



Hearing Statement

EXAMINATION OF THE VALE OF WHITE HORSE LOCAL PLAN 2031 PART 1: STRATEGIC SITES AND POLICIES

Stage 2 - Matters and Questions

On behalf of Lingfield (Asset Management) Ltd
and Diageo Pension Trust Ltd

INTRODUCTION

1. This Statement is submitted to the second phase of the Examination into the Vale of White Horse District Local Plan 2011-2031: Part 1 (referred to in this Statement as “LPP1”) on behalf of the landowners listed below.
2. The Statement responds to the matters and questions raised by the Inspector for discussion in the second stage of the Examination, so far as they are relevant to the parties represented.
3. Our comments relate exclusively to Matter 9, as identified in the Stage 2 Matters and Questions Document, dated 17th December 2015.
4. The represented parties are as follows:
 - Lingfield (Asset Management) Ltd
 - Diageo Pension Trust Ltd

Word Count: 957 words

Matter 9 – Strategy for South East Vale Sub-Area (CP15 and CP16)

Question 9.3 - Are the identified and safeguarded employment sites listed in Policy CP15 soundly based and deliverable? Are there other sites which would more appropriately meet the identified need for employment land?

5. The overall employment strategy for the District is set out at CP 6 of LPP1, seeks to make provision for around 219ha of strategic employment land, in order to deliver 23,000 jobs between 2011 and 2031. This strategy is intended to be delivered by *inter alia* using vacant and developable land retained from the Vale of White Horse Local Plan 2011 employment allocations). The strategy seeks to reflect the strong overall demand which exists for employment land in the District, particularly within the Science Vale area where around 70% of the planned total new jobs for the District are to be provided.

6. The National Planning Policy Framework (“the NPPF”) clearly states that in drawing up Local Plans, local planning authorities should set out a clear economic vision and strategy for their area, which positively and proactively encourages sustainable economic growth, identifying strategic sites for local and inward investment to match the strategy and to meet anticipated needs over the plan period. Significant weight should be placed upon the need to support economic growth through the planning system. Policies are required to have the flexibility to accommodate needs which are not anticipated by the Plan and which allow a rapid response to changing economic circumstances; this includes higher than expected levels of economic growth (Paragraph 21). The accompanying Planning Practice Guidance (“PPG”) identifies that where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (Paragraph 12-010-20140306).

7. Within this context, the wording of Policy CP15, LPP1, which seeks to identify the Strategic Employment Sites for the South East Vale Sub-Area is unclear in its wording. The Draft policy refers to “existing business premises around Didcot Power Station” however it is accompanied by the words “*not including vacant surplus land*”. This is imprecise (the meaning of the words *not including vacant surplus land* is not defined in the Glossary to LPP1). It appears that the

Council has transposed the proposed strategic allocation straight from the adopted Local Plan 2011 (Policy E10) but the Council appears not to have considered whether any changes need to be made to the area which is allocated by LPP1 to enable it to align with this Development Plan's strategic objectives.

8. The map of the allocated area (B11 at page 65 of the Appendices, LPP1) is out of date as it does not show the large warehouse building on the eastern side of Sutton Courtenay Lane, operated by ASDA. This emphasises that the proposed strategic employment allocations have merely been lifted from the Adopted Local Plan 2011, further implying that the appropriateness of the existing allocations to meet forthcoming need for employment land has not been fully assessed prior to their transposition into LPP1.

9. The Vale of White Horse District Council granted outline planning permission for the erection of a building for use within either Use Classes B2 or B8 in 2006 (VOWHDC Ref: P05/V1024/O), followed by the approval of reserved matters in 2009 (VOWHDC: P09/V0929/RM) on the site allocated for economic development by Policy E6 of the Adopted Local Plan 2011 (location plan attached as **Appendix 1**). LPP1 does not continue the allocation of the land allocated by Policy E6 of the Adopted Local Plan.

10. More recently, outline planning permission has been granted (VOWHDC Ref: P14/V1906/O) for the redevelopment of existing buildings and land to provide new buildings for storage and distribution (up to 87,720sqm of new floorspace) on a site which comprises the site allocated by Policy E6 of the Adopted Local Plan 2011, as well as two of the parcels of land allocated by Policy E10 of the Adopted Local Plan (site location plan attached as **Appendix 2**). The Officer's Report to the District's Planning Committee (21st November 2014, enclosed as **Appendix 3**) identifies that the site subject of the 2014 outline application "*is clearly within an easily identifiable parcel of [employment] land and is also closely related to other employment and industrial uses. In addition, the council's policy section has stated there are no policy objections to the proposed use (B8) being accommodated across the whole of the application site, including land that is not currently allocated for development*" (Paragraph 6.6). The Council's Planning Committee, in its resolution to grant planning permission on 17th December 2014, endorsed this view. Outline planning permission was issued by the Council on 16th July 2015.

11. Whilst Paragraph 22 of the NPPF invites local planning authorities to review their employment land allocations regularly and consider other uses for that land where no reasonable prospect of the land being used for the allocated employment use, the planning history of the site indicates that this is not the case, and in our view all of the land included within the red-edged area in the plan attached as Appendix 2 ought to be included within this strategic allocation.


12. As part of the Government's Autumn Spending Review, the Didcot Growth Accelerator was one of four new Enterprise Zones created in the South East of England. We have had discussions with the Council's Officers with regard to the principle of including the red edged land shown within Appendix 2 in the Enterprise Zone and our understanding is that the Council's Officers are in agreement with such an inclusion.

13. It is our view, therefore, that to enable the Local Plan to be considered positively prepared, justified and consistent with national planning policy, Core Policy 15 ought to be amended to exclude the reference to "vacant surplus land" and the accompanying Proposals Map should also be amended to ensure that the area outlined is included within the shaded area denoting its inclusion within the strategic employment allocation.

APPENDIX 1

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rev	amendments	by	date
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Client:

Innogry plc.

VALE OF WHITE HORSE
DISTRICT COUNCIL

14 JUL 2005

CORPORATE POSTAL
SERVICES

Project:

Didcot West

Title:

Site Location Plan - Plot 4a

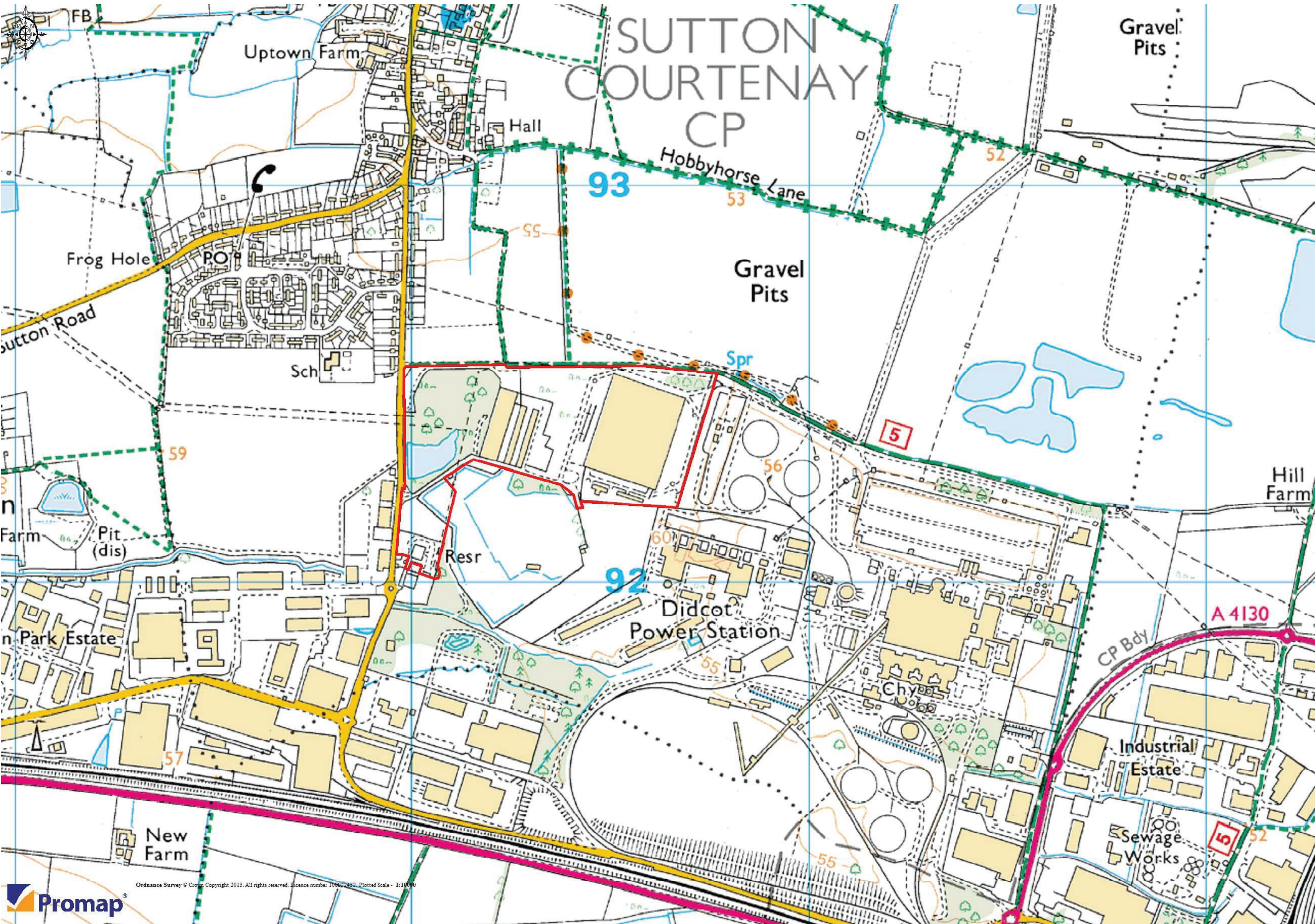
Drawing Status: Preliminary	Date Created: 12 July 2005	Drawing Scale: 1:2500
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Drawing Number: 14109/ A2 / 36

Rev:

Project Leader:	Drawn By:	Initial Review:	Rec Copy Check:
DD	JDC	DD	

APPENDIX 2



Ordnance Survey © Crown Copyright 2013. All rights reserved. Licence number 100027482. Plotted Scale - 1:10000

Notes:
Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only.
Subject to statutory approvals and survey.

AREAS:
Building areas are liable to adjustment over the course of the design process due to the ongoing construction detailing developments.

Key:

Denotes Site application Boundary

cordeasavills

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revisions

PLANNING

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Project Job Number 3787
LAND EAST OF SUTTON COURTENAY
LANE & WEST OF DIDCOT POWER
STATION, SUTTON COURTENAY

Client
CORDEA SAVILLS
Drawing Title Drawing Size A1

SITE LOCATION PLAN

Drawn MS	Date 14.07.14	Scale 1:50000A1	Cadfile 3787-09
Reviewed by	Drawing No.	Rev.	
KL	3787-09	01	

APPENDIX 3

APPLICATION NO.	P14/V1906/O
APPLICATION TYPE	OUTLINE
REGISTERED	28.8.2014
PARISH	SUTTON COURTENAY
WARD MEMBER(S)	Gervase Duffield
APPLICANT	Diageo Pension Trust Ltd
SITE	Land to the west of Didcot Power Station, Sutton Courtenay Lane, Didcot
PROPOSAL	Proposed redevelopment of existing buildings and land to provide new buildings for storage and distribution (Use Class B8) and ancillary facilities, car and lorry parking, service areas, access and landscaping (resubmission) (as amplified by additional Automatic Number Plate Recognition (ANPR) information received 13-10-14, and further amplified by Transport Assessment addendum and Landscape and Visual Impact Assessment Addendum dated 25-11-14).
AMENDMENTS	The application has not been amended, however further information has been submitted as outlined above.
GRID REFERENCE	450341/192366
OFFICER	Lisa Kamali

1.0 EXECUTIVE SUMMARY

The application is before committee due to objections from Sutton Courtenay Parish council and 110 local residents.

The proposal is demolish the existing buildings on the site and provide new buildings for storage and distribution (Use Class B8) and ancillary facilities, car and lorry parking, service areas, access and landscaping. The key issues are:-

- The principle of the development
- Landscape and visual impact
- The impact on neighbours
- Transport impacts

This report seeks to assess the planning application details against the national and local planning policy framework where relevant and all other material planning considerations.

It is the officers' view that significant weight should be afforded the economic dimension to this scheme in terms of job creation. Officers consider the technical issues relating to drainage, sewage, ecology, noise, lighting and archaeology are acceptable subject to conditions. The landscape and visual impact is acceptable in the context of the significant mitigation proposed, and given the developed nature of the site, the type of buildings that can be expected with a warehousing use, and the existing built elements that characterise the immediate setting.

The development will have an adverse impact on the highway network, but the county council has no objection and this impact can be minimised through the imposition of planning conditions and a legal agreement. Overall the transport impact is not

considered to be severe in the context of the NPPF.

Overall, the development is considered to amount to sustainable development, and whilst there will be some adverse effects, these do not significantly and demonstrably outweigh the benefits.

This application is recommended for approval subject to conditions and a legal agreement.

1.1 INTRODUCTION

This site is 25.07 hectares in area, and is located on the eastern side of Sutton Courtenay Road in Didcot. Access to the site is from Sutton Courtenay Road. The largest part of the site to the north is generally rectangular, and a smaller finger extends down to the south fronting Sutton Courtenay Lane.

1.2 The site is some 3km from Didcot centre, but more closely relates to the main Milton Park to the southwest and the village of Sutton Courtenay to the north.

1.3 The sites northern boundary adjoins an area of open land. The closest residential properties are located beyond this open land and immediately across Harwell Road from the site's north-western corner.

1.4 An existing ASDA warehouse, which is 17 metres in height, sits immediately adjacent to the southern and eastern boundaries of the site, and Didcot power station is located immediately to the east.

1.5 Milton Park, is located in close proximity to the southwest of the site, across Sutton Courtenay Lane. Milton Park is a strategic business park and comprises part of the Science Vale UK Enterprise Zone. It is also noted that development within Milton Park is subject to a Local Development Order, which permits certain development without requiring express planning permission.

1.6 The site contains buildings used for Use Class B8 storage and distribution purposes, and the total floor area is approximately 68,746 sq.m. An area around these existing buildings is identified in the adopted Local Plan (2011) as a strategic employment site (Policy E10), and this designation covers much of the site.

1.7 Part of the southern finger of the site is identified in the adopted Local Plan (2011) as "Disused Milton reservoir and pumping station", where new business development in Use Classes B1, B2 and B8, is deemed acceptable subject to traffic being routed away from Sutton Courtenay Village, Milton Village and Milton Park, and subject to appropriate contributions towards improving/upgrading access to and from the site from the A34 trunk road and the A4130 to the south.

1.8 The site is also designated in the adopted Local Plan (2011) as Lowland Vale (Policy NE9), where development that would have an adverse impact on the landscape is resisted, and as an area of landscape enhancement (Policy NE11), where proposals are expected to provide a landscaping scheme which enhances the appearance of the area.

1.9 The site is not within a conservation area, and is located some 1.22 km from the Milton Village Conservation Area, and some 500m from the closest part of the Sutton Courtenay Conservation Area. The site is not located in close proximity to any listed buildings. The site is adjacent to a designated Scheduled Ancient Monument, which

is located across Sutton Courtenay Lane to the west within Milton Park.

- 1.10 There are a number of trees, shrubs and hedges on site, but none of these is subject to a Tree Protection order.

- 1.11 A site location plan can be found within **Appendix 1**.

2.0 PROPOSAL

- 2.1 The applicants seek outline planning permission for two storage/distribution warehouse buildings (use class B8) and associated buildings and works. The warehouse buildings would be operated 24 hours a day. The application seeks consent for the means of access, appearance, layout and scale. Landscaping is a reserved matter; however the application is accompanied by illustrative landscaping proposals and a Landscape and Visual Impact Assessment (LVIA), including an LVIA addendum.

- 2.2 In terms of site layout, overall floor area, and the position of the proposed buildings, this application is the same as the previous application that was refused planning permission in May 2014 (Ref. P14/V1832/O). This application is different only in that it proposes a lower height for the larger northernmost warehouse building (Unit B). The height has been reduced by 4.5 metres over most of the building, and by 2.5 metres over the western end. The resultant reduction in overall volume is 321,160 sq.m. As a percentage of the storage volume, this reduction amounts to a 21.9% reduction in volume when compared with the previous application.

- 2.3 The Planning Statement submitted with the application states: *“The objective of the proposal is to provide modern state of the art storage and distribution units within Use Class B8 to replace the existing buildings which are outmoded.”* It goes on to say: *“The new buildings are designed to attract major new employers, investment and jobs.”* The submitted Planning Statement also states that the new jobs created are estimated to be between 1,870 and 2,730.

- 2.4 The smaller of the two buildings (Unit A), measures 176m by 56m deep. It is set back from Sutton Courtenay Lane by between 50 and 70 metres due to the position of the building and the shape of the site. Unit A has a ridge height of 20.39 metres. A car park for 75 cars is proposed to the north of the building and space to park, turn and dock 33 HGVs is located to the west of the building of the building. The plans indicate there would be 14 dock doors.

- 2.5 The second warehouse building (‘Unit B’ on the submitted drawings) sits adjacent to the northern boundary and is considerably larger at 604m wide, 125m deep, 16.69m high to the eaves and 18.48m to the ridge. This represents a reduction in overall height of 4.5 metres when compared with the previous application (Ref. P14/V1832/O). This building steps down towards the western end, and this lower section is 16.45m high to the ridge and 14.89m to the eaves, representing a reduction in overall height of 2.5 metres when compared with the previous application. There is a car park for 530 cars to the south of the building, and parking, turning and loading space for 200 HGVs is provided to the north and south of the building. The quantum and location of car and HGV parking remains the same as what was proposed for the previous application (Ref. P13/V1832/O). The plans indicate there would be 96 dock doors.

- 2.6 A number of attenuation ponds are proposed around the site. A 215 sq.m. gate house is proposed for security personnel, along with various functional units commensurate with the overall scheme such as sprinkler tanks, fuel storage, waste units etc.

- 2.7 The proposed gross floor area (GFA) is 87,720 sq.m, an increase of some 18,974 sq.m

when compared with the GFA of the existing buildings. The proposed GFA is the same as that proposed in the previous application (council Ref. P13/V1832/O, which was refused at committee in May).

- 2.8 The roofs on both schemes are to be finished in gull wing grey including roof lights. The elevations have been treated with profiled steel and flat cladding panels in monotone grey/silver that are neutral and practical for this type of building. The offices have been detailed with timber cladding which will soften their appearance and will add texture with age. No advertising or branding details have been provided, but an informative is recommended to ensure that any such advertising should be non-illuminated, lower level and discrete.
- 2.9 The existing access is proposed to be stopped up with a new entrance to the application site created onto Sutton Courtenay Lane, located just to the north. A new access T-junction will be created, with an engineered solution to ensure that HGVs cannot turn right to head towards Sutton Courtenay, along with an Automatic Number Plate Recognition (ANPR) system to enforce this. Various other highways matters are proposed such as new signage and contributions towards public transport and local network upgrades.
- 2.10 The only matter not to be considered in this application is landscaping, however the applicant has provided illustrative landscaping proposals along with a Landscape and Visual Impact Assessment (LVIA), which show how views of the site will be affected by the proposed development. The illustrative landscaping proposals indicate that a package of mitigation measures would be provided, including a landscaped buffer will around much of the site, and particularly along the more sensitive north and north-west boundaries.
- 2.11 A copy of the key proposed plans can be found attached at **Appendix 2**. All other plans and supporting documentation can be found on the council's website.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

- 3.1 This section of the report provides an outline of the consultation/notification undertaken and a summary of comments received on the application. Copies of all responses are available to view online.

All the appropriate consultations/notifications have been undertaken on the original submission and further information submitted. The latest consultation/notification on further information expired 10 December 2014.

- 3.2 **Sutton Courtenay Parish Council** – strong objection, summarised as follows:
- Development is of a scale, bulk and height that would unduly erode the rural setting of Sutton Courtenay.
 - Close proximity of proposal to residential buildings and listed buildings.
 - Docking stations, noise, pollution and lighting have been brought much closer to the village of Sutton Courtenay.
 - The application does not address the previous reasons for refusal.
 - Lack of certainty regarding the occupant raises an unacceptable degree of uncertainty regarding traffic impact, and in particular impact on Sutton Courtenay.
 - Concerns regarding the proposed ANPR system.
 - The proposed landscape bunds will appear discordant and erode long open views of the lowland Vale landscape.

- Concern regarding impacts on the public footpath to the north of the site.
- Proposed Section 106 contributions do not adequately reflect the extra burden that will be placed on local infrastructure.
- Should the council be minded to approve the application, the Parish Council asks that it be involved as a consultee in any draft routing agreement,
- Number of concerns regarding the proposed travel plan.
- Consider the methodology use for cumulative impact assessment of traffic is flawed.
- Impacts on local primary school, particularly regarding safety, noise, and air pollution.
- Pollution – air quality, noise, light.
- Believe cherry pickers used for LVIA montage were not sited at ground level, thus creating a false impression of the building.
- Impacts on drainage.
- Impacts on biodiversity.
- Socio economic statement is flawed.
- Coalescence – the proposal would remove the last open space between Didcot and Sutton Courtenay.

A full copy of the Parish Council objection can be found at **Appendix 3**.

- 3.3 The Parish Council responded again on 5 December requesting the following heads of terms for a Section 106 agreement.
- Provision of litter bins, bench seats, and a contribution to maintenance works required in the recreation ground, such as improvements to drainage to the sports pitches.
 - Provision of a defibrillator in the village which could help save the life of warehouse employees.
 - A sum towards the maintenance of rural paths in the area.
 - A contribution towards the village hall, and in particular works to the fire doors in the main hall.
 - A contribution towards the Environmental Education Centre.
 - A contribution to ensure that the footpath and cycle track which gives access to the centre and the warehouse is adequate for its purpose and properly maintained for the benefit of residents and employees of the site.
 - £4,500 towards footpath clearances around Sutton Courtenay Parish.
- 3.4 **Representations from local residents**
At the time of writing this report, 110 objections have been received from 91 different addresses. Two letters of support have been received. Any further responses will be verbally updated at committee.
- 3.5 In addition an undated petition signed by 360 residents opposing the development has been received.
- 3.6 The objections are made on the following summarised grounds:
Principle/location
- The stated policy of the Government and the Council is for this area to be an area focused on science and enterprise: A massive warehouse goes against the whole intent of the Government's establishing the Enterprise Zone and Science Vale and its aim of creating a global centre of excellence of High Tech and Scientific innovation
 - This is wholly inappropriate location for a warehouse of this type, which will

devalue the local hi-tech business environment.

- Inappropriate site for Distribution Centre near an ancient village
- Buildings out of place on the edge of an ancient village
- Already too much development around Sutton Courtenay
- This is just a slight adjustment to the previous application which was turned down.
- There are other sites available (e.g. on the Power Station area).
- Do not want to see the extension of the industrial area close to Didcot station all the way to the perimeter of Sutton Courtenay such that Sutton Courtenay becomes a suburb of Didcot.

Visual impact/Character

- The 3 to 6 metre bund with vegetation proposed for the north and west boundary will do nothing to camouflage the height and scale of the building for maybe 10 to 20 years.
- This site is essentially all that remains of any green or brown belt in a straight line between Didcot and Sutton Courtenay, and in order to maintain the character of the village and distinctness of Sutton Courtenay and Milton from Didcot and Milton Park, the area must remain undeveloped.
- The building will dominate views of the Vale, especially when approaching from the south on the A34.
- The size of the building is unacceptable viewed from Harwell road and will be a blight on residents living there.
- Part of these buildings would be only 125 metres from the nearest houses in Harwell Road and not much further from the rest. It is unacceptable that the residents should be subjected to 24 hour pollution both air and noise from all vehicles servicing the facility.
- The remaining green land is already extremely thin, and any further impact on this will significantly affect the village and its last remaining feeling of separation from the industrial area.
- Consider that the developer has assessed the scheme against the incorrect 'Dark Skies' criteria – suburban rather than rural.
- This plant is enormous despite having submitted an originally excessive size in order to latterly claim some sort of moderation
- This building is far too big to be next to a residential area.

Transport impact

- Concern that many of the lorry loading bays on the village side of the plant, which will inevitably have an adverse effect.
- Increased traffic through Sutton Courtenay
- Increased traffic to the south towards Didcot
- The submitted ANPR report is not fit for purpose and is considered unsuitable for this planning application. The proposed ANPR solution will not work for the following reasons,
 1. The majority of vehicles will not be committing a moving traffic offence, and so any enforcement does not have much of a legal basis to support it.
 2. As any offence will essentially be a private prosecution, the operator will need to have a written agreement with every transport company who may deliver to the proposed warehouse. There are more than 50 countries in Europe, with hundreds of transport companies each. To get them all to agree would logistically be impossible, and even if they did, it would not solve the issue of lorries passing through the village for the

reasons below.

3. The ANPR system used will need to have the capacity to read the number plate configuration of more than 50 countries. These systems do exist but are limited and expensive.
 4. There is no European DVLA equivalent, for the 50 plus countries in Europe. The operator will need licences to access each individual country's DVLA equivalent if it is to provide an effective enforcement operation. This has not been achieved before.
 5. The report does not provide details of any follow up action should a company refuse to pay. This element of an enforcement operation is absolutely essential for delivery of an effective enforcement operation.
- There are few road routes in and out of Sutton Courtenay, and two of the main routes are severely restricted, Culham Bridge by its size and traffic lights, and Milton Park because it is not public highway.
 - Concern regarding increased time to reach Didcot Station.
 - Road safety concerns for pedestrians and cyclists. Traffic would pass at least four areas that children play (The Green, the Recreation Ground, Lady Place, and Sutton Courtenay Primary School).
 - Imperative that a safe crossing is provided across Harwell Road to avoid a fatality.
 - There is not sufficient road infrastructure to accommodate even the recently approved structures (such as Asda, or the new housing developments at the north and south ends of the village) so to introduce a further source of lorry and car movements is wholly unreasonable.
 - Proposal is not close enough to a major trunk road such as the M4.
 - Increased traffic on A34 and Milton Interchange. If this goes ahead millions needs to be spent on improving the roads not the paltry sum offered by Diageo.
 - Already far too many HGV on the roads on the A4130 and the roads cannot sustain it.
 - Already too much traffic along Harwell Road.
 - Parking pressure along Sutton Courtenay Lane/Harwell Road.
 - The huge warehouse proposed for Unit B is only 125 metres from the nearest house in Harwell Road. The building has been moved over slightly meaning more vehicle movements for 24 hours per day on the village side!
 - Proposal is unsafe given its proximity to a school. The local school children, from the age of 3 to 11 years, frequently walk along Sutton Courtenay Lane to the Environmental Centre adjacent to the proposed warehouse. This has not been considered by the applicant.
 - There would be an increase of 'rat run' traffic through the villages in the area.
 - The application fails to fully assess the transport impact of the development as highlighted in the AECON submission, which also raises the points that the site's accessibility by sustainable modes of travel is inadequate and as such it fails the requirements in the national planning policy
 - Should the Committee be minded to approve this application, extensive Section 106 funding should be included to improve the traffic management measures within Sutton Courtenay.
 - It says in the traffic report that transport operators do not put their vehicles on the road at peak times. This is clearly a lie as I work in Didcot and have to follow an Asda lorry most mornings and evenings

Infrastructure

- The development will place an intolerable burden on the already creaking infrastructure of Sutton Courtenay.

- There is no way that the area can support this project, it does not have the infrastructure.

Drainage, sewage and flooding

- Questioned whether Moor Ditch is capable of coping with surface water drainage from the site.
- The revised plan does not provide significant protection from rainwater runoff from the warehouse. This will lead to an increase in flooding in the future in Sutton Courtenay since the only route to the Thames for the run-off water is via an area that already floods each year.
- Waste water/sewerage capacity of the village (Sutton Courtenay) is already at maximum
- The existing worker traffic through the centre of Sutton Courtenay is already excessive from 5.30am in the morning onwards and there is no way that Culham Bridge would cope with the increased load at peak times.
- Every HGV in England and probably Europe has had one free pass through Sutton Courtenay. Only the second trip will incur the fine of £500.
- Increased pressure on sewage system is unacceptable.

Ecology

- Resident has been told there are newts in ponds on the site, and they are protected by law.
- Adverse impacts on wild life in the area, and the proposal to relocate the badgers is misguided.
- This whole area which the proposed warehouse is to be located has lots of wildlife, no matter what their report said, there are, badgers, owls, deer, grass snakes, bats and great crested newts.

Employment and economic impact

- The estimates of employment in this building may be a gross exaggeration as we do not know who the end user is, how do we know these numbers are right?
- Displacement of small enterprises from the site.
- Currently the site is home to some 37 small local companies, employing over 300 people. As such it is complementary to Science Vale in acting as a catalyst for economic growth by enabling the development of such companies, which represent greater potential for long term growth than a warehouse.
- A warehouse will have little economic benefit for the local community over an extended number of years and as such will deprive the Vale of the economic benefits of using the site more imaginatively.
- As the potential occupants of the giant scheme have not been published it is hard to see how any accurate forecasts of job opportunities and transport figures can be made.
- The application states there will be 2000 jobs created, however the application form states 3000. Which is it to be? Additionally, the plans provide 691 parking spaces for accommodate employees for each shift, indicating 1500 employees – where are the other 1500?
- Do not believe long term jobs will be created through this proposal.
- While additional jobs are welcome, there are not the number of unemployed in this part of Oxfordshire to fulfil the requirements for the site. As such most employees will drive, and this will have a big effect on commuter traffic going through Sutton Courtenay. This has not been addressed in the application.
- The job opportunities and transport data figures are purely speculative and raise an unacceptable degree of uncertainty.
- The draft Local Plan aims at creating a dynamic local economy by “building on

our strengths” in science and technology. An enormous warehouse will not contribute to that; rather given the low unemployment in the area it will draw in unskilled manpower from a much wider area, thus increasing the number of car journeys which the Local Plan seeks to minimise. In this context the Socio Economic Analysis proved by East West Locations on behalf of Diageo, is a subjective document attempting to prove the case for a warehouse and is misleading in its conclusions

Pollution – noise, air quality, light, and other impacts on neighbours

- The Planning Committee should be reminded the restrictions in the Milton Park LDO with regards to light, noise and dust, to protect the amenities of the residential areas of the Milton and Sutton Courtenay local communities, as they are equally applicable to this proposal.
- Unacceptable noise. Planting and bunds wont stop noise affecting residents. The noise from HGV's, fork lifts, and cars, for 24 hours a day, 7 days a week
- Increased air pollution. This will particularly effect those most vulnerable i.e. those with cardio vascular disease, pulmonary disease or immune deficiency. The groups most affected will generally be over 60 and below 15 years of age.
- Light pollution - the lighting burning all through the dark hours will make living so close to such a huge building impossible.
- Increased pollution for children visiting the adjacent nature reserve.
- The massive amount of lorries will cause severe nuisances because of the noise and, more importantly, it will have deleterious health impacts in our community: diesel exhausts are a proven carcinogen (according to WHO) and we don't want our children and elderly persons to suffer asthma and other respiratory diseases.
- As 60% of the workforce will be arriving or leaving at 6am in the morning and 10pm at night it is inconceivable to think that this will not cause disturbance to people trying to sleep.
- There is, on site, an old gravel pit which during the war was used as a dump and there are hundreds of drums of high leaded paint, asbestos, other drums of chemicals and potential armaments.
- Shading and loss of light to neighbouring properties on Harwell Road and the local primary school.

General

- There is no substantial change from the original application.
- This development will alter what is now rural to an industrial wasteland.
- The warehouse cannot be viewed under the NPPF as a sustainable development and is contrary to Local Policy DC9 as it would have an unacceptable impact on the local neighbouring uses.
- Would expect that similar restrictions on the use of machinery and vehicles be imposed on any development on the Diageo site, as have been imposed on Zones B and C (west) of Milton Park to protect the amenities to adjacent dwellings.
- It is noted that under the Section 106 arrangements that £350,000 will be released to support highway improvements in Science Vale. Sutton Courtenay Parish Council has also asked for the establishment of a fund on similar lines to the National Power Trust Fund, but the size of the contribution has not been quantified. Any application for development on the Diageo site should include a share of the profit for the local community, so that the actual value of the funding can be ascertained before the application is considered by the local authority. In particular, this levy should be used “to mitigate the cumulative impacts from development” as the CIL Regulations allow and which is already so evident in

Sutton Courtenay due to other development.

- There is clearly no business need as no company has associated themselves with this plan.
- The application has not addressed the previous reasons for refusal.
- There will be no benefit whatsoever to the local community
- Adverse impacts during the construction phase.
- Oxfordshire county council are benefiting from receiving 350k and they say this will go towards the Science Vale Transport strategy. I doubt this small contribution would even pay for the much needed repairs in Sutton Courtenay Lane and Sutton Courtenay Road!
- No attempt has been made to assess the cumulative impact of adding this plant to the other approved and pending developments in the area.
- It would seem that we urgently need a coherent long term planning vision for this area as opposed to a piece-meal reaction to each and every proposal.
- The recent shambolic attempt to replicate the height of the building by Mobile Elevated Platforms also was flawed (have video to prove it) as they erected two of them in the middle of the proposed building and not on the front face which will be seen by the village. The third one was erected the other side of S shed which everyone knows (except the applicants) that this building when built is approx 6m below ground level.
- It is very bad practice for the applicant not to state who the end user will be.
- Development will decrease property values in the area.

3.7 **Milton Park - objection**

Three objections have been received, one from James Dipple, Chief Executive Officer MEPC, and two from Phillip Campbell, Head of Leasing and Development. The issues raised are summarised as follows:-

- The Milton Park Local Development Order (LDO) should be a material consideration in the determination of this application, and in particular the height limit of 12 metres along Sutton Courtenay Lane and the northern edges of Milton Park to respect the close relationship of the village edge, the conservation area and the scheduled ancient monument.
- Development becoming increasingly out-of-keeping given the ongoing demolition works at the Power Station.
- Serious concerns about the increased impact of HGV's and delivery vehicles on the local road network.
- Noted that the roads through Milton Park are private and so cannot be used by vehicles attending the proposed building which will put an unreasonable stress on the public roads in and around Milton Park.
- Transport Assessment has not taken full and proper account of all possible permutations of development permitted under the Milton Park LDO.
- Points raised by AECOM have not been fully investigated.
- Financial and infrastructure improvement contributions are inadequate given the scale of the proposed scheme.
- If the proposed development is to proceed the Science Bridge should be put in place first substantially funded by s106 contributions from the development.
- Concerns about the negative impacts the scheme would have on realising the growth permitted under the LDO which underpins local economic policies.
- ANPR system will have little impact.
- Navigation systems such as Google maps, have started directing traffic along the private roads at Milton Park between the A34 and the application site. The applicant's agent has suggested that such systems in vehicles visiting the warehouse site could be reprogrammed to avoid Milton Park. Whilst it may well be theoretically and technically possible to do this we believe that the

practicalities of doing so for all vehicles associated with the site would make it completely unworkable.

- MEPC have issues with HGVs from other developments routing through the park, and are already looking at barrier options to prevent access.
- If the development goes ahead, without an alternative means of access (such as the Science Bridge), MEPC will have to consider closing the estate roads. The additional trips generated as a result of this access restriction need to be properly considered as a consequence of the development.

3.8 **Environment Agency** – no objection subject to conditions

No objection subject to the inclusion of five planning conditions relating to a surface water drainage scheme, a scheme to deal with risks associated with contamination of the site, a verification report demonstrating completion of the approved remediation scheme, further contamination not previously identified, and to prevent piling without express permission.

3.9 **Thames Water** – no objection subject to conditions

No objection subject to a condition requiring a drainage strategy to be submitted prior to the commencement of any development. Also recommended an informative relating to water pressure. Provided supplementary comments stating that the Flood Risk Assessment and Outline Drainage Strategy document fails to provide the anticipated maximum discharge rates from the proposed connection points, and that in order for to determine whether the existing sewer network has sufficient spare capacity to receive foul flows from the proposed development, a drainage strategy must be submitted detailing the foul water strategy. Noted that if initial investigations conclude that the existing sewer network is unlikely to be able to support the demand anticipated from this development, it will be necessary for the developer to fund an Impact Study. To ascertain, with a greater degree of certainty, whether the proposed development will lead to overloading of existing waste foul and surface water infrastructure, and, if required, recommend network upgrades.

3.10 **OCC One Voice**

Responded on 9 October, stating that they consider it appropriate to be mindful of previous use and extant permission when considering/assessing this application.

3.11 Stated they are aware of local concerns regarding the traffic impact of this development, in particular from HGVs, but following the assessment of the planning application, there are no grounds or reasons for objection. Noted that their assessment is based upon the information and assumptions set out in the Transport Assessment. For this reason, the County are keen to ensure these are adhered to through the placement of appropriate conditions and s106 requirements should the development be granted planning permission.

3.12 Responded on 11 November to state that previous comments made on this application still stand, and that the updated application to include an Automatic Number Plate Recognition (ANPR) Scheme is welcomed as it will help to ensure the routing and operation patterns are adhered to.

3.13 The comments from the various departments within the County Council are set out below.

3.14 **Oxfordshire County Council (Transport)** – no objection subject to conditions and legal agreements.

3.15 Responded to state they have no objections subject to conditions and a legal

agreement. Stated that the following heads of terms for any legal agreement are required:

- It is necessary to ensure that Sutton Courtenay, Milton Park and Milton village do not suffer from adverse effects of increased traffic associated with this development. Therefore, the measures to limit this (routing agreements and junction design to disallow vehicle access from the north or to turn northwards) are essential. A traffic regulation order is required to ensure that all traffic is routed to the south section of Sutton Courtenay Lane i.e. no right turn will be allowed.
- The developer is also required to enter into a routeing agreement which will ensure that all HGV traffic movements be via Milton Road and A4130.
- A developer contribution of £350,000 will be required towards strategic infrastructure improvements in Didcot, which form part of Science Vale Transport Package.
- Access to the site for cyclists needs to be carefully designed to ensure that cyclists can easily and safely enter the site from the off-road cycleway or the highway and do not come into conflict with HGVs entering or moving around the site. The proposal does not currently show in detail cycle parking spaces on the layout plan. These must be provided in a secure, sheltered and safe location.
- The county council's legal fees in drawing up and/or completing a legal agreement will need to be secured. The developer is also required to pay an administrative fee of £3,750 for the purpose of administration and monitoring of the proposed S106 agreement.
- Financial contributions have to be indexed-linked to maintain the real values of the contributions so that they can in future years deliver the same level of infrastructure provision currently envisaged.
- The contributions outlined in this response are necessary to protect the existing levels of infrastructure for the local community. This is relevant to planning the incorporation of this major development within the local community, if it is implemented. They are directly related to this proposed development and to the scale and kind of the proposal.

3.16 Requested that the following conditions be attached to any planning approval:

- 1) Freight Management Plan (FMP) and a Construction Traffic Management Plan (CTMP) must be submitted before any works commence on site
- 2) Travel Plan
- 3) A section 278 agreement must be agreed and signed with the County Council as Highway Authority before any works commence on the site
- 4) Standard Parking Condition and parking strategy
- 5) Cycle Parking
- 6) Access
- 7) Drainage
- 8) Hours of shift pattern and hours of distribution (First Shift - 6:00am – 2:00pm; Second Shift - 2:00pm – 10:00pm; Third Shift -10:00pm – 6:00am) are to be adhered to. This condition is seen as important to minimise the impact of the development

3.17 Also requested informatives relating to a separate consent (Section 278 agreement) being necessary for the proposed highway works-vehicular access, traffic management measures including signage, carriageway widening, etc.

3.18 Responded separately to say they have reviewed the AECOM audit of the TA and Travel Plan. Stated that the points raised amount to:

- i. a critique of the site selection from TRICS – these figures have been previously accepted and I am not convinced that a different selection of the database would give significantly different trip generation figures.
- ii. I am not convinced that the use of PICADY 8 would be significantly different in terms

of results to PICADY 5 as the same data is the basis of the simulation.

iii. Public Transport - We have asked for mitigation monies to account for public transport.

iv. Walking – we have asked for £40,000 to be earmarked from the developer contribution to be used for pedestrian improvements.

Concluded that there is nothing substantive in the note that calls for previous comments to be amended.

- 3.19 **Oxfordshire County Council (Archaeology)** – no objection subject to condition
Responded to state that the application area is adjacent to significant archaeological sites, including a Scheduled Monument, and that ecological issues make any predetermination investigation difficult. No objection subject to a condition to require the applicant to undertake a staged programme of archaeological investigation in advance of development commencing.
- 3.20 **Oxfordshire County Council (Economy and Skills)** – no objection subject to condition
No objection. Noted the following key issues:
- 2,300 new jobs will be created by the proposed development
 - The level of employment generated on this strategic development site will require the developers to prepare and implement an Employment & Skills Plan
 - It is noted that the developers have developed an Employment Report indicating that they have undertaken some stakeholder engagement with relevant agencies
- 3.21 Recommended a condition requiring the developer to prepare and implement, with local agencies and providers, an Employment & Skills Plan (ESP) that will ensure, as far as possible, that local people have access to training (including apprenticeships) and employment opportunities available at the construction and end user phases of this proposed development
- 3.22 **Oxfordshire County Council (Minerals and Waste)** – no objection
- 3.23 **Oxfordshire County Council (Ecology)** – no comment
Stated the District Council should be seeking the advice of their in-house ecologist who can advise them on this application.
- 3.24 **Drainage Engineer** – no objection
Responded on 11 November to state no objection, subject to a condition for details of foul and surface water drainage, based on SUDS principles.
- 3.25 **Landscape Architect** – no objection
The councils landscape architect has not objected but has made comments and raised some concerns which are summarised as follows:-
- Currently the proposed development site is semi-enclosed by and is visible in views.
 - The gravel workings, landfill, pylons and Didcot Power station all have an impact on both the landscape character and visual appearance of the area and the proposed development is seen within this setting with a number of detractors within the existing landscape.
 - The proposed development will be seen predominately from the local road network and footpath network to the east and west of Sutton Courtenay and is seen in the context of the existing visual intrusion from Didcot Power station and the adjacent commercial sites. While the proposed development will be more

prominent that the existing built form on site, due to the location of Didcot Power Station to its east and the existing commercial properties to the south it does not block any long or open views across the countryside that were previously available.

- The redevelopment of this site for commercial use is appropriate, although the scale of the proposed development is larger than the existing adjacent development.
- The Milton Park Development Order covers the land opposite the proposed development site, it was adopted by the District Council December 2012. The LDO does not propose to extend new development further north than the existing development on the western side of Sutton Courtenay Lane.
- The settlement edge to the village on the eastern site has a different relationship and does not face southwards in the same way as the western side of the road.
- The site layout proposes the majority of its mitigation to be located on the more sensitive western and northern site boundaries. If designed sensitively the mitigation could have the potential of strengthening the landscape structural planting along the northern and western site boundary.

3.26 Countryside Officer – no objection subject to conditions

Responded on 13 October stating the current application appears to be a re-submission of application P13/V1832/O and there are no obvious differences that would be relevant in ecological terms. No objection subject to conditions relating to a habitat creation strategy, protection of species, and biodiversity protection.

3.27 Health & Housing - Contaminated Land – no objection subject to condition

No objection subject to a condition for a phased contaminated land risk assessment to ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the proposed development, the environment and to ensure the site is suitable for the proposed use:

3.28 Health and Housing - Environmental Protection Team – no objection subject to condition

Responded stating that the principle concern with this development is the potential for noise impact on nearby dwellings, however noted that the acoustic report submitted in support of the application predicts that the impact will be within tolerable limits. Recommended a condition restricting the use of reversing alarms other than broad band reversing alarms.

3.29 Policy – no objection

No objections to the principle of the development, however requested that the case officer does not grant permission should the proposed development in its current format have an adverse impact on the immediate and wider landscape of the area or on the local and wider transport network.

4.0 RELEVANT PLANNING HISTORY

4.1 Pre-applications

P12/V2184/PEJ – Response sent to agent 07/12/12

Pre-application for two new B8 buildings with a total floor area of 99,316 sq m

Council response summarised as follows:-

- On balance supportive in general principle terms but is subject to an extensive set of matters that will need to be addressed.
- Transport assessment and a travel plan will be required with any application. Will be important to reduce travel movements as far as possible using car

sharing, other incentives and additional public transport measures.

- There are a number of properties close by to the north western corner of the site, which as currently set out, would be harmed by the proposal. To reduce this impact the buildings western end needs to be moved further away and an improved landscape buffer/screen needs to be put in place.
- Questioned whether there need to be vehicle movements around the western end of the building and whether the lorry parking need to be on the north boundary.
- The appropriate assessment of noise on the residential impact needs to be undertaken and considered.
- With the eastern end of the building having a height of 34 metres, it would be difficult/not possible to reduce the visual impact given the scale and height of building.
- The Sutton Courtenay conservation area is situated some distance to the north from the site, but the proposal would be visible from the conservation area, therefore an assessment against policy HE1 is needed. If a substantial landscaping scheme is put in place then this would greatly diminish the impact.
- Archaeology assessment will be required.
- Ecology assessment will be required.
- A site specific Flood Risk Assessment will be required
- Community engagement is vital.
- A comprehensive package of developer contributions will be required to mitigate impacts.

4.2 Applications

P13/V1832/O – Refused (21/05/2014)

Proposed redevelopment to provide new buildings for storage and distribution (Use Class B8) and ancillary facilities, car and lorry parking, service areas, access and landscaping. (Revised drawings showing lower height and smaller footprint to main building).

The application was refused for the following reasons:-

1. The local planning authority considers the proposed development would, by virtue of its scale, bulk and height, unduly erode the rural setting of the historic village of Sutton Courtenay. The proposal is therefore contrary to policies NE9 and NE10 of the adopted Vale of White Horse Local Plan 2011 and the NPPF.
2. The lack of certainty provided regarding the potential occupant(s) of the speculative development raises an unacceptable degree of uncertainty regarding the pattern and nature of the impact of associated traffic on the local road network. Therefore the local planning authority considers that the transport data and conclusions put forward by the developer to be of limited value, posing unacceptable risk in terms of highway safety. Therefore the proposal is contrary to policy DC5 of the adopted Vale of White Horse Local Plan 2011 and the NPPF.
3. The height and scale of the proposals, including the proposed six metre bund and its associated landscaping, will appear discordant, and will erode the long, open views that are characteristic of the Lowland Vale landscape area, together with the amenity of the local network of public rights of way, including the national cycle route. As such the works are not considered to be compliant with policies DC1, DC6 and NE9 of the adopted Vale of White Horse Local Plan 2011 and the NPPF.
4. Given the scale of works proposed, the levels of S106 contributions proposed are not considered to adequately reflect the extra burden that will be placed on local infrastructure when reasonable comparisons are made to nearby commercial schemes. Therefore the works are not considered to be compliant with the provisions of policies E10 and DC8 of the adopted Vale of White Horse

Local Plan 2011 and the NPPF.

P12/V2185/SCR – Environmental Statement not required (05/11/2012)

Request for a screening opinion for redevelopment of existing buildings and land to provide a new building for storage and distribution together with ancillary facilities, car and lorry parking, service areas and landscaping.

P11/V1088/EX – Approved (12/08/2011)

Application to extend the time limit of outline permission SUT/12063/21-X for erection of a building for storage and distribution warehouse (class B8) or employment use (Class B2) with ancillary buildings. It is noted that this permission, which was not implemented, has now expired.

P09/V1228/DIS – Approved (22/09/2009)

Request for compliance with Conditions 7, 8, 9, 10 and 11 of Planning Permission SUT/20330.

P09/V0929/RM – Approved (13/08/2009)

Reserved Matters application (following outline permission SUT/12063/21-X) for erection of building for storage and distribution warehouse (class B8) or employment (class B2) with ancillary works.

P07/V1726 – Approved (28/08/2008)

Erection of B8 distribution warehouse with associated offices, service areas and ancillary facilities. Formation of access, hardstanding and landscaping (Amended Plans)

P05/V1024/O – Approved (18/05/2006)

Erection of building for storage and distribution warehouse (class B8) or employment (class B2) use, gatehouse and sprinkler tank, formation of access, HGV parking, car parking and structural planting.

5.0 **POLICY & GUIDANCE**

5.1 **GOVERNMENT GUIDANCE**

National Planning Policy Framework (2012) (NPPF)

At the heart of the NPPF is a presumption in favour of sustainable development (paragraphs 7, 14, 49 and 197).

Paragraph 17 sets out 12 core principles which should underpin both plan-making and decision-taking. These principles include:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs
- always seek to secure high quality design and a good standard of amenity
- encourage the effective use of land by reusing land that has been previously developed (brownfield land)

Paragraph 14 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking, this means approving proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or

- specific policies in this Framework indicate development should be restricted.

Paragraphs 18 - 19 state the Government is committed to securing economic growth in order to create jobs and prosperity, and local planning authorities should plan proactively to meet the development needs of business.

Paragraph 20 states that to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Paragraph 32 requires developments that generate significant amounts of movement to be supported by a Transport Statement or Transport Assessment, and states that plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraphs 34 and 37 encourage minimised journey length to work, shopping, leisure and education, and paragraphs 57, 60 and 61 seek to promote local distinctiveness and integrate development into the natural, built and historic environment.

Paragraph 56 considers good design is a key aspect of sustainable development.

Paragraphs 57, 60 and 61 also seek high quality design for all development and to promote local distinctiveness and integrate development into the natural, built and historic environment.

Paragraph 64 confirms permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions.

Paragraph 96 expects new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated that this is not feasible or viable, and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 109 requires development to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising impacts on biodiversity.

Paragraph 111 encourages the effective use of previously developed land.

Paragraph 103 seeks to ensure flood risk is not increased elsewhere and only appropriate development is allowed on sites susceptible to flooding.

Paragraph 123 states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses

wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established, and;

- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Paragraph 125 states that planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Paragraph 160 requires local planning authorities to have a clear understanding of business needs within the economic markets operating in and across their area.

Paragraphs 173 – 174 aim to encourage viability and deliverability.

Paragraphs 186-187 require council to take a positive approach to decision making.

Paragraphs 204-205 deal with planning obligations, stating that these should be sought where they meet the relevant tests.

Paragraph 206 states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 216 states:

From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and,
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

5.2 THE DEVELOPMENT PLAN

Vale of White Horse District Council Local Plan 2011

The current Local Plan was adopted in July 2006. The following relevant policies have been considered to be saved by the Secretary of State's decision of 1 July 2009 whilst the new Local Plan is being produced:

Policy GS1: Locational Strategy

Policy DC1: Design

Policy DC4: Public Art

Policy DC5: Access

Policy DC6: Landscaping

Policy DC7: Waste Collection and Recycling

Policy DC8: The Provision of Infrastructure and Services

Policy DC9: The Impact of Development on Neighbouring Uses

Policy DC13: Flood Risk and Water Run-off

Policy DC14: Flood Risk and Water Run-off

Policy DC20: External Lighting

Policy E10: Key Business Sites

Policy E5: Milton Park

Policy E6: West of Didcot Power Station

Policy HE 1: Development and Conservation Areas
Policy HE10 and H11: Archaeology
Policy NE9: The Lowland Vale
Policy NE10: Urban Fringes and Countryside Gaps
Policy NE11: Areas of Landscape Enhancement.
Policy NE4: Other Sites of Nature Conservation Value
Policy NE9: The Lowland Vale
Policy TR3: A34 related development

Milton Park Local Development Order, December 2012

5.3 The emerging Local Plan 2031, Part 1, Core policies

The draft local plan part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing Local Plan. The following policies are relevant to this proposal:

Core Policy 1: Presumption in favour of sustainable development
Core Policy 5: Meeting business and employment needs
Core Policy 7: Providing supporting infrastructure and services
Core Policy 8: Spatial strategy for Abingdon-on-Thames and Oxford fringe sub-area
Core Policy 17: Delivery of strategic highway improvements within the south-east Vale sub-area
Core policy 23: Promoting sustainable transport and accessibility
Core Policy 28: New employment development on unallocated sites
Core Policy 34: A34 strategy
Core Policy 35: Promoting public transport, cycling and walking
Core Policy 37: Design and local distinctiveness
Core Policy 4: Sustainable design and construction
Core Policy 42: Flood risk
Core Policy 43: Natural resources
Core Policy 44: Landscape
Core Policy 45: Green infrastructure
Core Policy 46: Conservation and improvement of biodiversity

5.4 Supplementary Planning Guidance/Documents (SPG/SPD)

Sustainable Design and Construction – December 2009
Planning and Public Art – July 2006
Oxfordshire Local Transport Plan, April 2012
Section 106 interim guidance 2014

5.5 Planning Practice Guidance (NPPG) – March 2014

In particular guidance on:

‘Determining a planning application’
‘Air Quality’
‘Design’
‘Conserving and enhancing the historic environment’
‘Noise’
‘Transport assessments in decision taking’
‘Land affected by contamination’
‘Light pollution’
‘Natural environment’
‘Planning obligations’
‘Water supply, wastewater and water quality’
‘Use of planning conditions’

‘Appeals’

6.0 PLANNING CONSIDERATIONS

6.1 Principle of the development

Section 38(6) of the Planning & Compulsory Purchase Act 2008 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The current Local Plan 2011 has some relevant saved policies (listed in section 5 above) that are partly or fully consistent with the National Planning Policy Framework (NPPF). In assessing this proposal, greater weight should be applied to the more up to date NPPF, supported by the National Planning Practice Guidance (NPPG).

- 6.2 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is clear that councils should grant planning permission where the development plan is absent, silent or out of date. This is unless any adverse impacts would so significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies of the NPPF as a whole.
- 6.3 The NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity, and ensuring that the planning system does everything it can to support sustainable economic growth. Therefore significant weight should be placed on the need to support such growth through the planning system.
- 6.4 As with the previous application (Ref. P13/V1832/O), this revised application has been highly contentious. Objectors consider this application is contrary to the intent of the Government's establishing the Enterprise Zone and Science Vale and its aim of creating a global centre of excellence of High Tech and Scientific innovation. Objectors also consider that this location is inappropriate for this type of use, and that there are other sites better suited to such a use.
- 6.5 The concerns of objectors have been carefully considered, however the principle of this development must be assessed within the current policy context, being the adopted local plan 2011, where a large portion of the site is allocated for employment use. The site is also identified as an allocated employment site within the emerging local plan 2031.
- 6.6 Although not all the site is strictly allocated for employment use, with approximately 12 hectares of the site not designated for any existing or future employment use, it is clearly within an easily identifiable parcel of such land and is also closely related to other employment and industrial uses. In addition, the council's policy section has stated there are no policy objections to the proposed use (B8) being accommodated across the whole of the application site, including land that is currently not allocated for employment use. In light of this, the proposed re-development to provide buildings on the undeveloped parts of the site, with an associated intensification of use is considered acceptable in principle, subject to there being a proven demand for such development, and subject to the environmental impacts of the proposal being acceptable.
- 6.7 The application is accompanied by a Market Report by Savills dated December 2013. That report demonstrates that there is a clear demand for distribution warehousing (B8 Use Class) in this location, and it is noted that this conclusion aligns with the findings of the Vale's own local plan research, which showed a shortage of such provision in the area.

- 6.8 A socio-economic statement has been submitted with the application, which states that the operation proposed will bring three shifts working 24 hours a day, and that this choice alone will bring an employment density of three times many other schemes and would explain the relatively large quantum of employment offered. The types of work offered will be relatively varied and much of it will be skilled. The applicant has engaged with the local employment partnership and has committed to maximise the use of local labour markets and create training opportunities. Setting aside the employment generated from construction, officers are in no doubt that the economic case for the application is solid and should be assigned weight accordingly.
- 6.9 Whilst it is appreciated that there may be other sites better suited for the proposed use, planning applications need to be assessed on their own merits, and in this case there is no conflict and the local plan in terms of land use, and the argument put forward for extending the scale of the existing employment development on the site is considered robust. The principle of the development is therefore considered acceptable and consistent with the adopted Local Plan 2011, the emerging local plan 2031, and the NPPF.
- 6.10 **Landscape and visual impact**
The site is designated in the adopted Local Plan (2011) as Lowland Vale (Policy NE9), where development that would have an adverse impact on the landscape is resisted, and as an area of landscape enhancement (Policy NE11), where proposals are expected to provide a landscaping scheme which enhances the appearance of the area.
- 6.11 The core principles set out within Paragraph 17 of the NPPF embrace good design and protect character, stating that planning should; *“always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings;”* and *“take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”*.
- 6.12 Currently, the site is semi-enclosed by and is visible in both immediate and longer views. The gravel workings, landfill, pylons and Didcot power station all have an impact on both the landscape character and visual appearance of the area and the proposed development must be seen within this setting where there are a number of existing detractors within the landscape.
- 6.13 Landscaping is a reserved matter, however the applicant has provided a detailed Landscape and Visual Impact Assessment (LVIA) dated August 2014, a further photomontage addendum, and a number of detailed drawings of the proposed landscaping scheme. That document confirms that much of the internal existing vegetation will require removal to accommodate the proposals, but states that, where possible, the existing vegetation cover associated with the site's boundaries will be retained.
- 6.14 The LVIA states that the landscape proposals seek to create a defensible green edge and an appropriate transition between the urban area, within which the site is set, and the more rural landscape to the north. This is to be achieved through the implementation of an extensive scheme of replacement landscaping as mitigation, especially along the more sensitive northern and western boundaries due to the open nature of the landscape to the north and the proximity of residential properties at the southern end of Sutton Courtenay. The proposed landscape buffer includes a seven metre high planted bund along the north western boundary of the site, which steps

down to six metres in height along the remainder of the northern boundary. The seven metre high section of the bund would be topped with a one metre high sound attenuation fence.

- 6.15 The council's landscape architect has not objected to the proposal, noting that the proposal does not block any long or open views across the countryside that were previously available, and that if designed sensitively the mitigation could have the potential of strengthening the landscape structural planting along the northern and western site boundary.
- 6.17 Landscape and visual impact is a major concern raised by objectors, who feel the larger northernmost building will dominate views of the Vale, will be overly dominant in the street scene, is out of character with the surrounding environment and particularly the historic village of Sutton Courtenay, and will result in the loss of the open space between the site and Sutton Courtenay being lost.
- 6.18 With respect to the larger building (Unit B), the height of the ridge line on the western elevation some 115 metres from Sutton Courtenay Lane, is 16.45m rising to 18.48 metres further east. With respect to the building to the south (Unit A), this building has a ridge height of 20.39m, and it is set back from Sutton Courtenay Lane by between 50 and 70 metres due to the position of the building and the shape of the site.
- 6.19 When compared with the previous planning application (Ref. P13/1832/O), the height of Unit B has been reduced by 4.5 metres over most of the building, and by 2.5 metres over the western end. The resultant reduction in overall volume is 321,160 sq.m. As a percentage of the storage volume, this reduction amounts to a 21.9% reduction in volume when compared with the previous application. This reduction in height and volume is significant and will lessen the landscape impact of the development when compared with the refused scheme.
- 6.20 There is no denying that the proposed buildings, and in particular the building to the north (Unit B), are still very significant in scale. However, in assessing landscape and visual impact, the proposal needs to be considered in the context of several factors, including:-
- The mitigation strategy put forward, as described above.
 - The Milton Park Local Development Order (LDO).
 - What can reasonably be expected on a site allocated for storage and distribution in the local plan.
 - The distance to Sutton Courtenay proper including the historic core.
 - The removal of the Didcot A power station.

These factors are now discussed in detail.

- 6.21 *Milton Park LDO*
In 2012 the council adopted a Local Development Order (LDO) for Milton Park which seeks to promote business growth by reducing the burden of the planning system in the specified area, subject to certain criteria. One such criterion is to allow new buildings up to heights of 12m or 16m, depending on their location, without the need for formal planning permission. It is important to note that this is not a maximum height restriction.
- 6.22 Although the application site does not lie within the LDO area, the north-east boundary of the LDO does lie immediately adjacent to the south-west corner of the site. Within this part of Milton Park a height limit of 12 metres exists to respect the close relationship of the village edge, the conservation area and the scheduled ancient

monument. However, if heights greater than 12 metres were to be proposed within this part of Milton Park, the applicant could submit a planning application to allow a height exceeding the parameters set out within the LDO, and the council would have to assess that application in much the same way as this proposal is being assessed, with particular reference to Lowland Vale (Policy NE9), where development that would have an adverse impact on the landscape is resisted, and as an area of landscape enhancement (Policy NE11), where proposals are expected to provide a landscaping scheme which enhances the appearance of the area.

6.23 *Development in industrial parks*

Large scale buildings are a common and expected feature of industrial and warehousing sites, and the proposed buildings will be seen from the Sutton Courtenay approach within the cluster of buildings of Milton Park, the ASDA building to the south of the site, and Didcot B power station. As stated above, currently the proposed site is semi-enclosed by and is visible in both immediate and longer views. The gravel workings, landfill, pylons and Didcot Power station all have an impact on both the landscape character and visual appearance of the area and the proposed development needs to be seen within this setting with a number of detractors within the existing landscape.

6.24 The council has an ambition to grow the number of jobs in the two districts by 12,000 over the lifecycle of the emerging local plan 2031. In line with such an ambition is the expectation that the existing main centres of employment will grow and develop. In light of this, officers consider that this site, noting its size and location close to the A34, is under utilised in terms of employment quantum. According to data from the applicant only 120 people are employed on the site at present.

6.25 It is noted that the ADSA building directly adjacent to the site is significant in scale at 17 metres in height, and recently permitted large scale new buildings include the ESA building (17m high) and the RAL space building (15m high) at the Harwell Campus. When seen in this context, the proposed buildings, whilst very large in scale, are comparable to existing development.

6.26 *Views from Great Western Park*

Following the demolition of the Didcot A power station, views from the main entrance of Great Western Park encompass the proposed site. With the power station apparatus removed from the field of vision, residents and users of the parks will be aware of the bulk and mass of the units proposed. However, the view from Frank Williams Way (in Great Western Park) will also draw from the context of Milton Park and the industrial estates in the area. However, given the distance between the two sites (approximately one kilometre) officers are satisfied that 18.48 and 20.39 metre high buildings will not unduly dominate the vista.

6.27 *Relationship to Sutton Courtenay*

A detailed Landscape and Visual Impact Assessment has been submitted and subsequently updated with additional montages, which show photographs taken from vantage point's 1, 3 and 6 (from the original LVIA) compared with those taken on 28th October 2014, the day the applicant had cherry pickers on the site. These montages demonstrate that the original LVIA analysis was accurate in terms of its assessment of building heights.

6.28 The conclusions of the LVIA are that the proposed seven-metre high undulating bund combined with tree planting will create a discernable defining edge to the boundary between the developed industrial area and the undeveloped rural landscape to the north and west. Policy NE10 seeks to protect the important rural fringes and gaps of

the district from development pressure. The proposal has clear implications on the setting and importance of the gap between the site and Sutton Courtenay village, and the height and massing of the proposals are the prime concern in this regard. The new building will be 50m away from the boundary at the narrowest point but up to 90m at its widest. This separation combined with the tall bund and the planting proposed, has done much to address officer concerns.

- 6.29 The southern-most houses along Harwell Road (numbers 48-58) are the closest element of the village to the scheme. The distance of visual separation between these houses and Unit B is in the region of 140m, which, when combined with the landscaping and bund proposed, will significantly reduce the visual impact of the large building. The LVIA contains computer generated images of the corner in question from ground level and demonstrates that at year one the new development should be entirely screened by the semi-mature planting and other landscaping. It will take longer for the proposed landscaping to mitigate the visual impact from first-floor windows, however this temporary impact is not considered sufficient to warrant refusal.
- 6.30 The separation of the proposals from the village conservation area is in excess of 500m, and officers consider that the proposals will be barely visible from almost all parts of the conservation area in the public realm, with many homes, trees, hedgerows and other mitigating landscape lying in between. Therefore the application is not considered to unduly erode the character or appearance of the conservation area, or the setting of any listed building. Thus the proposals are considered to accord with Policies HE1 and HE4 of the adopted local plan as well as Paragraph 12 of the NPPF.
- 6.31 *Removal of the Didcot A power station*
With ridge heights of 20.39 and 18.48 metres, Units A and B will be the largest structures in the area now that Didcot A's turbine hall and cooling towers have been removed. The removal of many bulky structures in the vicinity, it has been argued, will mean this building will be the new "focal point". However, the proposed buildings have to be considered both in the context of other landscape detractors in the area such as the existing power station apparatus, the gravel workings, and landfill, and in the context of the significant mitigation provided within the accompanying illustrative landscape proposals.
- 6.32 *Conclusion*
There is no doubt that the proposed buildings are very significant in scale, however officers have carefully examined the proposal and the extensive package of illustrative landscape mitigation measures offered, which comprise of a proposed landscape buffer along the sensitive north and western boundaries, including a six and seven metre high planted bund.
- 6.33 In visual terms, the proposed buildings will be visible in the landscape both within localised and middle distance views to the north and west. This will represent a degree of change within the visual environment, however officers consider that the change is acceptable given the developed nature of the site, the type of buildings that can be expected with a warehousing use, and the urban elements associated with Milton Park and the retained built elements of Didcot Power Station that characterise the immediate setting.
- 6.34 It is accepted that there will be a temporary adverse impact on the landscape quality of the site whilst the new planting matures, however the applicant has demonstrated that over time this will reduce to a degree where the impacts are acceptable. Subject to conditions, for a detailed, landscaping scheme, a landscape management plan, and landscape implementation, the visual and landscape impact is acceptable and the

proposal is considered to accord with local plan policies HE1, HE4, NE9 and NE11.

6.35 The impact on neighbours and surrounding environment

Any development of this scale and 24 hour nature will have an impact on the surrounding environment, and in particular residential neighbours. Officers are concerned about these impacts, however the application is accompanied by a number of technical documents which conclude the impacts will be within acceptable levels, and it is noted that the council's environmental health team has no objections subject to conditions. The noise and vibration, lighting, air quality, contaminated land, and daylight/overshadowing impacts of the development are discussed in detail below.

6.36 Noise and vibration

Paragraph 123 of the NPPF relates to noise and requires decisions to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Paragraph 123 also states: *"development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established."*

6.37 Policy DC9 of the adopted Local Plan seeks to resist development that would unacceptably harm the amenities of neighbouring properties with respect to noise and vibration. Noise impact is a key issue raised by objectors, who are particularly concerned about the 24 hour nature of the proposed use, and also the noise and vibration from HGVs and workforce vehicles moving around the surrounding area.

6.38 The site has an established industrial use, and it is noted that the activities associated with such a use often generate noise on site, and involve the use of HGV's which create noise and vibration outside the site. It is noted that the existing activities at the site could be significantly intensified without the need for planning permission.

6.39 The application is accompanied by an acoustic assessment report dated December 2013. This report provides a baseline noise survey and an assessment of the suitability of the site for development with respect to noise sensitive uses both on the development site itself and existing noise-sensitive uses within the area. That report identifies the following as potential sources of noise that may affect properties around the site: HGVs entering, manoeuvring and exiting the site, reversing alarms, the unloading and loading of delivery vehicles using forklift trucks and the substation to the north of the site building.

6.40 The measures proposed to mitigate the noise generated by the 24-hour activity include a proposed bund, which will vary in height from six to seven metres, the proposed one metre high sound attenuation fence on top of the bund, and the soft landscaping proposals between the warehouse and the existing housing to the north and northwest of the site.

6.41 Adverse impacts due to vibration from HGV's circulation around residential areas, and in particular Sutton Courtenay to the north, is proposed to be avoided through the design of the site access, which will prevent HGV's from turning right towards the village, and through routing agreements and the implementation of the Automatic Number Plate Recognition (ANPR) scheme, which is discussed in more detail in Section 6.66 below.

6.42 The Council's Environmental Protection Team have assessed the application, and their principle concern is the potential for noise impact on nearby dwellings. They have reviewed the acoustic report submitted in support of the application and are satisfied

that as predicted within the report, noise that the impact will be within tolerable limits. They recommended a condition restricting the use of reversing alarms other than broad band reversing alarms. Subject to this condition, the application is considered to comply with Policy DC9 as it relates to noise and vibration.

6.43 *Lighting impact*

Policy DC9 of the adopted Local Plan (2011) seeks to resist development that would unacceptably harm the amenities of neighbouring properties with respect to external lighting. Light pollution is a concern of many objectors, who are particularly concerned about all-night light due to the 24 hour operation of the proposed use.

6.44 The application is accompanied by a Lighting Impact Assessment dated November 2013 which states lighting has been designed to prevent nuisance glare and minimise light trespass. The following features are proposed to mitigate potential impacts:-

- Floodlight specification and orientation of lamps to minimise light spill.
- High performance luminaires with suitable light control to minimise upward light spill.
- The scheme proposal is based upon a similar lighting scheme to that currently operational in the
- adjacent site facilities and design guidance of the SLL Lighting Guide LG6:1992 - The Outdoor Environment
- Lamp specification to minimise disturbances to any potential foraging bats.

6.45 The council's environmental protection team have not objected to the lighting proposals put forward.

6.46 Being a 24 hour operation, measures to control the night-time lighting on the scheme will need to be in place. High level flood lighting will need to be avoided in favour of more sensitive lighting, and as such, a condition ensuring that lighting details are provided and controlled is recommended by officers. Subject to this condition, the application is considered to comply with Policy DC9 as it relates to external lighting.

6.47 *Air quality impact*

Policy DC9 of the adopted Local Plan (2011) seeks to resist development that would unacceptably harm the amenities of neighbouring properties with respect to external smell, dust, gases, emissions and pollution.

6.48 Objectors are concerned regarding the impact the proposal will have on air quality, and in particular diesel exhausts.

6.49 The application is accompanied by an air quality assessment dated December 2013, which states that the development will result in significant increases in HGV movements on the local network that will affect some sensitive receptors, but that the most significant impacts are likely to occur at homes close to the junction of Milton Road with the A4130 at the travellers' site to the east of the site, with the largest impact being a predicted increase in annual mean NO₂ concentrations of 2.53µg.m⁻³, which is considered a "small" change, according to the Environmental Protection UK (EPUK) criteria.

6.50 The air quality assessment states that the construction phase could give rise to emissions that could cause some dust soiling effects on adjacent uses. However, by adopting appropriate mitigation measures to reduce emissions and their potential impact, there should be no significant effects caused.

The council's environmental protection team has not objected to the proposal on air

- 6.51 quality grounds, and the application is considered to comply with Policy DC9 as it relates to air quality.

Contaminated land

- 6.52 Policy DC9 of the adopted Local Plan (2011) seeks to resist development that would unacceptably harm the amenities of neighbouring properties with respect to contamination.
- 6.53 Objectors have identified that there is an old gravel pit on the site which during the war was used as a dump for hundreds of drums of high leaded paint, asbestos, other drums of chemicals and potential armaments. There is concern that the development could release these contaminants into the environment.
- 6.54 The application is accompanied by a Phase 1 Environmental Review, which states that given the industrial and military use of the site since the 1930s, and the presence of tanks and rail sidings, the potential for significant soil and/or groundwater contamination is considered to be moderate. Given this, the report recommends a combined geotechnical and environmental intrusive site investigation. Furthermore, given the documented historical military usage of the site an unexploded ordnance (UXO) desk study assessment of the site is also recommended prior to the undertaking of any intrusive investigation.
- 6.55 The council's contaminated land specialist has reviewed the Phase 1 Environmental Review, confirming the report has not identified the presence of any potential significant sources of contamination that would preclude the proposed redevelopment of the site for industrial usage. They and the Environment Agency have recommended a condition requiring an intrusive investigation to assess the potential risk to end users, and ensure the safety of the proposed development, the environment and to ensure the site is suitable for the proposed use: Subject to this condition and the implementation of any required mitigation, and a condition for unexploded ordnance (UXO) desk study, the application is considered to comply with Policy DC9 as it relates to contaminated land.
- 6.56 *Loss of light and overshadowing*
The proposed landscaped bund is significant in scale, and will be seven metres in height on the north-western corner of the site, and visually higher when planting on it matures. Concerns have been raised regarding the overshadowing and loss of light to the residential properties on Harwell Road, and on the outdoor play area for the Sutton Courtenay Primary School, which is located beyond these properties.
- 6.57 The proposed landscaped bund will alter the outlook from the properties on Harwell Road, and there will be some additional shadowing during morning hours when compared with the current situation. However, the top of the bund is located 55 metres from the closest house at No. 58 Harwell Road, and given this separation, it is not considered that the impact will unduly harm the levels of light within those properties.
- 6.58 The school is located beyond the properties on Harwell Road, and the edge of the outdoor play area is some 105 metres from the top of the proposed bund. Given the separation distance there will not be any undue impacts on the play area.

6.59 Transport and highway impacts

The application is accompanied by a Transport Assessment dated November 2013, a Transport Assessment Addendum Report dated August 2014, a Travel Plan dated November 2013, and a second Transport Assessment Addendum Report dated

November 2014. The applicant has also submitted a proposal for Automatic Number Plate Recognition (ANPR) designed to monitor operational and delivery vehicles serving Unit B at the development and prevent them from using inappropriate roads which are not permitted for use under the proposed routing agreement.

- 6.60 Transport concerns are a key feature of the objections received. Objectors are concerned about additional traffic and congestion (HGVs and light vehicles , including employee traffic) through Sutton Courtenay, increased traffic towards Didcot, road safety implications for pedestrians and cyclists, that the proposal is not close enough to a trunk road, and that there is already too much traffic on the surrounding road network.
- 6.61 The scheme, being a large scale storage and distribution proposal, will generate a large number of HGV and light operational traffic movements as well as staff journeys. However, it is recognised that it would replace an existing extensive storage and distribution facility, which already has a large number of traffic movements, including HGV movements, and that therefore it is the proportional increase in traffic movements that needs careful consideration.
- 6.62 The site operator has a direct business interest in avoiding the peak-time traffic flows in the area. Consequently the operator will be operating three eight-hour shifts starting at 6 am, 2 pm and 10 pm with some administrative staff likely to work standard daytime office hours. HGVs are forecast to be serving the site relatively consistently during these hours. Therefore despite the relatively large volume of movements proposed as an absolute figure, the combined impact of the site working arrangements and existing site travel patterns means that the increase in peak hour traffic on the surrounding road network as a consequence of this scheme is estimated to be relatively low, with forecast percentage increases on key junctions of up to only 2%. The county council agrees with these conclusions from the applicant's Transport Assessment.
- 6.63 The Council has employed a transport consultant to assess the proposals to ensure that the conclusions within the Transport Assessment and other documents are robust. The consultant has found some inconsistencies in the Transport Assessment and has raised some questions regarding trip generation, light vehicle trip distribution, effects on the highway network, and the access junction configuration. However the initial conclusion based on the work done to date is that the overall traffic impacts are likely to remain of a level similar to that predicted within the Transport Assessment. At the time of writing this report, this work is ongoing, and Members will be updated regarding the final conclusions at committee.
- 6.64 HGVs will be the subject of an enforceable routing agreement and will not be permitted to use Sutton Courtenay, other local villages, or Milton Road (a privately maintainable road), and instead will be routed toward the A4130 Power Station/ Manor Bridge roundabouts then on toward the A34 Milton Interchange for linkages to the trunk road network. The entrance junction has been specifically designed to reinforce the routing agreements proposed to make accidental right hand turns from the site not possible for longer vehicles. A traffic regulation order is also proposed for this junction.
- 6.65 It is not possible to control how staff will choose to travel to work, and it is accepted that a certain proportion of private vehicle journeys will be made through the village of Sutton Courtenay. The council's transport consultant has reviewed the Transport Assessment and their initial findings indicate that more trips would be likely route via the strategic road network than via the local road network. For example the current distribution in the TA shows 38% travelling north through Sutton Courtenay, whereas it is likely to be significantly less than this, in the order of half of this amount. Members will be updated further on this issue at committee.

- 6.66 The ANPR system has received support from the county council, who welcome such a system to ensure that the routing and operational patterns can be monitored and adhered to. The proposal has received criticism from objectors, primarily as it is not considered the system would be enforceable. The applicant has submitted further information to indicate that the tenant could be fined instead of the drivers of the vehicles. This presents a more workable solution regarding enforcement and the county council are satisfied in principle with this arrangement. Local Members have requested that the landowner is fined instead, and the county council are considering whether this is possible or feasible. The county council have requested that the ANPR proposal are included within their legal agreement, given that it is the county who will ultimately take enforcement action in relation to routing breaches.
- 6.67 County officers have requested a package of off-site works to include new signage and improvements to the public transport availability in the early hours and evening shifts. The proposal includes secure and sheltered storage for cycles, which will help to provide a viable alternative to using the private car for employees. Changes to the local cycle network are also proposed to improve safety.
- 6.68 In line with other schemes, the operator has agreed to provide a detailed Travel Plan to promote to staff more sustainable means of transport such as cycling, public transport or car-sharing. The outcome of this plan will be a reduction in the impact of cars on the nearby highway network, particularly the village of Sutton Courtenay.
- 6.69 Objectors have raised concerns regarding the impact of the proposal on safety for pedestrians and cyclists. Whilst the proposal will generate additional traffic, the county council has not objected on safety grounds. In addition, the applicant has amended the site layout plan to provide for a two metre wide footpath along the length of the site adjacent to Sutton Courtenay Lane. This will improve pedestrian safety in the immediate vicinity of the site. Pedestrians will however have to continue to take care when passing the site entrance.
- 6.70 Milton Park has objected to the proposal and has indicated that it may close its private roads should this proposal go ahead. It is noted that the submitted Transport Assessment does consider this possibility, and provides information regarding highway impact assuming development traffic is routed away from Milton Park, and demonstrated that the impacts are likely to be acceptable. However, the council has not seen a reasoned justification for this which is based on a sound quantifiable methodology. As this road closure is only something that might happen, it is not considered material to the assessment of this application at this stage. If there are any developments, members will be updated at committee.
- 6.71 Wear and tear on the highway network, and in particular roads within Sutton Courtenay, has featured in consultation responses, however this not a material consideration for planning applications.
- 6.72 Paragraph 32 of the NPPF states that for an application to be unacceptable in highways terms, a severe impact must be demonstrated. Officers believe that although the overall volume of traffic will be large, the choice of three shifts and the routing agreements proposed will ensure that such an impact simply cannot be demonstrated from these proposals, particularly at the busiest peak period times.
- 6.73 In conclusion, whilst it is accepted that this proposal will undoubtedly have an impact on the road network, the scale of that impact is not considered to be of a scale to warrant refusal of the application. The county council has no objection to the proposal subject to

a legal agreement and conditions. Overall the transport impacts are considered to be acceptable and in accordance with the NPPF, subject to the conditions and heads of terms requested by the county council.

6.73 Drainage and sewage

Local Plan policy DC14 states that development generating surface water likely to result in adverse effects will not be permitted.

6.74 The application is accompanied by a Flood Risk Assessment and Outline Drainage Strategy dated December 2013, along with a detailed surface water attenuation scheme, shown on the proposed site layout. The Flood Risk Assessment and Outline Drainage Strategy has considered the flood risk posed to the proposal site from a variety of flood risk sources, as defined by the NPPF and the local Strategic Flood Risk Assessment (SFRA). The report states that the development site is situated in Flood Zone 1 classification, i.e. land assessed as having less than a 1 in 1000 (<0.1%) annual probability of fluvial flooding in any year. The study has also found the site at low risk from surface water, sewer and groundwater flooding. The study proposes the use of Sustainable Drainage Systems (SUDS) to reduce and retain the peak surface water runoff rate to the downstream watercourse networks is proposed by the inclusion of a Prevention, Source Control and Site Control methods. Foul water generated by the development will be discharged to the foul water public sewer via a gravity discharge from Unit A and a new pumping chambers and rising main from Unit B, mimicking the current scenario on site.

6.75 The detailed scheme of attenuation ponds, the use of landscaping and other sustainable urban drainage scheme (SUDS) principles have assured local drainage engineers that the scheme will not contribute to any surface water issues in the area. It is noted that the site sits on sand and gravel deposits, meaning that the local drainage, once a surface layer has been penetrated, should be favourable in any event. Regarding foul drainage Thames Water have not objected to the works subject to improvements to local sewers. The developer will be expected to finance such works in full.

6.76 The Environment Agency has no objection to the application, subject to the inclusion planning conditions, including a condition for a surface water drainage scheme.

6.77 Thames Water has no objection subject to a condition for a drainage strategy.

6.78 The council's drainage engineer has no objection subject to a condition for details of foul and surface water drainage, based on SUDS principles. Subject to the conditions identified above the application is acceptable in drainage and sewage terms, consistent with policy DC 14 of the adopted Local Plan.

6.79 Ecology

Paragraph 117 of the NPPF refers to the preservation, restoration and re-creation of priority habitats, whilst Paragraph 118 sets out the basis for determination of planning applications. Paragraph 118 states that *"...if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;..."*

6.80 The application is accompanied by an Ecological Impact Assessment dated December 2013, which is based on the findings of a desk study and an Extended Phase 1 Habitat Survey of the, as well as Phase 2 Habitat Surveys for great crested newt, reptiles, water vole, bats and badger. The report concludes that there will be a temporary

significant negative ecological impact as the site is cleared, however the drainage, noise and landscaping mitigation aspects to the proposals will benefit the site in ecological terms. The nine new SUDS areas, which will vary from resembling ponds to damp marshland in different times of the year, will provide a good deal of off-set against the net large reduction in non-developed land on the site.

- 6.81 Overall the applicant proposes to mitigate the impact of the development adequately on site, largely within an area of undeveloped land to the north west of the site. This land will form part of an “open mosaic habitat” which the consultants claim will provide a higher quality environment for ecology to flourish such as reptiles, water voles, bats and badgers.
- 6.82 It is accepted that there will be a negative impact on the larger species such as buzzards and sparrow hawks, who would have used the site for hunting. However, the site would have likely formed part of a large hunting area, and therefore the proximity of large areas of rural landscape alleviate such concerns.
- 6.83 The council’s countryside officer has no objection to the application subject to conditions for a habitat creation survey, protection of species, and biodiversity protection. Subject to these conditions, the application is acceptable and accords with the NPPF.
- 6.84 **Archaeology**
The application is accompanied by an Archaeological Desk-Based Assessment dated August 2013, which concludes that there is a relatively high potential for buried archaeological remains within the development site based on known archaeological remains in the area, the likelihood that they still survive considering the presence of 19th century quarrying along the northern site boundary and later 20th century construction work and agriculture across the site is not possible to assert.
- 6.85 Oxfordshire County Council (Archaeology) responded to state that the application area is adjacent to significant archaeological sites, including a Scheduled Monument, whereby an evaluation by trial trenching would normally be required upfront, however this is impossible to undertake at this time due to the presence of great crested newts and badgers on the site. Given this, the archaeology officer has recommended a planning condition requiring the applicant to undertake a staged programme of archaeological investigation in advance of development commencing. Subject to this condition, the application is considered to satisfy policy HE10 of the Local Plan.
- 6.86 **Energy efficiency**
The BREEAM system covers commercial buildings and provides a flexible framework for developers to choose a range of energy efficient measures which can range from using highly efficient materials and recycling rainwater to providing cycle storage and promoting car share schemes. It is a matrix system where weighted points are awarded, and has become the international standard. The developers have submitted a pre-assessment survey which has concluded that, if the scheme were to be built as specified, the overall rating will be “Very Good” based on the 2011 BREEAM standards.
- 6.87 **Restriction of uses**
As with similar sites, the small risk that the refuelling station and lorry wash facilities could be sub-contracted or opened up to members of the public to use is considered undesirable enough to impose a condition this effect.
- 6.88 **Contributions**
Discussions with officers and the parish council have yielded the following in the form of

contributions;

- Offsite highways works including funding towards the science bridge £350,000.
- ANPR scheme to be within legal agreement with county council.
- Public Art £60,000.
- Parish fund towards village improvements, path clearance and maintenance, and a contribution towards the Environmental Education Centre. Total sum yet to be confirmed by the Parish.

6.89 Councillors should note that contributions from areas such as education, waste, and sports facilities are applicable only to residential schemes.

7.0 CONCLUSION

7.1 This application has been assessed against the National Planning Policy Framework (NPPF) and relevant saved policies in the local plan. The NPPF states that sustainable development should be permitted unless the adverse effects significantly and demonstrably outweigh the benefits. The NPPF also states that there are social, economic and environmental dimensions to sustainability and that conclusions must be reached taking into account the NPPF as a whole.

7.2 The NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity, and ensuring that the planning system does everything it can to support sustainable economic growth.

7.3 It is the officers' view that significant weight should therefore be afforded the economic dimension to this scheme. Estimates are that around 1870-2730 new positions will be available for flexible shift work. Evidence from the developers contact with local employment and training organisations shows that there is strong demand for such opportunities in the wider area. Such a quantum of development will bring local and sub-regional economic gain.

7.5 Officers consider the technical issues relating to drainage, sewage, ecology, noise and vibration, contaminated land, lighting and archaeology are acceptable subject to conditions. The application proposes very large buildings, which will be visible in the landscape both within localised and middle distance views to the north and west, representing a degree of change within the visual environment. However, in the context of the extensive package of illustrative landscape mitigation measures offered, the landscape and visual impact is acceptable and in accordance with Local Plan policies NE9 and NE11 given the existing developed nature of the site, the type of buildings that can be expected with a warehousing use, and the urban elements that characterise the immediate setting.

7.6 The development will have an adverse impact on the highway network, but the county council has no objection and this impact can be minimised through the imposition of planning conditions and a legal agreement. Overall the transport impact is not considered to be severe in the context of the NPPF.

7.7 Overall, the development is considered to amount to sustainable development, and whilst there will be some adverse effects, these do not significantly and demonstrably outweigh the benefits. Therefore this application is recommended for approval subject to conditions and a legal agreement.

8.0 RECOMMENDATION

8.1 It is recommended that authority to grant planning permission is delegated to the head of planning in consultation with the chairman, subject to:-

i) Legal agreements to secure-

- 1. Offsite highways works including funding towards the science bridge £350,000**
- 2. ANPR scheme to be within legal agreement with county council**
- 3. Public Art £60,000**
- 4. Parish fund towards village improvements, path clearance and maintenance, and a contribution towards the Environmental Education Centre. Total sum yet to be provided.**

ii) Conditions as follows-

- 1. Commencement - outline planning permission**
- 2. Submission of reserved matters - general**
- 3. Sample materials required (walls and roof)**
- 4. New vehicular access**
- 5. Cyclists shower/changing facilities**
- 6. No surface water drainage to highway**
- 7. Freight Management Plan (FMP) and a Construction Traffic Management Plan (CTMP)**
- 8. Travel plan**
- 9. Section 278 agreement**
- 10. Standard parking condition and parking strategy.**
- 11. Cycle parking facilities**
- 12. No drainage to highway**
- 13. Hours of shift pattern and hours of distribution (First Shift - 6:00am – 2:00pm; Second Shift - 2:00pm – 10:00pm; Third Shift -10:00pm – 6:00am) to be adhered to**
- 14. Lighting details condition**
- 15. Landscaping scheme (trees and shrubs only)**
- 16. Landscape management plan**
- 17. Landscape implementation**
- 18. Boundary walls & fences**
- 19. No additional commercial floorspace**
- 20. Hours of construction**
- 21. Demolition schedule and methods**
- 22. Archaeology following Written Schemes of Investigation**
- 23. Noise attenuation (internal noise)**
- 24. Details of foul and surface water drainage, based on SUDS principles.**
- 25. Surface water drainage scheme**
- 26. Drainage strategy detailing any on and/or off site drainage works**
- 27. Car washing and petrol filling station to be for operator use only.**
- 28. Unexploded ordnance (UXO) desk study**
- 29. No reversing alarms**
- 30. Contaminated land risk assessment**
- 31. No piling or any other foundation designs using penetrative methods other than with express permission**
- 32. Habitat creation survey**
- 33. Protection of species - mitigation strategy**
- 34. Protection of species - no vegetation clearance or other site without express permission**
- 35. Biodiversity protection**

36. Employment and Skills Plan (ESP)

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