

<b>APPLICATION NO.</b>	<a href="#">P23/V1358/RM</a>
<b>SITE</b>	Land north of Rutherford Road Crab Hill Wantage, OX12 7FY
<b>PARISH</b>	WANTAGE
<b>PROPOSAL</b>	Approval of Reserved Matters (appearance, landscaping, layout, scale and internal access) for the erection of a children's day nursery (Use Class E[f]); a convenience store (Use Class E); and 3No. retail units (Use Class E / Sui Generis) alongside landscaping and associated car parking pursuant to planning permission ref: P21/V2544/FUL, along with details to discharge conditions 17, 19, 20, 21, 24, 27, 29, 30, 31, 32, 33, 34, 35, 37, 38, 47 and 53 (as amended by plans received 31 August 2023).
<b>WARD MEMBER(S)</b>	Andy Crawford Patrick O'Leary
<b>APPLICANT OFFICER</b>	LSP Developments Ltd Stuart Walker

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#### **RECOMMENDATION**

**To approve the Reserved Matters, subject to the following:**

##### **Condition**

- 1. Approved plans**
- 2. Boundary treatments prior to occupation.**
- 3. External lighting installed prior to occupation.**
- 4. Car parking provided prior to first occupation.**
- 5. Cycle parking provided prior to first occupation.**
- 6. Prior to the first use of each building, a statement of compliance shall be submitted to confirm that the noise associated with the uses is addressed by the proposed mitigation as set out in the approved Sol Acoustics Report (4th May 2023) and if not, an amended report to address the required mitigation shall be submitted to and approved by the Local Planning Authority.**
- 7. Prior to the occupation of the development hereby approved, a servicing management plan identifying and confirming servicing requirements of each unit shall be submitted to and approved in writing by the Local Planning Authority.**
- 8. Travel plan to be agreed prior to occupation.**

##### **Informative**

- 1. Details pursuant to conditions 17, 19, 20, 21, 24, 27, 29, 30, 31, 33, 34, 35, 37, 38, 47 and 53 of outline planning permission P21/V2544/FUL are agreed for this phase through the approval of the Reserved Matters application.**

**2. The applicant is reminded of the obligation of compliance with the relevant conditions on the outline application that apply to this phase (e.g., CEMP & LEMP implementation, noise mitigation measures and tree protection)**

**1.0 INTRODUCTION AND PROPOSAL**

1.1 This application comes to Planning Committee as Wantage Town Council object to the proposal.

1.2 The application seeks Reserved Matters approval of layout, scale, appearance, access, and landscaping for a nursery and retail units in the neighbourhood centre on the Crab Hill strategic site. The application also seeks to partially discharge numerous outline conditions (where relevant to the proposal). The site is located to the north of the public square and is bounded by residential development (NE phase) to the north and east, and the primary school to the west. A location plan is **attached** at Appendix 1.

1.3 The proposal is to provide a convenience food store on the east side of the development parcel, a terrace of three retail units fronting the major access road to the south, with the nursery use adjacent to the existing primary school to the west. Vehicle access into the site is from the east side leading to a rear car parking area of 49 spaces (14 allocated for nursery use, 35 for retail) with seven spaces dedicated for electric vehicle charging. In addition, two spaces are provided for motorcycle parking. Pedestrian access is provided between the three buildings, along with cycle parking provision.

1.4 The principles for the location and character of the neighbourhood centre were established through the outline planning application and the proposed development has been designed and developed to accord with the approved masterplan, site wide strategy and design guidance documents. The proposal has been amended to address comments from the Highway Authority, ecology officer and landscape architect. All plans and supporting documents accompanying the application are available to view online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk). The layout plan and elevations are **attached** at Appendix 2.

**2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of the responses received is set out below. Comments made can be viewed in full online at [www.whitehorsedc.gov.uk](http://www.whitehorsedc.gov.uk).

Wantage Town Council	<p>Amended plans – response awaited.</p> <p>Original submission – Objection:</p> <ul style="list-style-type: none"> <li>• Would like to see some additional disabled bays nearer to the site of the nursery.</li> <li>• Disappointed that the design of the buildings is not aesthetically exciting.</li> </ul>
Residents	No comments received.

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Oxfordshire County Council - Transport	<p>Amended plans – response awaited.</p> <p>Original submission – No objection subject to conditions:</p> <ul style="list-style-type: none"> <li>• Site access has previously been established is currently being built out.</li> <li>• Adequate vehicle parking is provided to serve the site.</li> <li>• A service management plan to identify servicing requirements for all retail units within the site is required (by condition).</li> <li>• Minor amendment to secondary service bay adjacent to unit 2 to avoid extended reversing manoeuvres.</li> <li>• Additional cycle parking (8 spaces) and details of covered cycle parking is required (by condition).</li> </ul>
Oxfordshire County Council – Lead Local Flood Authority	<p>Comment:</p> <ul style="list-style-type: none"> <li>• The proposed layout includes permeable paving for all parking spaces in line with LLFA's requirements.</li> </ul>
Drainage Engineer	<p>Amended plans – No objection:</p> <ul style="list-style-type: none"> <li>• The revised detail is considered acceptable, and we would have no objection to the part discharge of the associated outline drainage conditions for this phase.</li> </ul> <p>Original submission – No objection:</p> <ul style="list-style-type: none"> <li>• The proposed drainage strategy is considered to accord with the wider strategy for the outline application, but further detail is required for condition discharge.</li> </ul>
Thames Water	No comment to make.
Air Quality Officer	No objection.
Environmental Health – Contamination	No observations to make.
Environmental Health – Protection	<p>Amended plans – No objection.</p> <p>Original submission - No objection, subject to condition:</p> <ul style="list-style-type: none"> <li>• The noise assessment submitted in support of the application concludes it is feasible to mitigate noise effectively. No objection subject to details of HGV noise mitigation implementation and noise insulation of buildings being submitted once this detail is finalised. (<i>There are conditions on the outline consent requiring this</i>).</li> <li>• The submitted lighting scheme has insufficient detail to discharge condition 34 at this time.</li> </ul>

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Landscape Architect	<p>Amended plans - No objection.</p> <p>Original submission - Holding objection:</p> <ul style="list-style-type: none"> <li>• No in principle objection.</li> <li>• Tree rooting volumes, the trees in hard surfaces need to illustrate that sufficient rooting volume has been provided and the location of this rooting volume. While the detail of how the rooting area is to be provided is acceptable it does not indicate where and how much rooting volume is being provided this should be marked on the plan.</li> <li>• There is no detail of the benches being provided. It may be appropriate to echo the benches provided in the civic space opposite.</li> <li>• We would usually expect walling adjacent to publicly accessible spaces, it may be more appropriate to use walling rather than fencing on the northern boundary of the nursery.</li> <li>• The planting on the northern boundary of the nursery has not been altered to reflect aspect. This area will be shady, and the plant species should reflect this.</li> <li>• The mixed native hedgerow towards the north of the site would be better located at the back of the planting bed rather than the front. This would allow the more ornamental planting to be seen rather than be screened by the hedgerow.</li> <li>• How is the area of land on the 1 in 3 slope sandwiched between the school and nursery boundary but within the redline area going to be treated and maintained?</li> </ul>
Forestry Officer	No objection.
Ecology Officer	<p>Amended plans – No objection.</p> <p>Original Submission – No objection:</p> <ul style="list-style-type: none"> <li>• No objections to the proposed layout</li> <li>• The LEMP states that a single bat box and single bird box will be integrated into buildings. No further details are provided. It is recommended that the number of features is increased to two bat boxes and two bird boxes, and that the specification and position of those features is shown on a supplemental plan.</li> </ul>
Urban Design Officer	<p>No objection:</p> <ul style="list-style-type: none"> <li>• The architectural and site design are consistent with the character areas and vernacular shown within the site wide design code.</li> </ul>

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Thames Valley Police – Crime Prevention Officer	<p>Comment:</p> <ul style="list-style-type: none"> <li>Recommend applicant incorporates the general principles of Secured by Design commercial 2015.</li> </ul>
Oxfordshire County Council – Archaeology	No objection.
Equalities Officer	<p>Amended plans – comment:</p> <ul style="list-style-type: none"> <li>Need to ensure that refuse vehicles collecting bins by unit 4 will not cause any obstructions to the vehicles accessing the blue badge bays.</li> </ul> <p>Original plans – comment:</p> <ul style="list-style-type: none"> <li>Query how far disabled bays are from nursery entrance and whether this is acceptable.</li> </ul>

### 3.0 **RELEVANT PLANNING HISTORY**

#### 3.1 [P22/V1910/RM](#) - Approved (22/06/2023)

Approval of Reserved Matters (appearance, landscaping, layout, scale and internal access) for the construction of 145 dwellings with associated car parking, landscaping and highways infrastructure, in relation to the North East parcel, pursuant to permission ref. P21/V2544/FUL; along with details to discharge conditions 8, 13, 17, 19, 20, 21, 23, 24, 28, 31, 35, 36 and 37 of P21/V2544/FUL. The outline planning application was an environmental impact assessment application, and an environmental statement was submitted to the planning authority at that time (as amended by plans and information received 27 October 2022, plans and information received 8 March 2023, additional drainage information received 3 April 2023 and plans received 19 May 2023).

#### [P22/V2970/PEJ](#) - Advice provided (30/01/2023)

Reserved matters application for the neighbourhood centre at Crab Hill.

#### [P21/V2544/FUL](#) - Approved (14/01/2022)

Variation of condition 1 (Specified Layout & Form) in application P19/V1269/FUL. There is a need to change the parameter plans and thus condition 1 is required to be amended.

#### [P19/V1269/FUL](#) - Approved (22/08/2019)

Variation of conditions 1 (approved plans), 7 (Housing Delivery Document), and 17 (phasing plan) of planning permission P17/V0652/FUL

#### [P17/V0652/FUL](#) - Approved (27/11/2017)

Variation of Conditions 1 (amended parameter plans), 33 (additional land to be included within the Archaeological Written Scheme of Investigation) and 52 (vehicle access) of Planning Permission P13/V1764/O (as amended by letter received 23 March 2017).

[P13/V1764/O](#) - Approved (13/07/2015)

Outline application for residential development of up to 1500 dwellings including new employment space (use class B1), a neighbourhood centre/community hub (use classes A1, A2, A3, A4, A5, B1, C2, D1 and D2), new primary school, central park, ancillary areas (including allotments and sports pitches) with access off the A338 Grove Road and three accesses off the A417 Reading Road. Provision of a strategic link road between the A417 and the A338 Road to be known as the Wantage Eastern Link Road (WELR). All matters reserved except means of access to the development and the WELR.

Additional information received as amplified by agent's covering letter dated 30th October 2013 and agent's e-mail dated 10th December 2013.

#### 4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 A Reserved Matters application is considered a new application for planning permission under the 2017 Environmental Impact Assessment Regulations. The outline application was EIA development and was accompanied by an Environmental Statement (ES) and an addendum update statement, and the following areas of potential impact were addressed: landscape and visual impact; transport; historic environment; ecology and nature conservation; water resources and flood risk; noise; air quality; socio-economic impacts; cumulative effects and residual effects and mitigation.

4.2 It is considered this Reserved Matters application falls within the ambit of the approved ES, and a further addendum is not required for this application.

#### 5.0 **MAIN ISSUES**

5.1 The main issues in this case are:

1. The principle of development
2. Layout
  - Residential amenity
3. Appearance and Scale
4. Landscaping
5. Access
6. Technical matters
  - Parking
  - Flood risk and drainage
  - Ecology
  - Conditions

#### 5.2 **The principle of development**

The site is allocated for development in the Vale of White Horse Local Plan 2031, Part 1 and outline permission was granted in July 2015 with variations to parameter plans permitted in November 2017, August 2019, and January 2022. There are no material changes in planning policy and the established principle of the proposal remains acceptable.

#### 5.3 **Layout**

The layout is acceptable and accords with the approved neighbourhood development brief. The buildings have been designed / positioned to front the

street to provide a coherent environment for all users and a sense of enclosure to the car park to the rear. The layout responds positively to principles of site design guidance and is fully accessible, complying with current building regulations. The proposal accords with policy CP38.

**5.4 Residential amenity**

The layout provides an appropriate design response to dwellings on adjoining phases. Following amendment, proposed boundary treatments and external lighting details are acceptable. Noise mitigation is secured via conditions imposed on the outline consent. It is however necessary to impose a new compliance condition to ensure the mitigation set out in the supporting acoustic report for this application is achieved. Subject to this condition, the impact on neighbours is acceptable and the proposal accords with policy CP23.

5.5 Overall, the proposal is considered compliant with the site wide design strategy, the council's adopted joint design guide principles and policy CP37.

**5.6 Appearance and Scale**

Notwithstanding the Town Council's concerns, the proposed development is acceptable. Buildings are single storey with shop front glazing, gables and traditional pitched roofs in brick and slate materials and grey timber cladding on gables, reflecting the material palette of the approved care home on the southwest corner of this site. The massing of the three buildings is appropriate and gable fronts align with entrances into units. Service plant and bin areas are suitably screened to provide a cohesive design and hard surfaces are consistent with those in the public square and parking and servicing areas are located to the north, out of sight from the square.

5.7 The design of all the external elements of the proposal is considered to make a positive contribution to its appearance, with attractive design, form, and scale, together with the proposed materials, landscape treatment and the relationship of the buildings within their environment. Officers consider there is no reason to withhold permission on design grounds.

**5.8 Landscaping**

A detailed landscaping scheme is submitted with the planning application. The content of the scheme, which includes proposed tree and hedgerow planting within the car park and pedestrian areas, is acceptable. The landscape officer has no objection. The proposal accords with policy CP44.

**5.9 Access**

The Highway Authority has assessed the proposal and raises no objection in respect of highway safety and vehicle ingress / egress or vehicle circulation within the site. The proposal accords with policy DP16.

**5.10 Technical Matters**

*Parking*

Parking is provided immediately to the north with provision for 49 spaces (14 nursery, 35 retail), which includes seven active electric vehicle charging spaces, four parent drop off spaces and three accessible spaces. Two

motorcycle spaces are also included. The Highway Authority has assessed the proposal and raises no objection to the layout or level of parking provision but requested 8 additional cycle spaces and details of shelter design. These have since been provided within the amended plans to provide stands for 48 cycles (up from 40 in the original submission). Furthermore, in response to equality officer comments, planning officers consider the location of accessible spaces within the parking layout is acceptable to serve all uses and note this has not been raised as a concern by the Highway Authority. The level and layout of parking is acceptable.

5.11 *Flood Risk and drainage*

A sustainable drainage scheme has been submitted which is acceptable. The drainage engineer has no objection to the partial discharge of condition 37 of the outline permission for this phase. The level of information provided for this Reserved Matters application is acceptable and the proposal is compliant with policy CP42.

5.12 *Ecology*

The ecology officer raises no objection to the proposal, but comments additional bird and bat boxes should be required. Provision for 5 x integrated bat boxes and 5 x integrated bird boxes was established under the sitewide LEMP for the 'Neighbourhood Centre' phase, which also includes the Care Home and Community Building. Taking account of delivery on the Care Home and Community Building leaves a residual requirement of 1 x bat box and 1 x bird box for this development. These will be positioned on the northern and western elevations of the nursery unit, to accord with policy CP46.

5.13 *Conditions*

The application seeks to partially discharge numerous conditions on the outline permission that are directly related to this phase of development. The details submitted pursuant to conditions 17 (Construction Environmental Management Plan), 19 (Energy strategy), 20 (Energy efficiency), 21 (landscaping), 24 (landscape management), 27 and 29 (noise mitigation), 30 (hours of use), 31 (Landscape and Ecological Management Plan), 33 (contamination), 34 (lighting), 35 (waste management), 37 and 38 (drainage), 47 (cycle parking) and 53 (BREEAM certification) of P21/V2544/FUL are acceptable.

6.0 **CONCLUSION**

6.1 This application has been assessed against the development plan, the National Planning Policy Framework (NPPF) and all other material planning considerations. In considering the application, due regard has been given to the representations received from statutory and other consultees. These have been considered in assessing the overall scheme.

6.2 The site is allocated in the adopted local plan and there is an extant outline planning permission on the site for a mixed-use development of up to 1500 dwellings with associated uses and which requires provision of the development which is the subject of this Reserved Matters application. Reserved Matters have also been previously approved for adjoining parcels of development and are under construction.



- 6.3 The Reserved Matters details submitted in this application are acceptable. Subject to the recommended conditions, the application should be approved.

The following planning policies have been considered:

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

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP32 - Retail Development and other Main Town Centre Uses
- 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
- CP39 - The Historic Environment
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure
- CP46 - Conservation and Improvement of Biodiversity

A Regulation 10A review for Local Plan Part 1 (LPP1) has been completed, evaluating LPP1's policies for their consistency with national policy, considering current evidence and any relevant changes in local circumstances. 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 (LPP2) Policies**

- DP16 - Access
- DP17 - Transport Assessments and Travel Plans
- 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
- DP36 - Heritage Assets
- DP39 - Archaeology and Scheduled Monuments

**Neighbourhood Plan**

In 2016, the independent examiner inspecting the Wantage Neighbourhood Plan recommended that the plan shouldn't proceed to a referendum. A revised

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neighbourhood plan has yet to be submitted. Accordingly, no weight can be given to this plan.

### **Adopted Guidance**

Joint Design Guide SPD 2022: The Joint Design Guide sets out design principles to guide future development and encourage a design-led approach to development.

Developer Contributions – Delivering Infrastructure to Support Development SPD 2017: The Developer Contributions SPD was adopted on 30 June 2017 and provides guidance on how planning obligations will work alongside CIL to deliver the infrastructure needed to support development in the Vale.

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

#### **Other Relevant Legislation**

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- Section 149 of the Equality Act 2010
- Provisions of the Human Rights Act 1998
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)
- Section 85 of the Countryside and Rights of Way Act 2000
- Environment Act 1995

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