway Improvements within the South-East Vale Sub-Area

CP47A - Delivery and Contingency

DP2 - Space standards

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

DP30 - Watercourses

DP33 - Open space

DP36 – Heritage assets

DP39 – Archaeology and scheduled monuments

Adopted Guidance

The Joint Design Guide 2022

Developer Contributions – Delivering Infrastructure to Support Development

SPD - June 2017

Strategic Design Code for Valley Park

Other Relevant Legislation and Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

Didcot Garden Town Delivery Plan

Community & Infrastructure Levy Legislation

Planning (Listed Buildings and Conservation Areas Act) 1990

Human Rights Act 1998

Section 149 of the Equality Act 2010

Section 17 of the Crime and Disorder Act 1998

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