

REPORT 4

APPLICATION NO.	P07/W0470/O
APPLICATION TYPE	OUTLINE
REGISTERED	17.04.2007
PARISH	TIDDINGTON
WARD MEMBER(S)	Mr John Nowell-Smith
APPLICANT	Rogers Properties
SITE	Lantern Service Station London Road Milton Common (in the parishes of Tiddington & Great Milton)
PROPOSAL	Residential development of 4 dwellings, demolition of service station, change of use of part from service station / B2 to landscaped amenity land.
AMENDMENTS	None
GRID REFERENCE	464578/203780
OFFICER	Mrs S Crawford

1.0 INTRODUCTION

1.1 The application has been referred to the Committee because the recommendation conflicts with the views of the Tiddington and Great Milton Parish Councils.

1.2 The Lantern Garage site lies on the eastern edge of Milton Common. It is a triangular site, fronting onto London Road, with Old London Road at the rear. It is in commercial use but is relatively open. There is one building on the site, which is located towards the eastern side at the back of the site. It is a service station and a motor repair workshop. There is a large area of hardstanding and an area of grass verge to the frontage. A significant number of cars and vans parked on the grass verge and other open areas. There is one double sided petrol pump on the forecourt; there is no canopy. The site is level with the land on Old London Road, to the rear, being slightly lower. There are bungalows to the rear and two storey houses to the east. The site lies in the Oxford Green Belt.

1.3 The site is identified on the Ordnance Survey Extract **attached** at Appendix 1.

2.0 PROPOSAL

2.1 The application seeks outline planning permission for four detached dwellings. All matters are reserved for subsequent approval. The supporting information indicates that access could be provided on to the frontage, London Road. The supporting information indicates a density of 30 dph and that a triangle of land to the west end of the site would be landscaped and undeveloped. The application

has been advertised as a departure from the Development Plan. Reduced copies of the plans accompanying the application together with the supporting statement are **attached** at Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 OCC (Highways) The removal of the existing use, that generates a large numbers of HGV traffic would be beneficial. Access off the Old London Road would not be acceptable due to the geometry of the junction onto the main road. Access onto London Road would be acceptable subject to conditions.
- Environmental Health Comments relating to contamination and construction and demolition.
- Tiddington Parish Council Approve, subject to opinion of neighbours.
- Great Milton Parish Council Approve, acceptable but not in GMPC boundary.
- Neighbour representations (5) No vehicular access onto Old London Road would be acceptable; no objection to pedestrian access. Would like trees planted on the rear boundary to conceal the new properties. Concern about contractors vehicles. Concern whether existing sewer system can cope. Surface water drainage needs careful consideration in this area. Who will maintain the landscaped area? Do not want to see any parking on Old London Road. Parking shown is inadequate. Density is too high and plot coverage is out of keeping. Concern re overlooking to residential properties behind and blocking light. Affordable housing should still be provided.
- Monson The site is an eyre and needs cleaning up; 3 -4 houses would be acceptable.
No objection, details of foul and surface water drainage required if planning permission to be granted.

4.0 RELEVANT PLANNING HISTORY

- 4.1 P06/W1285/0 – demolition of service station and erection of 7 houses – REFUSED, APPEAL lodged
- P03/N0248/O – demolition of building and erection of B1 office - Approved

Other development in Milton Common

P00/N0322 – 3 detached dwellings in backland location at Quinton, sandy lane. Refused – appeal dismissed on grounds of extending built up limits into open countryside and Milton

Common was an H6 location

5.0 POLICY & GUIDANCE

5.1 Adopted Oxfordshire Structure Plan 2016 – Policies G1, G2, G4

Adopted SOLP Policies

G2 – Protection of District's resources, G6 – Quality of design and local distinctiveness, GB2 – New buildings in the green Belt, GB3 – Use of land in the green Belt,

GB4 – Visual amenity, EP4 – Protection of water resources, EP6 - Surface water drainage requirements, EP7 – Ground water resources, EP8 – Contaminated land, C4 – Landscape setting of settlements, D1 – Principles of good design, D2 – Parking for vehicles and cycles, D3 – Provision of private amenity areas, D4 – Privacy for new dwellings, D8 – Conservation and efficient design, D9 – Renewable energy, D10 – Management of waste, H4 – New housing within larger villages, H7 – Mix of units,

H8 – Density, H9 – Affordable housing, E6 – Retention of employment sites

South Oxfordshire Design Guide

PPS1 – Delivering sustainable development

PPG2 – Green Belts

PPPS3 – Housing

PPG13 – Transport

6.0 PLANNING CONSIDERATIONS

6.1 The main issues in this case are;

- Whether the principle of development is acceptable,
- Green Belt issues,
- Whether Milton Common is an appropriate location for residential development,
- Redevelopment of commercial sites,
- Affordable housing; and
- Other issues related to the outline application.

6.2 Principle.

There are three issues of principle to consider relating to the redevelopment of this site; the Green Belt location, redevelopment for residential purposes, and the

existing commercial use. These issues are discussed in detail below. The conclusion is that in all respects the proposal is unacceptable.

6.3 Green Belt issues. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, and can assist in moving towards more sustainable patterns of urban development. Within Green Belts there is a general presumption against 'inappropriate development' (PPG2 Green Belts). PPG2 sets out a limited list of development that would be appropriate within Green Belts. Development not included on the list is 'inappropriate development' and is harmful to the Green Belt. Policy GB2 of SOLP supports this approach. It is up to applicants to demonstrate what special circumstances exist to justify inappropriate development. The redevelopment of commercial sites for residential uses is not included in the list of appropriate development within the Green Belt. The proposal is therefore inappropriate by definition. Furthermore, there is only one building on the site at present and it is located close to the existing houses to the east; much of the site remains open albeit heavily parked with vehicles. This application proposes new buildings across just over half of the frontage; this is less than that previously proposed but would still have a greater impact on the landscape setting of Milton Common and the openness of the Green Belt because the buildings would be higher, greater in bulk and located closer to London Road.

This application therefore, proposes inappropriate development, which by definition is harmful to the openness of the Green Belt and it is necessary to consider what 'very special circumstances' exist which would justify the development (see paragraph 6.5).

6.4 Residential development. The adopted South Oxfordshire Local Plan ranks settlements within the district to determine their ability to accommodate growth. The ranking is based on the services and facilities each settlement provides such as schools, shops, pubs etc and residential development on appropriate sites is allowed under Policies H4 and H5. Policy H6 identifies locations where new housing will not be allowed. This is not a site specifically allocated for housing development and as Milton Common has few services it is classified as an H6 Location and it is not a sustainable location for new housing.

6.5 Commercial issues. The existing site is in use for a service trade and Policy E6 of SOLP aims to protect such uses to retain employment sites and job opportunities within settlements and thereby reduce out-commuting from the district. There are, however, some circumstances outlined in policy E6 where the redevelopment of such sites may be acceptable. Redevelopment of such sites will be allowed where; the site is no longer economically viable and the site has been marketed at a reasonable price for at least a year for the existing use and any other suitable employment or service trade uses; or if the use is giving rise to noise and disturbance for nearby residents. There is very clear guidance given in the council's "Guidance on making applications for the change of use of employment or service trade sites to other uses" which sets out the marketing strategy and the information that should be submitted to support any such application. Whilst some information regarding marketing has been submitted with the application there is insufficient evidence at present to justify the loss of the employment use and there is no evidence that the current use is giving rise to noise or disturbance. Without satisfactory supporting information there are no very special circumstances that justify inappropriate development in the Green Belt.

In the circumstances the development is unacceptable in principle.

6.6 Provision for affordable housing. Policy H9 of the adopted Local Plan seeks to achieve a provision of affordable housing on sites capable of accommodating more than five dwellings in settlements where the population is less than 3000. In this case, Milton Common has a population less than 3000 and the number of units is below the threshold. However, officers have had to consider whether the site is capable of accommodating more than five dwellings; which it clearly is as a landscaped area would be provided and a previous application sought permission for seven. There is therefore a requirement to provide affordable housing at 40% of the total number. As the proposal is for four dwellings an exact 40% provision is not possible, however, one dwelling should be offered for an affordable unit in this case.

6.7 Outline issues

Highway issues. This is an outline application with details of access to be reserved. The illustrative plan indicates access onto London Road and the Highway Engineer would have no objection to that option subject to appropriate conditions.

Parking provision, neighbour impact, plot coverage, density, provision of gardens, mix of units, sustainable design issues, provision of waste facilities, landscaping and community safety. As this is an outline application with limited details submitted for consideration it is difficult to assess these matters. However, these matters could be addressed at the detailed stage if the application were acceptable in other respects.

7.0 CONCLUSION

7.1 Officers recommend that planning permission is refused because the proposal is inappropriate development in the Green Belt and harmful by definition. Milton Common is a village with limited services and facilities and it is not therefore a sustainable location for new housing. The proposal involves the loss of an employment site and insufficient justification has been given to show that the site has been marketed adequately, There is also no provision made for affordable housing.

8.0 RECOMMENDATION

8.1 That planning permission be refused for the following reasons:

1. The proposal would be contrary to Policies G1, G2 and G4 of the adopted Structure Plan for Oxfordshire 2016, Policy GB2 of the adopted South Oxfordshire Local Plan 2011 (SOLP) and the advice contained within PPG2 "Green Belts". Policy GB2 (SOLP) lists circumstances where new buildings will be allowed in the Green Belt and the redevelopment of commercial sites is not included within that list. The proposed development is, therefore, inappropriate by

definition. The proposal to erect four dwellings across part of the site would create a larger area of buildings across the site, in a more prominent position and would consolidate development and would detract from the rural character and openness of the Green Belt.

2. The proposal would be contrary to Policy E6 of the adopted South Oxfordshire Local Plan. Policy E6 aims to retain buildings and land in employment use, unless the existing use is not viable or giving rise to nuisance, to ensure that communities can provide employment opportunities for local residents and be sustainable. The site is currently in use as a service station and workshop without giving rise to nuisance and insufficient evidence has been submitted to show that the site has been adequately marketed. Therefore, the use could continue either in the current use or for some other employment use before a residential use of the site will be considered.

3. The proposal would be contrary to Policies G1 and G2 of the adopted Structure Plan for Oxfordshire 2016, Policies G2 and H6 of the adopted South Oxfordshire Local Plan 2011 (SOLP) and advice given in PPS 3 "Housing". Policy H6 (SOLP) identifies locations where new housing will not be allowed. Milton Common is a settlement with few services and facilities and is not therefore a sustainable location for new housing.

4. The proposal would be contrary to Policy C4 of the adopted South Oxfordshire Local Plan and the advice contained in The South Oxfordshire Landscape Assessment. Policy C4 (SOLP) aims to protect the landscape setting of settlements. The proposal to erect four dwellings across part of the site would create a larger area of buildings across the site, in a more prominent position and would consolidate development on the edge of the settlement detracting from the landscape setting of Milton Common.

5. The proposal would be contrary to Policy H9 of the adopted South Oxfordshire Local Plan which seeks to provide 40% of affordable housing on sites that are capable of providing a net gain of 5 or more dwellings. Notwithstanding the objection to the principle of development, the site is capable of providing 5 or more dwellings and no provision for affordable housing has been put forward.

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