

APPLICATION NO.	P18/S2617/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	6.9.2018
PARISH	Brightwell Cum Sotwell
WARD MEMBER(S)	Pat Dawe Elaine Hornsby Imran Lokhon Jane Murphy
APPLICANT	St Edward Homes Limited
SITE	Land to the West of Wallingford (Site B) Wallingford
PROPOSAL	Ancillary highway works to include bank re-profiling and consequential tree/landscape removal along Calvin Thomas Way to deliver the access approved in planning permission P14/S2860/O (as amended by revised planting details 16 October 2018).
OFFICER	Cathie Scotting

1.0 INTRODUCTION

- 1.1 Outline planning permission for the strategic neighbourhood in west Wallingford including 555 dwellings was granted 4 October 2017. Access together with landscaping for the main access was permitted and all other matters are reserved. In February tree and vegetation clearance began along the A4130, Calvin Thomas Way/ Bosley Way, to facilitate the main access works. At this point it became evident that the detailed S278 highway works entailed engineering operations that were not shown on the approved drawings, and in turn these works necessitated the removal of more trees and vegetation than was identified on the approved drawings.
- 1.2 Prior to this application P17/S4049/FUL had been submitted for works to the existing access to Fir Tree cottage for a temporary period during construction. This application proposed significant excavation and tree removal on the northern embankment. This application has now been withdrawn and no specific works are required to this existing access beyond the works required for the main access, which are detailed below.
- 1.3 The main access permitted under P14/S2860/O incorporates a visibility splay of 9m x 215m in both directions. A single lane duelling of the carriageway is approved allowing left and right turning in and out of the site. The additional works now proposed stem from the realignment of the carriageway and the need to level ground to create a safe breadth of carriageway, verge, kerb and runoff area. A location plan is **attached**.

2.0 PROPOSAL

2.1 In respect of the works, I refer to the following locations in the report:

- 1) Northern section - Area north of the existing Fir Tree Cottage access
- 2) Southern section - Area south of the residential development southern boundary and adjacent to Wallingford Sports Field
- 3) Central reservation – The safety reserves within the carriageway north and south of main access

All the drawings can be viewed on the website under the reference number. Following a site inspection by District and County Council officers and comments from consultees amendments were submitted. A black pine (T22a) in the northern section is to be retained and the replacement planting is to be increased. All highway works and tree

removal are taking place within the confines of highway land however the planting proposals are within highway land (the application site), the developer's residential site (P14/S2860/O) and now additionally on land operated by Wallingford Sports Trust (WST) and owned by South Oxfordshire District Council. The amendments also showed a change to the red line application site incorporating the central reservation area. The application site does not include the WST/ SODC land.

Northern Area

- 2.2 The existing carriageway is adjacent to an embankment rising to circa 1.5 m high, reducing in height towards the north. The bank contains a variety of trees, a hedge and scrub vegetation including some Black Pines (*pinus negra*) which are notable landscape features. Drawing STJ – CTW10 – A shows the highway works to align the carriageway and provide the access road, verge and runoff area plus a new retaining embankment. To facilitate these works excavation into the embankment is proposed. One of the key amendments from the earlier application (P17/S4049/FUL) and the preliminary S278 works was to change the new retaining embankment from a 1:3 slope to 1:2 structure resulting in significantly less tree removal. The plans identify the removal of understorey vegetation and 5 trees, comprising 2 pines, 2 cherry and 1 field maple. The overall length of the works is 44m.
- 2.3 Replacement planting for this area is within the highway verge and embankment. It will comprise 20 trees of beech, field maple, black pine, scots pine, oak, and wild cherry. The stock height will be 200-250cm for the pines, and 450-625cm for the other species. There will also be a 105 sq. m of native understorey planting.

Southern Area

- 2.4 The existing carriageway is on higher ground than the adjacent highway verge and WST site. The trees along this stretch provide screening to the sports field. Drawing Drawing STJ – CTW11 – A shows the works raising levels to align the highway verge and proposed carriageway. The levels will rise by approx. 1.2m at the northern end and taper to 0.2m at the southern end. The slope will be maximum 1:2m. The visibility splay for the main access is within the extent of the works. This area will have significant more tree removal amounting to 44 trees comprising field maple, elder, blackthorn, cherry, hazel, and one ash. The overall length of works will 106m.
- 2.5 Replacement planting comprises 50 trees in total (increased from 33) to be located within the highway verge (30) within the residential site (7) and within the WST land (13). The replacement species will be lime, elm, beech, field maple, black pine, scots pine, oak, and wild cherry. The stock height will be 200-250cm for the pines, and 450-625cm for the other species. There will also be a 515 sq m of native understorey planting.

Central reservation

- 2.6 The approved drawing (D4036.001C) of the outline planning permission (P14/S2860/O) identifies 11 no. trees are to be planted within the central reservation area. Following discussions with the highway authority safety concerns were raised. The approved drawing does not detail the vehicle restraint barrier that would necessary and at the time of writing further work is being undertaken to ascertain the extent to which these trees could be retained as part of the landscaping mitigation or whether this planting would undermine a safe highway. The developer's application has been prepared on the basis that these trees are no longer proposed, and an update on this element will provided at Committee.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

A summary of comments is provided below. The detailed comments can be viewed in full on the website.

3.1 Residents (54) - Objections to the proposed development

- Loss of trees, of many years growth
- Existing trees were planted when bypass was built with the aid of school children
- Loss of habitat for mammals, bats, birds
- Increase in noise, light pollution, air pollution
- Loss of trees contribute towards climate change / global warming
- Development needs screening from road
- Spoil views from Brightwell cum Sotwell
- Effect on Wallingford Sports Trust land and increased light pollution
- Replacement planting necessary and a condition to ensure retention of trees
- A reduction in the speed limit would reduce length of traffic lanes, and tree loss
- A roundabout would be a better solution and involve less land take
- Drainage issues on residential development site

3.2 Wallingford Sports Trust – Concerns in respect of the following:

- The complete loss of tree cover and the extremely close proximity of the new road at the north end of the Jubilee Field. A small area of land which could be used for replacement planting however the route and fencing of the realigned footpath along our northern boundary would need to be resolved.
- The reduction of the tree cover to a single row of trees beside the bypass fence for a significant distance at the northern end of the Jubilee Field. There is no spare land within the Sports Park to help reinforce the planting in this area as the pitches and training areas are close to our boundary.
- Bypass traffic will be intrusive and detrimental to the use of the pitches at the northern end of the Jubilee Field and there is a danger of balls landing on the bypass
- Use of the verge on the western side of the bypass should be investigated rather than all the widening on the eastern verge and/or the central reservation was reduced in width.
- On a separate matter, the proposed position for the footpath crossing is now at the narrowest point on the central reservation and requires pedestrians to cross two lanes of fast moving traffic.

3.3 Brightwell-cum-Sotwell Parish Council (interim comments)

- Consider a reduction in speed limit to 50 mph would lead to a reduction in vision splay and works and cost savings
- Discrepancies in numbers of trees to be replanted
- Timing of planting not specified - programme and monitoring necessary
- Loss of trees – need to see a larger amount of tree planting throughout the site
- The eleven trees in the central reservation are no longer being planted
- There should be a greater diversity of planting e.g oaks
- There should be additional planting within the sports land

3.4 Wallingford Town Council – Object

3.5 Oxfordshire County Council Single Response - No objection subject to conditions

In principle, the plans and drawings that have been submitted to OCC Highways as part of this planning application, are agreed. The vehicle restraint system, embankment gradient and visibility splays are all satisfactory from an engineering perspective.

3.6 Forestry Officer (South Oxfordshire District Council)

Response on original plans:

- Further tree loss is not supported but as safe access is a requirement for the approved housing development, it seems to be unavoidable
- The works at the northern part of the site will require the loss of a further 6 trees and a length of understory vegetation. Only 5 of the trees need to be removed, allowing T22a (Pine) to be retained. A total of 20 new trees are proposed as part of the wider planting scheme to mitigate for the loss and rescreen the site from the highway, and vice versa.
- The extent of tree removal at the southern end of the site is far more extensive, with the further loss of 44 trees. The trees form part of the thicket of dense planting that screen the rugby club from the highway. The applicant proposes further trees in this area to mitigate for the loss, however given the very limited space available I would like to see further replanting in the top corner of the rugby field.
- To ensure a more robust and long term treescape, a wider range of tree species is required including longer lived large canopied trees such as Oak, Beech, resistant Elm, Small leaf Lime and Scots Pine.
- On the outline application a row of trees within the new central traffic island have now been removed from the scheme. The result is the loss of a key arboricultural feature of the development that would help to alter the character of a section of busy highway.

Response on amended planting plans:

- The amount of replacement tree planting is acceptable, however there needs to be clarity on the tree planting in the central reservation, as this planting will assist with the change in character of the ring road to what will become a well-used residential access into the development and make it a more attractive place to live.

3.7 Countryside Officer

Ecologically speaking the impacts caused by the loss of the existing hedgerow/tree line along the bypass were accepted when the planning permission was granted for the development, on the basis that in the longer term the new replacement planting further into the site would provide compensation. The additional losses to the north are not significant. The losses to the south are greater but ecologically are unlikely to be significant in the longer term.

3.8 Landscape Architect

No landscape objection pending approval of mitigation plantings by the Forestry Officer.

3.9 Air Quality - No observations

3.10 Environmental Protection Team - No observations

3.11 CPRE (Rights of Way)

Brightwell-cum-Sotwell FP25, part of a well-used footpath out of Wallingford leading towards Mackney, Brightwell-cum-Sotwell and the Moretons cannot be diverted in the way shown without the applicant first applying for and securing the confirmation of a diversion order before any landscaping affecting its line takes place.

3.12 Wallingford Castle Archers

Support the views of the Wallingford Sports Trust

In terms of specific interests to the archery club, we are concerned that the reduction in depth of the vegetation will allow easier pedestrian access onto the site.

- urge the council to ensure that potential pedestrian access through the vegetation is reduced as far as is reasonably practicable through replanting, or through extra fencing
- planting is carried out as soon as practicable

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P18/S3001/SCR](#) EIA Screening opinion request in respect of additional highway works
- EIA not required on 08/10/2018

[P17/S4049/FUL](#) – Withdrawn (03/10/2018)

Temporary Construction Access for a period of 7 years.

[P17/S3679/DIS](#) - Approved (15/01/2018)

Discharge of condition 21 (housing delivery document) of planning permission P14/S2860/O.

[P17/S3568/DIS](#) - Approved (19/12/2017)

Discharge of Condition 20 - Biodiversity of P14/S2860/O

[P17/S3806/DIS](#) - Approved (06/12/2017)

Discharge of condition 9 - Phasing on application ref. P14/S2860/O

[P17/S3575/DIS](#) - Approved (04/12/2017)

Discharge of Condition 6 - Construction Management Plan on application ref. P14/S2860/O

[P17/S3632/DIS](#) - Approved (04/12/2017)

Discharge of condition 18 - levels on application ref. P14/S2860/O

[P17/S3684/DIS](#) - Approved (30/11/2017)

Discharge of Conditions(s) 16 (Site -Wide Drainage Strategy) of planning permission P14/S2860/O

[P17/S3631/DIS](#) - Approved (21/11/2017)

Discharge of condition 15 (contaminated land investigation) on application ref. P14/S2860/O.

[P17/S3577/DIS](#) - Approved (13/11/2017)

Discharge of condition 33 - Noise on application ref. P14/S2860/O

[P17/S3569/DIS](#) - Approved (02/11/2017)

Discharge of Condition 27 - Arboricultural Method Statement of P14/S2860/O

[P17/S3566/DIS](#) - Approved (02/11/2017)

Discharge of Condition 7 - Archaeology on P14/S2860/O

[P14/S2860/O](#) - Approved (04/10/2017)

Residential development comprising 555 dwellings, a one form entry primary school, associated landscaping and open spaces, construction of a new access onto the A4130 Calvin Thomas Way/Bosley Way, construction of a public transport link/emergency access onto Wantage Road and other supporting infrastructure works and facilities. (As amended by i) revised drawings and supporting information 16 September 2015; ii) additional information - planting schedule, assessment of Mill Brook and highway information 24 November 2015; iii) revised bus / emergency access onto Wantage Road 9 May 2017 and iv) additional drainage information 6 June 2017)

5.0 **POLICY & GUIDANCE**

5.1 South Oxfordshire Core Strategy (SOCS) Policies:

Policy CSEN1 Landscape

Policy CSWAL2 Greenfield neighbourhood west of Wallingford

5.2 South Oxfordshire Local Plan saved policies:

C6 Maintain & enhance biodiversity

C9 Loss of landscape features

EP1 Prevention of polluting emissions

EP2 Noise and vibrations

EP3 Light pollution

T1 Transport requirements for new developments

5.3 National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

6.0 **PLANNING CONSIDERATIONS**

6.1 The principal issues concern on the one hand, a need to ensure a safe highway to a residential development of strategic importance to the Council's Development Plan and on the other, a need to ensure that landscape and biodiversity are protected, enhanced where possible, and that important landscape features are retained. Additionally, there are other significant environmental issues including noise, light and air pollution.

Highway

6.2 The Highway Authority has confirmed that the proposed engineering principles are satisfactory.

Landscape and tree planting

6.3 The tree clearance associated with the approved access arrangements under P14/S2860/O have resulted in a significant impact on the landscape and screening to the site. As part of the clearance a bund was removed and reports from local residents advise that noise from the bypass has increased. The additional works result in further vegetation and tree removal, detailed above in Section 2.

6.4 The loss of further trees is regrettable and all parties have collaborated to ensure that this loss is kept to a minimum whilst still ensuring a safe highway design can be implemented. In particular, the works in the southern area and the removal of trees will have a discernible adverse effect on screening to the sports field and to the residential development. Associated with this tree removal there will be corresponding adverse

effects on wildlife and pollution however in time with replacement planting the landscape screening and habitats will return.

- 6.5 The replacement planting has improved upon the initial submission, increasing by number and diversity, and additionally understorey planting is included. The trees will be mature stock, 2.0 – 2.5m in respect of the pines and 4.5 – 6.25m in respect of other species, giving immediate impact. The planting within the highway verge, WST land and the residential site will provide mitigation. The embankment construction method statement details how the excavation and raising works will be carried out under the presence of a qualified arboriculturalist, so that all trees identified for retention remain. Conditions are recommended to ensure that planting takes place as early as practicable and that a rigorous maintenance regime is carried out. It is considered the amended scheme proposes the maximum potential for planting.

Trees within central reservation:

- 6.6 This application as submitted proposes a central reservation without tree planting. Proposals for 11 trees within the central reservation areas were agreed as part of the detail in the outline application (P14/S2860/O). At the time of writing further details are awaited to inform whether these trees can still be proposed without additional impacts for the road design and safety. The council wish to retain this proposed planting if possible as it will provide a more attractive entrance to the engineered road access.

Construction Access:

- 6.7 The works required in connection with the main access facilitate the visibility splay necessary for the proposed construction access which utilises the existing Fir Tree Cottage access. Planning application P17/S4049/FUL was for a construction access from this existing access and proposed visibility dimensions that were based on the visibility dimensions necessary for the construction access (9m x 215m) however the highway authority confirmed that the required visibility would be less (2.4m x 215m) and this splay falls within the extent of the main access road alignment works. Hence the excavation and tree removal identified in application P17/S04049/ FUL is not sought and the application was withdrawn.
- 6.8 The Fir Tree Cottage access will be used for a temporary period during construction, encompassing left in and left out traffic and the access will be closed upon completion of development. These elements are to be secured in the S278 highways agreement.

Other matters:

- 6.10 Some of the representations raise the possibility of other options and suggest these could result in less tree removal and land take, and consequentially a lesser impact on the landscape and biodiversity. Pertinently, it is important to note that this is a ‘bolt on’ application proposing additional works to an already approved scheme. Altering speed limits or replacing the single land duelling with a roundabout is beyond the scope of this application which is designed to be in accordance with the approved scheme. The outline application P14/S2860/O was approved relatively recently (October 2017) taking into account existing conditions and standards.

6.11 Speed limit:

Several representations have been made concerning the speed limit on the A4130 and the perception that a reduced speed limit to 50mph would result in less trees loss. It needs to be emphasised that this application represents additional engineering details in respect of the designed and approved junction to meet highway standards for the existing speed limit of 60mph. There is not the scope to revisit the speed limit in respect of this application.

- 6.12 Notwithstanding the confines of this current application which needs to comply with an approved junction design for 60mph, work has been undertaken by the developer in respect of a theoretical reduction to a 50mph visibility splay (reduced to 9m x 165m). This illustrates that there would be no difference to the northern works and the tree loss would remain the same. In respect of the south a total of 5 more trees could be retained. In terms of tree loss/ retention therefore a reduced visibility splay would make little difference.

Rights of way:

- 6.13 Some comments have been made on the relocation of the footpath which currently runs along the south of the Site B boundary and north of the Wallingford Sports Trust field. At the western end the path is proposed to dog leg slightly north to align with the footpath opposite on the western side of the A4130, that leads to Mackney. The applicants have made a separate formal application to the district council to divert Footpath 25 under Section 119 of the Highways Act 1980 to improve the pedestrian network within the development site and for safer crossing of the A4130. The footpath will in the south east corner of the residential site (not this application site). Any concerns over the diversion should be raised through the footpath application.

7.0 **CONCLUSION**

- 7.1 The application is for additional highway works required to implement the approved access under planning permission P14/S2860/O. The technical work that has been undertaken over the last few months has been on the basis that the engineering, levelling and excavation works are kept to a minimum and ensuring the highway design is safe whilst keeping tree and vegetation loss to a minimum. The loss of further trees and the corresponding environmental effects is regrettable, however it is a necessary consequence to ensure the approved residential development can progress. It is your officers' view that the scheme incorporates the maximum extent of replacement and new planting possible. Conditions are recommended to ensure a robust planting scheme is secured.

8.0 **RECOMMENDATION**

- 8.1 **To grant planning permission subject to the following conditions:**

1. **Commencement two years - implement with P14/S2860/O.**
2. **Approved plans.**
3. **Tree protection (general).**
4. **Landscape implementation.**
5. **Landscape maintenance and management plan.**
6. **Highway works (implementation as approved).**

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