

APPLICATION NO.	P23/V2576/O
APPLICATION TYPE	OUTLINE
REGISTERED	15.11.2023
PARISH	SUTTON COURTENAY
WARD MEMBER(S)	Richard Webber
APPLICANT	Jemcas Holdings Limited
SITE	Entree Global Services, Appleford Road, Sutton Courtenay.
PROPOSAL	Outline planning application with all matters reserved except for access for the redevelopment of 2morrow Court for residential purposes
OFFICER	Amanda Rendell

RECOMMENDATION

To authorise the head of planning, in consultation with the chair, to approve planning permission subject to:

i) completion of a S106 Legal Agreement to secure Affordable Housing, Public open space, Local Area of Play, Public Art, and Financial contributions for education, transport, street naming and waste, and

ii) the following planning conditions:

1. Commencement outline permission
2. Approved plans
3. Reserved Matters to be approved
4. Access and Vision Splays
5. Construction Traffic Management Plan
6. Construction Management Plan
7. Green Travel Plans
8. Maximum number of dwellings
9. Housing Mix
10. Space Standard
11. Ridge Heights (Two storey)
12. Landscaping (incl. hard surfacing and boundary treatment)
13. Landscape Management Plan
14. Tree Protection (General)
15. Tree Species and Tree Pits
16. Biodiversity Enhancement Plan
17. Biodiversity Mitigation and Enhancement Strategy (Outline)
18. Construction Enhancement Management Plan
19. Wildlife Protection (mitigation as approved)
20. Public Open Space and Play Areas
21. Lighting Scheme
22. Noise Assessment and Mitigation
23. Contamination Remediation Strategy

- 24. Verification Report
- 25. Previously unidentified contamination
- 26. Infiltration
- 27. Boreholes
- 28. SWD scheme in accordance with Calibro report
- 29. Detailed sustainable drainage scheme
- 30. SUDS Compliance Report
- 31. Foul Water Drainage
- 32. Gas Fired Boilers

Informative

- 33. Informative - CIL Vale
- 34. Informative - Highways details
- 35. Informative - Legal Agreement (S106)
- 36. Informative - Secure by Design and Crime Prevention
- 37. Informative - Contaminated Land
- 38. Informative - Thames Water pressure
- 39. Informative - Trees and Streetlights
- 40. Informative - Informative - Key Neighbourhood Plan Policies

The full wording of conditions is attached at **Appendix 1**.

1.0 INTRODUCTION AND PROPOSAL

This application comes to Planning Committee for determination as Sutton Courtenay Parish Council object to the proposal on the following grounds:

1. Over-development of the site.
2. Pedestrian routes from the proposed site to the village centre and nearby bus tops are insufficient.
3. Timing of traffic data collection.
4. Application should not be determined until the outcome of the HIF1 inquiry is known.

- 1.1 The application site measures 0.77ha and is located on the eastern edge of the village of Sutton Courtenay. It is currently occupied by a u-shaped office building with car parking for up to 54 cars and landscaped grounds, including established trees (see *Figure 1: Site Location Plan*, below) and **Appendix 2**.

1.2

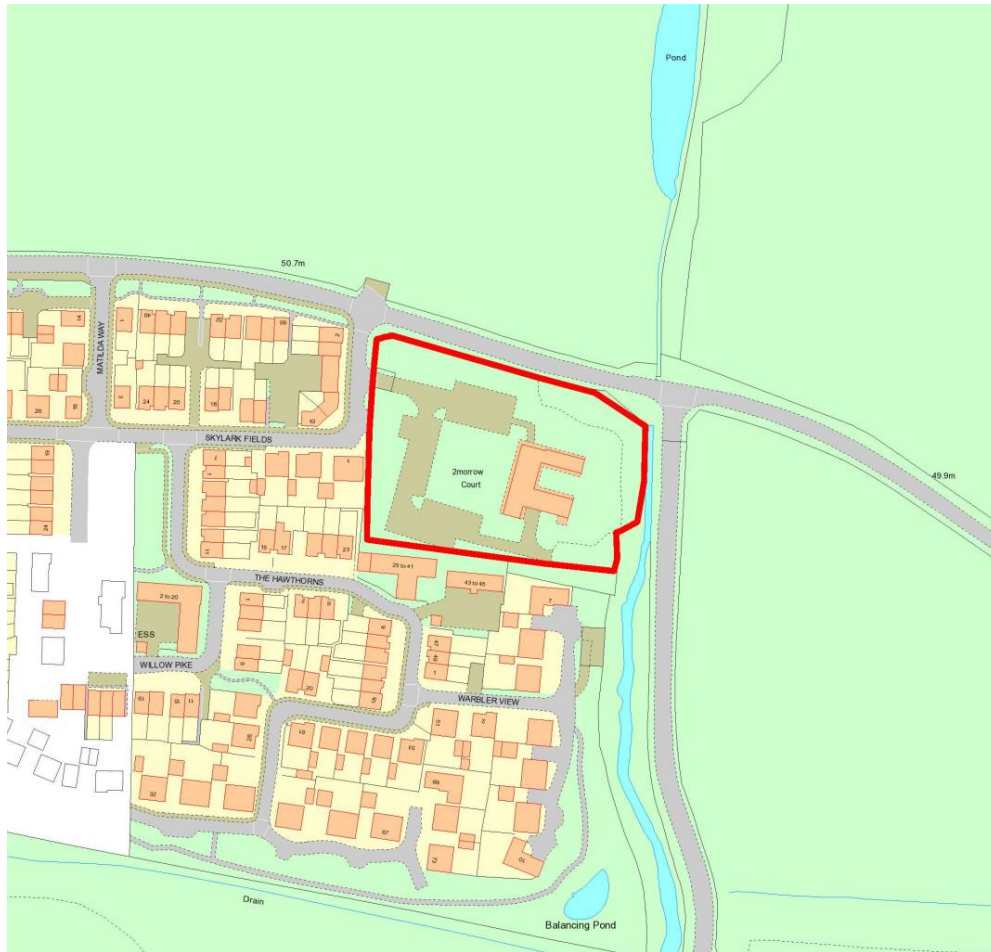


Figure 1: Site Location Plan.

- 1.3 The site is bounded to the north by Appleford Road and Loverose Way track to the east. To the south and west land has been developed for housing under P10/V1907/O with details approved under P14/V2061/RM. To the east lies the access road to the concrete works and beyond that, agricultural land and quarry. The Millenium Common is situated 170 metres to the south of the site. The eastern boundary comprises a line of trees which include field maple, ash and willow.
- 1.4 The site lies mainly in flood zone 1, however a small part of the site in the north east corner is located within flood zone 2 (see *Figure 2* below).

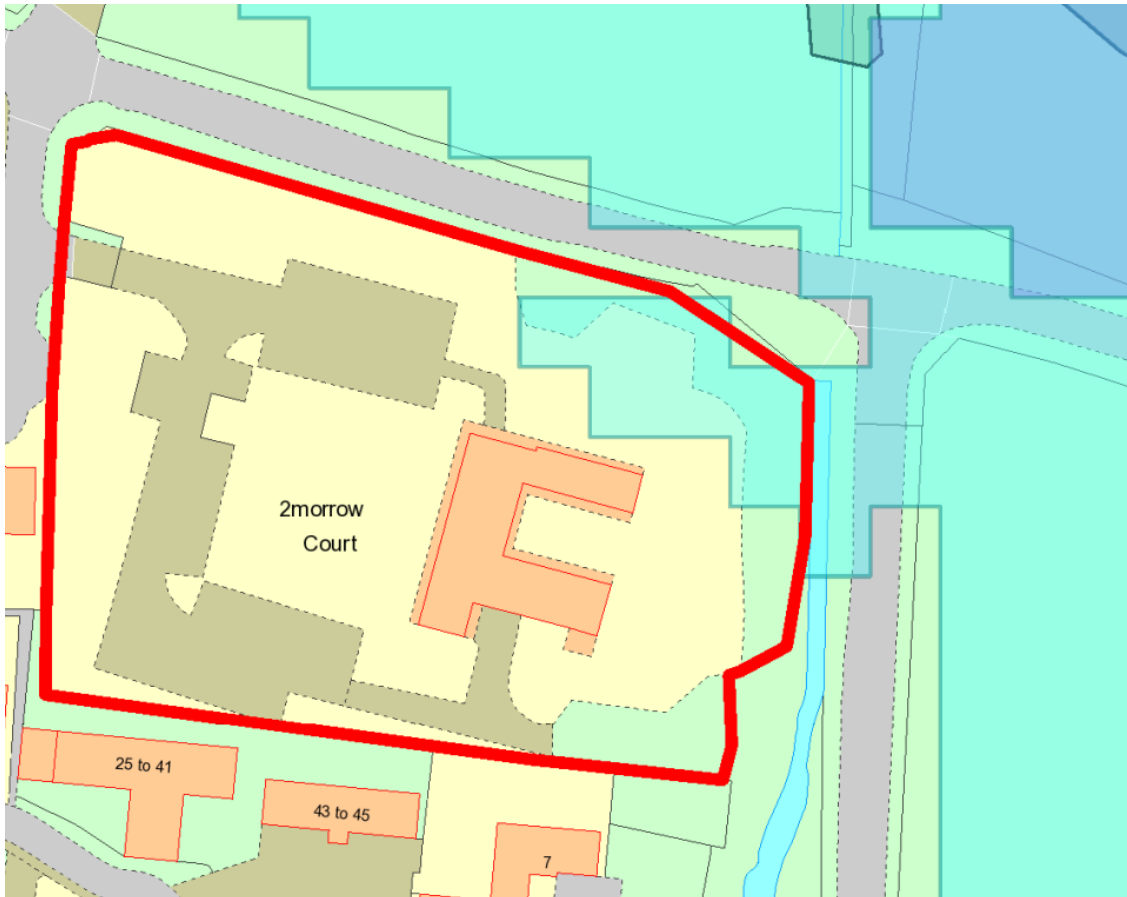


Figure 2: Flood Zone 2 encroaching north eastern corner of site.

2.0 Proposed Development.

2.1 The application seeks outline planning permission with all matters reserved (except for access) for the redevelopment of the site to provide 17 new homes. These will all be provided as houses. The layout, scale, landscaping and appearance of the development is indicative at this stage (see *figure 3* below), to be determined at reserved matters stage. The development proposes:

- A mix of terraced, semi-detached and detached dwellings providing 9 x 2 bed, 4 x 3 bed and 4 x 4 bed houses
- 35% affordable housing (6 dwellings) and 65% market housing (11 dwellings)
- Utilisation of existing access from Skylark Fields for vehicles and pedestrian access subject to some modest alteration to the width with shared pedestrian and vehicular surface
- Dwellings to be of traditional form and construction appropriate to the local and wider vernacular and surrounding countryside.
- Public open space on the western corner of the site including Local Area of Play (LAP).
- 2 x car parking spaces per dwelling with 4 visitor car parking spaces across the the site.
- Cycle storage within private amenity spaces
- Pumping station and sub-station located in south eastern corner of site

- Public art situated within the site

2.2



Figure 3: Indicative site layout.

2.3 The proposed housing mix is as follows:

	Affordable	Market
1 bed	0	0
2 bed	6	3
3 bed	0	4
4+bed	0	4
Total	6	11

2.4 The application is accompanied by marketing information to demonstrate the lack of demand for employment use on the site.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

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

3.1

Sutton Courtenay Parish Council	<p>Object.</p> <p>1) Over-development of the site.</p> <p>2) Pedestrian routes from the proposed site to the village centre and nearby bus tops are insufficient.</p>
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Vale of White Horse District Council – Committee Report – 8 May 2024

	<p>3) Traffic data presented within the application was collected on Monday 21 August 2023 during the summer school holidays and therefore is not a true representation of usage of the road networks.</p> <p>4) The application states that the occupations will be limited until the HIF1 scheme is constructed, as the HIF1 scheme is currently subject to a public inquiry the application should only be considered once the outcome of the inquiry is decided.</p>
Residents	<p>Three letters of representation have been received from residents raising the following issues:</p> <ul style="list-style-type: none"> • Poor connectivity to the surrounding area and access to Millenium Common. • Unsafe car free/pedestrian access to Appleford Station and Europa School. • Potential to create a safe and legal path to Appleford if considered at this stage. • Loss of privacy. • Impact on wildlife, including bats and woodpeckers. • Traffic concerns. • Site should be used for a local shop, pub or Doctors surgery which are much needed.
Economic Development	No objection
Ecology Team	No objection
Didcot Garden Town Team	No objection. Advice is provided on layout, landscaping, lighting details, design, energy efficiency and sustainable transport links.
Drainage	No objection subject to conditions: <ol style="list-style-type: none"> 1) Sustainable drainage scheme 2) SUD's compliance report 3) Foul water Drainage scheme
Equalities Officer	No objection. Advice is provided on: <ol style="list-style-type: none"> 1) the need for wider visitor parking spaces for blue badge holders. 2) safety of pedestrians on shared surfaces with visual and physical impairments and 3) Width of paths to properties and play areas.
Forestry Officer	No objection. A full landscaping plan and AMS will be required for any future proposals on the site.
Air Quality Officer	No objection. Conditions will be required to be imposed regarding EV charging points, sustainable travel packs for each property, restrictions on gas fired boilers and cycle storage facilities.
Contaminated Land	No objection subject to a condition being imposed requiring an updated preliminary risk assessment for contamination.
Environmental Protection	No objection. Concern is expressed regarding potential noise and dust disturbance from construction works

Vale of White Horse District Council – Committee Report – 8 May 2024

	therefore a condition is recommended for the submission of a construction management plan. Concern is also raised regarding adverse impact on future residents from road traffic noise, nearby industrial noise sources and noise from the pumping station. Further details on proposed mitigation should be submitted as part of any full application. Further technical noise specifications would be required to address the impact of the pumping station and substation on existing properties.
Housing Development	No objection. Advice is provided on the appropriate tenure mix, minimum size and location of affordable units and parking arrangements for these units.
Landscape Architect	Holding objection. Whilst there is no landscape objection in principle, there are some further recommendations required to assess the impact of the proposal, ensure sufficient space for tree planting, and usable open space.
Environment Agency	No objection subject to conditions: 1) Remediation Strategy 2) Verification Report 3) previously identified contamination 4) Infiltration 5) Boreholes
Oxfordshire County Council-Fire Safety Officer	No objection. where required these works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of The Building Regulations 2010 including fire service vehicle access.
Oxfordshire County Council-Highways	No objection. Subject to conditions: 1) Access and footway 2) Construction Traffic Management Plan 3) Travel Information Pack; and securing financial contributions towards public transport services, public transport infrastructure and strategic transport contributions.
Oxfordshire County Council-Lead Local Flood Authority	Holding objection. Recommendations provided regarding alternative drainage arrangements.
Oxfordshire County Council-Education	No objection subject to the securing of s106 contributions for: 1) Secondary Education and 2) Special Education.
Oxfordshire County Council-Archaeology	No objection.
Oxfordshire County	No objection.

Vale of White Horse District Council – Committee Report – 8 May 2024

Council- Minerals and Waste	
Oxfordshire County Council- Waste Management	No objection subject to securing of s106 contributions towards Household Waste Recycling Centres.
Designing out Crime Officer	No objection subject to condition regarding Secure by Design accreditation. Advice is provided on the layout and opportunities to reduce crime and anti-social behaviour.
Urban Design Officer	No objection. However, advice provided on layout and ways in which it could be improved. Further details requested.
Waste Management Officer	No objection. However further information requested.

4.0 RELEVANT PLANNING HISTORY

4.1 [P21/V3556/PEJ](#)- Redevelopment of previously developed site for residential development. The scheme being proposed provides 23 units of accommodation, provided through a mix of detached and semi-detached dwellings as well as flats.
Advice provided (20/04/2022)

[P19/V1682/FUL](#) - Approved (26/09/2019)

A high-quality office refurbishment and extension. (Additional information (contamination) received 15 August 2019.) (Updated FRA received 16 August 2019) (Amended plans received 22 August 2019_minor updates to doors and rooflights, addition of gate to access) (Ecological impact assessment received 18 September 2019)

[P14/V2061/RM](#) - Approved (10/12/2015)

Reserved matters application for appearance, landscaping, layout and scale following Outline permission P10/V1907/O for a residential development comprising 195 dwellings and access (amended plans including revised layout, house types and landscaping)

[P10/V1907/O](#) - Approved (09/04/2013)

Outline application for residential development and associated access. (Re-submission of withdrawn application SUT/19470/8-X)

[P07/V0437/RM](#) - Approved (12/07/2007)

Application for reserved matters for erection of a Class B8 storage and distribution building and a two storey Class B1 office together with car parking, servicing and landscaping. (As amended by drawing nos A1001 Rev A, A202 Rev B, drawing No 5 Rev B, drawing no6 Rev A and accompanying letter from agent dated 6 June 2007).

[P06/V1499](#) - Approved (02/11/2006)

Temporary siting of a portable two storey office building for a period of five years.

[P06/V0212/O](#) - Approved (03/08/2006)

Mixed use redevelopment comprising up to 9,360 sqm of class B8 storage and distribution: 930 sqm of class B1 offices, 2,436 sqm of retained workshop/storage buildings and external storage areas for Amey: residential development: and associated car parking and landscaping.

5.0 ENVIRONMENTAL IMPACT ASSESSMENT

5.1 The proposal is below the thresholds of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) as it does not exceed 150 homes and the site area is under 5ha. The proposal is not EIA development.

6.0 PLANNING CONSIDERATIONS

6.1 The relevant planning considerations are the following:

- Principle of development
- Loss of employment
- Access and Parking
- Housing Mix: Affordable and Market
- Landscape Impact (including trees and public open space)
- Design and Layout
- Residential amenity (including private amenity space)
- Ecology
- Drainage
- Environmental protection: Contaminated Land, Air Quality; Noise and lighting.
- Energy Efficiency
- Other matters: Public Art, Minerals, Archaeology, Bin storage

6.2 Principle of development

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.

6.3 The development plan for this proposal comprises the adopted Local Plan 2031 Part 1 (LPP1) and the adopted Local Plan 2031 part 2 (LPP2) and the Sutton Courtenay Neighbourhood Plan (SCNP) which was adopted 11 April 2024.

6.4 The overall spatial strategy of the development plan is to direct development within the existing built-up areas of market towns, local service centres and

larger villages. Core Policy 3 (CP3) of the LPP1 sets out the settlement hierarchy and identifies three sub-area strategies. Sutton Courtenay is identified as a larger village in the south-east vale sub area. CP3 states that in the larger villages “*Unallocated development will be limited to providing for local needs and to support employment, services and facilities within local communities*”.

- 6.5 Core Policy 4 (CP4) of the LPP1 presumes in favour of development within the built-up area of the larger villages in accordance with CP1. In addition, the Sutton Courtenay Neighbourhood Plan (SCNP) policy SC8 states that “*Proposals for residential development within the built-up area of Sutton Courtenay will be supported where they respond positively to the special character of the village and the relevant details in the Sutton Courtenay Appraisal and Design Code*”.
- 6.6 This site lies on the edge of Sutton Courtenay and is considered previously developed land, having an existing B1 use (offices, research and development and light industry) building on it. The site is not allocated within the Local Plan for additional housing, but it is considered that the proposal accords with CP4 as the proposal is within the built-up settlement of Sutton Courtenay. Consequently the principle of the development is acceptable.
- 6.7 **Loss of employment.**
Policy CP29 of LPP1 states that employment sites will be safeguarded for their use. Alternative uses will be considered if they provide ancillary supporting services or meet an identified need through the Local Plan review process, or exceptionally where a reassessment of the district-wide 2013 Employment Land Review demonstrates that these sites are no longer needed over the full plan period.
- 6.8 Whilst this is not a strategic employment site, the applicant is required to demonstrate that it has ‘*no reasonable prospect of being used for employment purpose*’. Applicants will be expected to demonstrate that the site is no longer viable for its present, or any other realistic and suitable employment use.
- 6.9 The office provides approximately 700m² of office space laid out over two floors. In accordance with policy CP29, the applicants have undertaken marketing of the property for a period of 16 months which has resulted in minimal enquiries when compared to alternative office space in Abingdon and Milton. The marketing and lack of interest is accepted by your officers, and Economic Development raise no objection to the loss of the site for employment use.
- 6.10 CP29 also requires redevelopment proposals to consider whether a mixed-use enabling development which incorporates employment space would be a viable option for the site. A further assessment in this regard has been submitted by the applicants which concludes that given the sites characteristics (position of building within the site, and proximity of new residential development, which could lead to noise disturbance) indicates that a mixed-use development would not be appropriate or viable on this site, which addresses the requirements of

this policy. Officers overall consider there is no conflict with policy CP29 from this proposal.

6.11 **Access and parking**

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.

6.12 CP35 of the LPP1 promotes public transport, cycling and walking and also requires adequate car parking to be delivered on site in accordance with County Council standards. DP16 of LPP2 requires evidence to demonstrate that acceptable off-site improvements to highway infrastructure can be secured, with DP17 of LPP2 requiring proposals for major developments to be supported by a Transport Assessment (TA) in accordance with Oxfordshire County Council (OCC) guidance.

6.13 Policy SC17 of the SCNP provides for appropriate car parking, road safety measures and opportunities for sustainable transport options.

6.14 No objections have been raised from the Highway Authority in respect of the proposed access arrangements from Skylark Fields or the timing or content of the traffic data/ assessment undertaken. The Transport Statement accompanying the application establishes that traffic generation from 17 dwellings would not have a significant impact on the highway network. The impact of the proposed development has also been measured against the extant employment use on the site and surveys have concluded that the proposed development would result in a modest reduction in traffic generated in both peak hours and throughout the day when compared to the sites existing extant use. Therefore, the development complies with policy CP33 of the LPP1 and policy SC17 of the SCNP.

6.15 Concern has been expressed from Sutton Courtenay Parish Council (SCPC) that the application should only be considered once the outcome of the HIF Inquiry is decided. The Highway Authority advise that the *'Releasing Development Strategy'* which was adopted by Cabinet on 21 June 2021, allows for some development to come forward prior to the new HIF1 funded infrastructure being delivered and open for public use. The proposed residential development here falls under tier 3 which states that *"Development sites of 10+ houses that will generate new vehicular movements in the morning and evening commuter peak periods are no longer to be objected to by Highways Officers on traffic impact (HIF1) grounds. This is on the basis that HIF funding has been secured and OCC is confident in delivering HIF1. Development proposals such as this application site will be assessed on their merits and strategic highway and public transport contributions will be sought. Off-site and on-site highway infrastructure will be expected to be delivered early on for these development sites to encourage sustainable and active travel patterns. Occupation controls will be applied to development sites to lessen the cumulative impact on the highway network"*.

- 6.16 The Transport Statement accompanying the planning application confirms that the applicant is content to pay proportionate contributions towards the HIF1 scheme and as such, a strategic financial contribution of £3,891.27 per dwelling will be required (which equates to £66,151.59 for a development of 17 dwellings). Contributions will also be sought towards public transport services and bus stop improvements which are set out in paragraph 6.78 below.
- 6.17 SCPC have also expressed concern regarding the condition of pedestrian routes in the area. A continuous pedestrian footway is provided from Skylark Fields into the centre of Sutton Courtenay and public rights of way are available throughout the village. As such the majority of Sutton Courtenay is within walking distance of the site. In accordance with policy DP16 of LPP2, public transport contributions are requested from the development to contribute towards improvements to the number 33 bus service and also the Appleford Road bus stops.
- 6.18 **Parking and accessibility**
The indicative layout shows two parking spaces per dwelling in compliance with OCC parking standards along with 0.2 visitor spaces per dwelling (in this case 3 visitor parking spaces). Cycle parking will need to be secured in accordance with the OCC standards which in this case is two cycle parking spaces per bedroom.
- 6.19 With regard to accessibility, future reserved matters will need to consider the width of visitor parking bays for blue badge holders and shared surfaces will need to be designed so that they are safe for all pedestrians. Paths should be at least 1.5m wide to accommodate wheelchairs.
- 6.20 Planning conditions in respect of highways matters can be imposed to cover access and footway details, the submission of a construction traffic management plan, cycle parking, EV charging, and the need for a residential travel pack to ensure that residents are aware of sustainable travel options and infrastructure near to the site.

Overall, the proposal is compliant with policies CP33, CP35 of LPP1, DP16, DP17 of LPP2 and SC17 of the SCNP.

6.21 **Housing Mix**

Affordable housing

In accordance with policy CP24 of LPP1, the development proposes that 35% of dwellings will be affordable which equates to 6 homes. Two homes will be provided as first homes and the size and type of these units will be determined at a later date although it is recommended that these units are mixed in with the general market provision. The remaining affordable tenure mix is recommended as follows:

No of Beds	Other routes to affordable home ownership 19% (1)	Social Rent/ Affordable Rent 56% (3)	Total
1 bed	0	0	0
2 bed	1	3	4
3 bed	0	0	0
4+bed	0	0	0
Total	1	3	4

6.22 The affordable mix is to be delivered as two bed units which is supported by the Council housing team. Whilst the layout is not agreed at this stage, the applicant will need to ensure that affordable housing needs to be distributed evenly across the site to avoid any concentration in any particular part of the site and assist with ensuring that the affordable housing is indistinguishable from the market housing. A tenure plan will be required as part of the reserved matters along with a detailed parking plan.

6.23 Market Housing.

CP22 of LPP1 requires a mix of all dwelling types and sizes to meet the needs of current and future households. This should be in accordance with the Councils current Strategic Housing Market Assessment (SHMA). The proposed market mix is set out below and is broadly in accordance with CP22. Whilst the scheme proposes no 1 bed units the Authority Monitoring Report indicates that permissions for all sizes of units are in line with the SHMA target percentages therefore the lack of 1 bed units in this scheme is not a concern.

6.24

No of bedrooms	Strategic Housing Market Assessment (SHMA) requirement	Proposed mix
1 bed	1 (5.9%)	0 (0%)
2 bed	2 (21.7%)	3 (27%)
3 bed	5 (42.6%)	4 (36%)
4+ bed	3 (29.8%)	4 (36%)
Total	11	11

6.25 The market housing mix will be dealt with by any subsequent reserved matters. A planning condition is proposed to ensure the market housing mix is compliant with core policy 22 of the LPP1.

Space standards

6.25 The indicative layout indicates that all dwellings would meet the standards set out in the Nationally Described Space Standards (NDSS) but this would also need to be secured by planning condition in accordance with policy DP2 of LPP2.

6.26 Landscape Impact (including trees and public open space).

Vale of White Horse District Council – Committee Report – 8 May 2024

CP44 of LPP1 provides that where developments are acceptable in principle, measures will be sought to integrate it into the landscape character or townscape of the area. Key features that contribute to the nature and quality of the district's landscape will be protected from harmful development and enhanced where possible.

- 6.27 SCNP policy SC2 requires development proposals to demonstrate how they preserve or enhance landscape areas. Policy SC3 advises that development proposals should maintain and where practicable enhance the key views and vistas listed. The relevant view here is View 7- East towards Wittenham Clumps. Policy SC4 provides for the protection and enhancement of the green and blue infrastructure network in the area. Policy SC5 protects the Local Green Spaces (including the Millennium common, of Church Mill Road).
- 6.28 The surrounding land to the north and east of the site are part of the wider open countryside with land to the south and west occupied by new residential development. Whilst the site is considered within the village, it does form a transition between the open countryside with an important rural character to the east and the new development on the west.
- 6.29 No objections are raised in principle on landscape or visual impact grounds. It is considered that the proposed housing would be filtered by existing trees and seen in the context of the new housing behind it. The layout retains existing trees and vegetation on the eastern boundary in an area of public open space and also on the northern boundary which provide low level filtering. This is beneficial in that it ensures the long-term protection of these vegetated buffers which will limit and soften views of both proposed and existing housing from Appleford Road and the adjacent countryside in accordance with policy SC3 of the SCNP. Opportunities are also available to enhance boundary planting with new trees and hedgerow to ensure longevity and improve screening from the countryside, helping to conserve the rural character of the adjacent countryside in accordance with the landscape character guidelines, and protect the gap between Sutton Courtenay and Appleford and the setting of Sutton Courtenay.
- 6.30 The submitted plans currently indicate that a 2.4m high acoustic barrier could be added to the site boundaries of plots 16 and 17. Concerns are expressed that this could appear oppressive when viewed from the gardens and open space. However, the layout is not approved at this stage and is subject to change at reserved matters stage.
- 6.31 Reserved matters will need to include full hard and soft landscaping, details on street planting, assessment of accessible open space (which should not be subject to unacceptable noise levels), full details on building heights, public open space infrastructure. These details will also need to demonstrate that there is space for street tree planting in accordance with NPPF paragraph 131 and adequate usable open space in accordance with DP33 of LPP2.
- 6.32 Trees.
Whilst the site contains trees that collectively provide a positive contribution to the wider landscape, Officers are of the view that these should not be

considered a constraint to development. The loss of any trees could be mitigated with replacement planting and a full landscaping plan would be required to help integrate the proposed development into its setting, including opportunities to supplement planting along the northern and eastern boundaries. This can be secured at Reserved Matters stage, should outline consent be given. Reserved matters would also need to include an Arboricultural Method Statement in accordance with BS5837 to ensure trees retained are suitably protected.

6.33 Public open space

In accordance with DP33 of LPP2 a minimum 15% of the residential area should be provided as safe, attractive, and accessible public open space (POS). Such areas will not be considered attractive if subjected to excessive noise disturbance or pollution.

6.34 An area of 100sqm has been identified in the north-eastern corner of the site as a potential location for a Local Area of Play (LAP). This would be set within an area of public open space that wraps around the LAP and runs down the eastern boundary of the site. The full details of this space will be secured via planning condition and s106 legal agreement.

6.35 Concern is expressed regarding the accessibility of the open space within the development site, which on the submitted plans which appears to be limited by existing dense vegetation on the eastern side and due to be supplemented by new planting. There are also some concerns about potential noise levels in this area given the proximity to the road and adjacent quarry.

6.36 The layout plan submitted is indicative only at this stage and some of pockets of open space (for example by plot 12) could be consolidated into a larger area, allowing for an extension southward to ensure an appropriate amount of usable public open space is provided in accordance with DP33. It is also important to note that the adjacent development provides areas of open space away from the road to the north, which would be accessible from this application site. Officers are therefore satisfied the proposal has sufficient amenity space and can accord with the requirements of policy DP33.

6.37 Pedestrian, cycle and vehicle access to the site is to be served from Skylark Fields to the west. The indicative layout shows a footpath connection to the southern boundary to connect up to the adjacent development, which could provide a direct connection to Millenium Common. It is agreed that this footpath link would be beneficial, and this matter has also been raised by a local resident. Officers consider that this is an important opportunity to improve the permeability of the site and wider area by securing a pedestrian link from the site to the adjoining residential area to the south. Should permission be granted, a condition can be attached requiring a pedestrian connection to be provided up to the red line boundary of the application site along the southern boundary.

Design and Layout.

Vale of White Horse District Council – Committee Report – 8 May 2024

- 6.38 Concerns have been expressed by SCPC regarding overdevelopment of the site. The density of the site (and layout) has changed from that previously proposed at pre-application stage. The development has been pulled away from the eastern boundary, properties reorientated to be less inward, and the density has been reduced from 23 to 17 in order to take in the constraints. This development proposes 22 dwellings per hectare which having regard to CP23 of LPP1, is considered appropriate to the location and transition to countryside character.
- 6.39 Whilst it is accepted that the site could accommodate up to 17 dwellings with associated amenity space and infrastructure, the indicative layout plan is not acceptable in its current form and further changes would be required to make the development acceptable. However, these are not matters for consideration at this stage.
- 6.40 The application isn't accompanied by a parameters plan, therefore given the transitional rural edge location of the site, it is recommended that the height of the development is largely restricted to two storeys and no higher than the equivalent properties on the adjacent development (this can be secured by condition which sets out the limits in metres). Full details of the materials palette and design of the houses would be required as part of any reserved matters application.
- 6.41 Concerns have been raised regarding the proposed site layout and comments have been made by the Designing out Crime Officer in respect of secured by design accreditation and to safeguard future developments and their residents from anti-social behaviour. As previously indicated, approval of the layout is not sought in this application and the illustrative layout plan would not be approved. Any reserved matters would need to take on board improvements in order to be acceptable.
- 6.42 **Residential amenity and private amenity space.**
DP23 of LPP2 states that new development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses.
- 6.43 Concern has been expressed by a local resident regarding the loss of privacy for residents of the area. The Joint Design Guide requires properties to have a minimum back-to-back distance of 21 metres, or 12 metres back to side. The size of amenity space is also recommended as 50m² for 2 bed properties and 100m² for 3 or more bed properties. The site is surrounded by new residential development, and the indicative layout shows that it would be possible to achieve a layout that would not harm future occupiers' amenity and accord with policy DP23. Any future proposals would be required to comply with the standards as set out in DP23 and South and Vale Joint Design Guide.
- 6.44 **Ecology.**
Policy CP46 of LPP1 requires developments to not result in the net loss of biodiversity and seeks enhancements and DP30 of LPP2 provides for the protection of watercourses. SCNP policy SC6 requires development proposals

Vale of White Horse District Council – Committee Report – 8 May 2024

to deliver a biodiversity net gain of at least 10% for the designated neighbourhood plan area.

- 6.45 No statutory or non-statutory designations are identified within 2km of the site, and it is not considered that the existing habitat on site represent notable constraints to development. The application is accompanied by an Ecological Impact Assessment (EIA) which reviewed the site for bats, badgers, water vole, otter (and other mammals), great crested newts (GCN's), reptiles, birds and invertebrates.
- 6.46 The woodland to the east of the site is of ecological value but is not considered a priority habitat. With regard to bats, the existing building has been demonstrated to support low numbers of roosting bats. As such a derogation licence will be required in order to implement the scheme lawfully.
- 6.47 GCN's are a European protected species and therefore the Council needs to comply with the requirements of the Habitats Regulations 2017 (as amended) when making planning decisions. A limited number of records exist within 2km of the site.
- 6.48 The EIA confirms that a detailed on-site survey/terrestrial suitability assessment and appraisal has been undertaken which concluded that there were no suitable habitats on site for GCN's, given the existing building and extensive areas of hardstanding which would limit the attractiveness of the site to these species providing negligible/sub optimal habitat. The only potentially suitable terrestrial habitat that GCN's could occupy on-site, is the eastern woodland parcel which would remain unaffected / subject to beneficial enhancement works, with a far greater extent of such habitat present in much closer proximity to the waterbody.
- 6.49 Standing advice from Natural England advises that ponds or ditches up to 500m of the development should be surveyed for GCN's. Surveys up to 250m are usually sufficient but this may need to be increased if there are no obvious barriers to newts dispersing into the wider environment. There are a number of ponds within 250m of the site which have potential to be used by GCN's.
- 6.50 The EIA has concluded that it is unlikely that GCN's would be present in any of the nearby ponds. The proposal has also been appraised using Natural England's Rapid Risk Assessment Tool which concluded that the risk of encountering GCN's on site was highly unlikely. It is also reasonable to assert that the Appleford Road is a limiting factor in the likelihood of GCN's seeking access to this site. If GCN's were present in the pond to the north of the site, the Council is satisfied that a derogation licence would likely be granted for those works. It is considered that the applicant has demonstrated that the development would cause no risk to GCN's as per the standing advice.
- 6.51 Hedgerows and woodland strip at the east of the site are recommended for retention and will be protected during all stages of the development, along with the off-site wet ditch to the east which will be protected from potential run off. In

Vale of White Horse District Council – Committee Report – 8 May 2024

respect of policy DP30, a 10m buffer between the footpath and off-site ditch would need to be covered by planning condition.

- 6.52 Officers are generally satisfied that mitigation measures can be used to minimise the risk of works to other relevant species which could be captured in a pre-commencement Construction Enhancement Management Plan (CEMP) condition, and is therefore in accordance with policies CP46 of LPP1, DP30 of LPP2 and SCNP policy SC6.
- 6.53 There are also opportunities to improve the site for biodiversity which include: provision of bat boxes, bird boxes, bee bricks and hedgehog domes and holes (13cm x 13cm cut outs would be included in the base of any proposed boundary features).
- 6.54 Biodiversity net gain.
The layout and landscaping of the site is not sought for approval and are likely to change. The application is accompanied by a Biodiversity Net Gain Assessment which concludes that BNG can't be achieved under the current proposals but could be readily achieved as part of an off-site/offsetting solution. This can be secured at reserved matters stage when layout and landscaping are being fixed. The BEP condition would require an updated BNG metric which would then inform the pre-commencement offsetting condition to be applied as a condition to the RM decision notice. The details of features to improve the site for biodiversity will be secured under a planning condition requiring a Biodiversity Enhancement Plan (BEP) at reserved matters stage.
- 6.55 Flooding and Drainage.
CP42 of 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.
- 6.56 Policy SC7 of the SCNP requires development proposals to demonstrate that surface water drainage will not have an impact on surrounding areas.
- 6.57 The site is located mainly in Flood Zone 1 with a small proportion in Flood zone and 2 (*see figure 2 above*). The Flood Risk Assessment accompanying the application confirms that all residential development will be located within Flood Zone 1, the area considered at lowest risk of flooding with open space located partly within Flood Zone 2. This is considered an appropriate allocation of uses as part of the site-specific assessment of this brownfield site. The assessment also recommends that all floor levels are set to a minimum level of 50.32 and at least 300mm above general ground level. The Flood Risk Assessment concludes that the development site is at low risk of all other forms of flooding. The Environment Agency (EA) have confirmed that the proposed development is acceptable subject to the imposition of five planning conditions which are set out in **Appendix 1** of this report.
- 6.58 Surface water drainage.
A surface water strategy is proposed which is acceptable to Drainage Officers and conditions are recommended to be imposed regarding a sustainable

Vale of White Horse District Council – Committee Report – 8 May 2024

drainage scheme and compliance report. Given the sites history, the EA have also recommended a condition regarding proposals for infiltration of surface water to the ground.

6.59 The Lead Local Flood Authority (LLFA) have raised a holding objection in respect of a preference for above ground storage, which would require some changes to the site layout. No objections are raised from the EA or the Councils Drainage Officer in this respect, and as the application is outline only with all matters reserved it is considered that this matter can be further investigated through conditions.

6.60 Foul water drainage.

The foul drainage strategy indicates that Thames Water would have sufficient capacity for foul effluent in the public foul drainage network. This option is considered the more sustainable of the two foul drainage options presented.

6.61 **Environmental Protection: Contaminated Land, Air Quality; Noise and lighting**

Contaminated Land

The site is in a wider setting which has had gravel extraction and infilling. There are also historic landfills to the north and south of the site and there maybe sources that have impacted this site which have yet to be revealed.

6.62 The application is accompanied by a contamination report which concluded that there may be the potential for further contaminants on the site. As a result both the Council's Contaminated Land Officer and the EA have recommended that conditions be imposed to require further investigations on site in accordance with policy DP27 of the LPP2.

6.63 Air Quality.

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 (AQMAs) will need to demonstrate measures / mitigation to minimise any impacts associated with air quality.

6.64 No objections are raised from an air quality perspective and it is recommended that planning conditions are imposed which require electric vehicle charging points; provision of sustainable travel packs; minimum standard gas fired boilers and secure cycle storage for all properties.

6.65 Noise

DP24 of LPP2 relates to the effect of neighbouring or previous uses on new developments.

6.66 The planning application is accompanied by a noise impact assessment. Officers have expressed concern regarding noise and dust from any future construction works therefore it is recommended that a condition be imposed requiring the submission of a construction management plan in order to take account of this. Concerns have also been expressed regarding noise from the

Vale of White Horse District Council – Committee Report – 8 May 2024

nearby road, nearby industrial noise sources and noise from the pumping station and substation. Further details on proposed mitigation measures (and technical noise specifications for the pumping station and substation) should be submitted as part of the full application to address these concerns.

6.67 Lighting.

Lighting and light spillage should be minimised in particular on the northern and eastern boundaries to avoid adverse effects on the rural area. This can be covered by planning condition.

6.68 **Energy Efficiency and Sustainability.**

CP40 requires new development to incorporate climate change adaptation measures to ensure resilience to climate change. As this application only seeks permission for access, full details of energy efficient measures will be required as part of the reserved matters.

6.69 **Other matters.**

Public Art

DP20 of LPP2 seeks all proposals for major development or above 0.5 hectares to provide public art. Provision has been made within the scheme for public artwork in a prominent location. The design is to be confirmed but will be secured via S106 agreement in accordance with the Council's Design Guide SPD.

6.70 Minerals

The application falls within the Mineral consultation area for the Thames, Lower Thame Valley - Oxford to Cholsey Minerals Safeguarding Area for Sharp Sand and Gravel as set out within the Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy and Policy M8, which protects these areas. The site is immediately south and west of the mineral safeguarding area. The land immediately north-east of the junction of Appleford Road and Loverose Way has already been granted permission for the extraction of the mineral resource which forms phase 5 of Bridge Farm Quarry. Given that this phase already has permission for mineral extraction and that the other surrounding fields cannot be worked due to the close proximity of existing housing, the County Council as minerals and waste authority do not object to the application.

6.71 Archaeology.

There are no archaeological constraints to the proposed development.

6.72 Bin storage.

Whilst the indicative layout plan has made provision for bin storage, Officers have advised on the appropriate location of bin stores and distances from collection points and a planning condition will require further details of the refuse and recycling storage in any reserved matters submission.

6.73 **Financial Contributions**

The NPPF advises that planning obligations should only be sought where they meet all the following tests in paragraph 57:

Vale of White Horse District Council – Committee Report – 8 May 2024

- 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.

6.74 The Community Infrastructure Levy (CIL) is a levy charged on new development in the Vale. The money raised will be used to fund infrastructure to support growth in the district. Residential development is subject to the levy. A liability notice will be issued with the reserved matters setting out the levy payable once the floorspace of the development is agreed. The site is CIL liable.

6.75 CP7 of LPP1 and the Council's currently adopted Developer Contributions – Delivering Infrastructure to Support Development SPD (November 2021) expects new development to provide the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal with them delivered directly by the developer and/or through an appropriate financial contribution.

6.76 Affordable housing.

A S106 legal agreement will secure 35% (6 dwellings) affordable and also a financial contribution of £160 per First Homes sale which will be due upon first disposal of each First Home. An administration/monitoring fee of £70 will also be required.

6.77 Open Space.

The s106 will secure the on-site provision and management of open space, landscaping, and amenity space on the site along with on-site delivery of the play space. An administration/monitoring fee of £440 will also be required with fees required for remedial inspections of £550 per inspection.

6.78 Transport

In accordance with policies LPP1 - CP12, CP17, CP33, CP35, CP37 and LPP2 - CP12a, CP18a, DP16, DP17, the following s106 contributions requested by the Highway Authority to improve the sustainable transport options in the area are accepted as necessary to make the development acceptable:

Contribution	Amount £	Price Base	Index	Towards (details)
Public transport services	£15,300.00	Dec 2021	RPI-x	Towards improvements to bus services
Public transport Infrastructure	£5,942.00	Oct 2021	Baxter	Towards bus service infrastructure. (this can alternatively be

Vale of White Horse District Council – Committee Report – 8 May 2024

				delivered as a S278 obligation)
Strategic Transport Contributions	£66,151.59	June 2023	Baxter	Strategic transport infrastructure towards HIF 1 scheme

6.79 Education

The following s106 contributions requested by the Education Authority towards Secondary school provision in the area are accepted:

Contribution	Amount £	Price Base	Index	Towards (details)
Secondary Education	£132,948	327	BCIS All-In TPI	Secondary education capacity serving the development
Special Education	£11,473	327	BCIS All-In TPI	Special school education capacity serving the development
Total	£144,421	327	BCIS All-In TPI	

6.80 Household Waste Recycling Centres

The following s106 Contribution requested by the County Council as Waste Disposal Authority towards the expansion and efficiency of HWRC is acceptable:

Contribution	Amount	Price Base	Index	Towards (details)
<u>Household Waste Recycling Centres</u>	£1,597	327	BCIS All-In TPI	Expansion and efficiency of Household Waste Recycling Centres (HWRC)

6.81 District Contributions

In accordance with the Developer Contributions Supplementary Planning Document-Delivering infrastructure to support development, the following contributions would be secured under a s106 agreement:

Contribution	Price	Index	Total
Street naming and numbering	£268 per 10 houses	RPIX February 2022	£268
Provision of recycling/refuse bins	£196 per property	Index RPIX April 2023	£3332

Vale of White Horse District Council – Committee Report – 8 May 2024

Public art	£380 per unit of housing	Index RPIX April 2023	
Monitoring of District Financial Contributions	Recording=£90 per agreement Reporting=£450 per agreement Financial Monitoring=£180 per agreement	n/a	

6.82 **Pre-commencement conditions**

In accordance with Section 100ZA (6) of the Town and Country Planning Act 1990 (as amended) the conditions have been agreed with the agent

7.0 **CONCLUSION AND PLANNING BALANCE**

7.1 This application has been considered in accordance with the development plan unless material considerations indicate otherwise.

7.2 The principle of residential development on the site is accepted and it is established that the site is no longer required for employment use in accordance with CP29 of LPP1. The proposal would provide benefits in terms of providing additional housing, including affordable housing in accordance with policy CP24 of LPP1.

7.3 The access arrangements into the site are acceptable and Officers are satisfied that the proposed development would not have an adverse impact upon the highway network in accordance with policies CP33, CP35 of the LPP1 and DP16 and DP17 of LPP2.

7.4 The application only seeks permission for access, with the remaining reserved matters (appearance, landscaping, layout and scale) to be submitted under a separate application. Existing landscaping and proposed supplementary planting indicate how the development would integrate into its surroundings. There are no ecological constraints to development subject to recommended mitigation and safeguarding measures no significant harm would occur to any habitats or faunal species as a result of the proposed development.

7.5 The proposal complies with the Development Plan policies and subject to the attached conditions would provide an appropriate form of development, given the constraints within the site.

7.6 The following policies have been taken into account:

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
- CP04A - Meeting our Housing Needs
- CP06 - Meeting Business and Employment Needs
- CP07 - Providing Supporting Infrastructure and Services

Vale of White Horse District Council – Committee Report – 8 May 2024

- CP12 - Safeguarding of Land for Strategic Highway Improvements within the Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP17 – Delivery of Strategic Highway Improvements within the South-East Vale Sub-Area
- CP22 - Housing Mix
- CP23 - Housing Density
- CP24 - Affordable Housing
- 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
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure
- CP46 - Conservation and Improvement of Biodiversity
- CP47A - 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 (LPP2) Policies:

- CP12A - Core Policy 12a: Safeguarding of Land for Strategic Highway Improvements within the Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP18A - Core Policy 18a: Safeguarding of Land for Strategic Highway Improvements within the South-East Vale Sub-Area
- 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
- DP28 - Waste Collection and Recycling
- DP33 - Open Space

7.7 **Joint Local Plan Preferred Options**

The Council is preparing a Joint Local Plan covering Vale of White Horse and South Oxfordshire, which when adopted will replace the existing local plans. Currently at the Regulation 18 stage, the Joint Local Plan Preferred Options January 2024 has limited weight when making planning decisions. The starting point for decision taking will remain the policies in the current adopted plans.

7.8 **Sutton Courtenay Neighbourhood Plan (April 2024)**

Policy SC2: Landscape Character and Value
Policy SC3: Key Views and Vistas (View 7)
Policy SC4: Green and Blue Infrastructure
Policy SC5: Local Green Spaces
Policy SC6: Biodiversity
Policy SC7: Flooding and Drainage
Policy SC8: Residential development within the Built up Area
Policy SC9: Housing Needs
Policy SC10: Design, heritage and Setting
Policy SC11: Former Mineral Workings
Policy SC12: Riverside Related Development
Policy SC13: Community Facilities
Policy SC15: Sustainable Construction and Infrastructure
Policy SC16: Economy and Employment
Policy SC17: Traffic Management

7.9 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022
Vale Developer Contributions SPD 2021

7.10 National Planning Policy Framework and Planning Practice Guidance

7.11 Other Relevant Legislation

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.

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.

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