

APPLICATION NO.	P17/S3231/O
APPLICATION TYPE	OUTLINE
REGISTERED	25.9.2017
PARISH	WATLINGTON
WARD MEMBER	Anna Badcock
APPLICANT	Archstone Projects Limited & Bloor Homes Ltd
SITE	Land at Britwell Road Watlington
PROPOSAL	Hybrid application comprising (1) Full planning permission for the demolition of the existing pig farm and its associated buildings; the erection of 183 dwellings (Use Class C3); the creation of a new vehicular access from Britwell Road; the creation of a vehicular access from the industrial estate road south of Cuxham Road (to serve the proposed employment area); public open space; sustainable urban drainage system; landscaping; and other ancillary works, including off-site highway works; and (2) Outline permission for up to 650sqm of Use Class B1(a) floorspace with access and all other matters reserved.
AMENDMENTS	Amended in accordance with drawings and information accompanying letter dated 3 August 2018 and 14 September 2018
OFFICER	Emma Bowerman

1.0 **INTRODUCTION**

- 1.1 This application has been referred to Planning Committee at the discretion of the Development Manager.
- 1.2 The application is currently the subject of an appeal against non-determination as the council failed to give notice of its decision within the appropriate period. The appeal will be heard at a public inquiry which is scheduled to take place in October 2019 and to run for 4 days.
- 1.3 The council cannot now issue a decision on this application, as the outcome of the application will be determined by a Planning Inspector appointed by the Secretary of State. The decision taken by the Planning Committee will inform the council's Statement of Case for the appeal.
- 1.4 The L – shaped application site (which is shown on the OS extract **attached** as Appendix A) is located to the west of Watlington and extends from the B4009 Britwell Road to the B480 Cuxham Road. The site measures 9.67 hectares and contains a pig farm, with associated built development, and fields.
- 1.5 The site wraps around Watlington Industrial Estate. It adjoins existing residential development at the south (Windmill Piece) and to the north is a site which has long established use for the stationing of caravans and mobile homes for occupation by travelling show people (Webbs Yard). To the west of the site is open agricultural land. There is also an agricultural field to the northeast.

- 1.6 At the northern end of the site Chalgrove Brook runs parallel with Cuxham Road. There are a number of field ditches and streams in and around the northern section of the site, feeding into the Brook and ponds. The northeast section of the site is partly within Flood Zone 2 and 3.
- 1.7 The site does not fall within any areas of special designation. The edge of the Chilterns Area of Outstanding Natural Beauty (AONB) is some 75m to the south of the site. At its closest point Watlington Conservation Area is 75m to the east. There are several listed buildings within the conservation area.
- 1.8 Watlington have a “made” Neighbourhood Development Plan (W NDP). Amongst other matters, the W NDP aims to provide a minimum of 238 new homes and to safeguard land for a re-aligned B4009 to the north and west of the town in order to reduce congestion in the town centre, to improve air quality and provide a route for some through traffic.
- 1.9 The application site is allocated for development in the W NDP. This site-specific policy (Site A) supports proposals for the development of residential use and for workshop and offices, where they comply with a number of amenity and environmental criteria.

2.0 **PROPOSAL**

- 2.1 The application is submitted as a hybrid. This means that part of the application seeks full planning permission and the other part is in outline only. Full planning permission is sought for the proposed 183 dwellings. The 650 sqm of Use Class B1(a) – office - floorspace is submitted in outline, considering details of access only, with all other matters reserved for subsequent consideration.
- 2.2 The proposal involves the removal of all the development associated with the pig farm. The pig farm is to be relocated off-site.
- 2.3 The proposed housing would be accessed from the B4009 Britwell Road. The proposed employment area would be accessed from the existing access onto the B480 Cuxham Road, which serves the neighbouring Watlington Industrial Estate.
- 2.4 The application does not propose to build on the northern part of the site, which would be public open space. All development would be located within Flood Zone 1 (least probability of flooding).
- 2.5 The layout has been designed to incorporate and provide a section for the Watlington edge road in accordance with the specification agreed with Oxfordshire County Council Highways. The application plans show land that would be safeguarded for the remaining length of edge road to the northeast of the site, which would enable the part of the edge road within the development to be linked to the B480 Cuxham Road.
- 2.6 The following mix is proposed in relation to the residential element of the development :

	1-bed	2-bed	3-bed	4-bed +	Total
Market homes	6	26	50	28	110
Affordable homes	12	46	14	1	73
Total	18	72	64	29	183

- 2.7 Several amended plans and reports have been submitted during the application process. Amongst other matter, these amendments included:
- changes to the Britwell Road junction from a priority junction for the edge road to a simple T junction, with priority for the drivers on Britwell Road, as a temporary arrangement until the edge road is complete;
 - removal of the vehicle access through to Cuxham Road for the residential element of the development (footpath and cycleway retained);
 - the introduction of a centralised area of open space and play;
 - increased separation between the dwellings and the edge road;
 - a reduction in 2.5 storey dwellings;
 - the introduction of acoustic windows to the rear of the terraced dwellings;
 - the introduction of two bungalows;
 - an increase in green infrastructure;
 - the provision of a lighting strategy.

- 2.8 A condensed version of the application plans is **attached** as Appendix B. The application is accompanied by several supporting documents, including a Landscape and Visual Appraisal and Transport Assessment. These reports, and the full set of application plans, are available to view on the council's website at:

<http://www.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P17/S3231/O>

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 3.1 **Watlington Parish Council** – No objection subject to a number of recommended conditions and based on OCC securing funding for the completion of the edge road ahead of development. Commented that the details of the application have evolved over time and now meets the Watlington Neighbourhood Development Plan criteria for development of the site.
- 3.2 **Cuxham with Easington Parish Council** – Object. The cumulative impact of developments on infrastructure should be considered. Concern about additional traffic and the impact on highway safety and listed buildings. Request that, should the application be approved, that construction traffic will not be permitted to use the road through Cuxham.
- 3.3 **Watlington Neighbourhood Development Plan Forum Coordination Group** – Considers the application should be approved. Commented that the application delivers housing in line with the Neighbourhood Plan, and importantly for Watlington, it safeguards land for a re-aligned B4009.
- 3.4 **Watlington Environment Group** – Stressed the importance of conserving and enhancing the parish's watercourses and groundwater, which includes a stream adjacent to the northern boundary of the site. Recommended that an up-to-date landscape / ecological strategy plan is produced following the amendments.

- 3.5 **Chilterns Conservation Board** – Recommended that fewer dwellings, in broad alignment with the neighbourhood plan policy, would lessen the impact on the wider setting of the AONB. This would allow the alignment of the development to be pulled into the site to increase the buffer and planted area.
- 3.6 **Chiltern Society** – Object. Raised concern in relation to the impact on infrastructure and that the application represents an unacceptable increase over the 140 dwellings proposed in the Neighbourhood Plan.
- 3.7 **Campaign for the Preservation of Rural England** – Commented that in its current form, the development is likely to have a serious negative impact on views out of and into the AONB.
- 3.8 **Environment Agency** – No objection subject to conditions on contamination, piling, surface water and flooding.
- 3.9 **Thames Water** – The existing waste water infrastructure and water supply infrastructure have insufficient capacity to meet the needs of the development. Suggested conditions requiring a drainage strategy and impact studies.
- 3.10 **Southern Gas Network Plant Protection** – Provided information about location of gas pipes.
- 3.11 **Oxfordshire Clinical Commissioning Group** – Commented that large scale developments are increasing pressure on health services and asked that mitigation be provided.
- 3.12 **Oxfordshire County Council Highways** – Object. The only remaining issue relates to the delivery of the edge road beyond the application site and, at this time, the County Council and applicant are unable to agree on the traffic impact of the development without the edge road in place.
- 3.13 **Oxfordshire County Council Archaeology** – No objection subject to conditions.
- 3.14 **South Oxfordshire District Council (SODC) Air quality** – The cumulative impact of developments around Watlington would have a severe adverse impact on the declared Air Quality Management Area.
- 3.15 **SODC Housing Development** – The amended plans reflect discussions with the applicant regarding tenure and layout.
- 3.16 **SODC Landscape** – No landscape objection. The proposed development would not cause unacceptable landscape and visual harm to the setting of the Chilterns AONB or Watlington. Recommended conditions in relation to lighting, landscaping, landscape management and materials.
- 3.17 **SODC Ecology** – No objection subject to conditions requiring a Construction Environmental Management Plan for Biodiversity and a Biodiversity Enhancement Plan.
- 3.18 **SODC Trees** – No objection subject to conditions to secure landscaping, tree protection and tree pit specification.
- 3.19 **SODC Conservation** – No objection

- 3.20 **SODC Drainage** – No objection subject to conditions in relation to foul and surface water drainage.
- 3.21 **SODC Economic Development** – Expressed support for the 650 sqm of use class B1 (a).
- 3.22 **SODC Environmental Protection** – No objection subject to conditions requiring noise assessment and control, construction hours and control of construction dust.
- 3.23 **SODC Waste Management** – Provided general information on requirements for bins.
- 3.24 **Local residents**

45 responses received in objection raising the following comments:

- Adverse impact on highway safety – cars, cyclists and pedestrians
- Increase in traffic – no capacity on roads
- The road should be constructed before the homes
- Edge road should be agreed as a matter of urgency
- Additional air pollution
- Neighbour impact - loss of light, overlooking, outlook
- Impact on views from the AONB
- Light pollution – impact on homes and AONB
- Density too high and lack of green space
- Impact on services – schools, health care
- No need for the development – out of reach of local families
- Impact on businesses on the industrial estate–prejudice the activities of businesses
- Noise, disruption, fumes, dust
- The cumulative impact of developments need to be considered
- Not appropriate for housing to be next to a pig farm
- Development would be isolated from the town
- Footpaths / cycle paths should be provided
- Number of homes higher than in neighbourhood plan
- Betrayal of local democracy – Watlington voted for 140 homes not 183
- Willow Close could be used for through traffic
- Affordable housing should be moved away from industrial estate
- Increased risk of flooding
- Design not very imaginative

17 responses received with no strong views with the following comments:

- Without the edge road the infrastructure of Watlington will not cope
- Support the need for additional homes but not without edge road
- Pyrton Lane is already dangerous
- The traffic survey is outdated
- Houses should not be built on the outside of the ‘edge road’
- Need to increase parking in town
- Should consider better pedestrian access into town
- Pyrton Lane is an ancient lane that should be protected

Note – A number of objections focused on changes to Pyrton Lane, which are no longer proposed. A key theme running through the comments was that the edge road must be in place before any new housing.

4.0 RELEVANT PLANNING HISTORY

4.1 There is no relevant planning history on the application site.

4.2 The Applicant has recently submitted a repeat of this application, which has been registered under reference P19/S0818/O and is currently out to consultation.

4.3 There are two planning applications in the adjoining parish of Pyrton that are relevant to this application:

P16/S2576/O – This application proposes up to 100 homes on a field adjoining Pyrton Lane, to the northeast of Watlington. The application would safeguard land for a section of the edge road and would deliver part of the edge road. The application is currently under consideration

P18/S0002/O – This application proposes up to 37 retirement homes, a care home and staff accommodation on a brownfield site located off Shirburn Road. The application would secure land that is necessary to deliver the edge road. This application was considered by the Planning Committee on 20 March 2019 and has a resolution to grant planning permission.

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework (NPPF)

Updated in July 2018 and the associated NPPF Planning Practice Guidance (PPG)

5.2 Adopted South Oxfordshire Core Strategy (SOCS) 2027

CS1 - Presumption in favour of sustainable development

CSS1 - The Overall Strategy

CSH1 - Amount and distribution of housing

CSR1 - Housing in villages

CSH2 - Housing density

CSH3 - Affordable housing

CSH4 - Meeting housing needs

CSEN1 - Landscape protection

CSEN3 - Historic environment

CSQ3 - Design

CSQ4 - Design briefs for greenfield neighbourhoods and major development sites

CSB1 - Conservation and improvement of biodiversity

CSG1 - Green infrastructure

CSI1 - Infrastructure provision

CSM1 - Transport

CSM2 - Transport Assessments and Travel Plans

CSEM1 – Supporting a successful economy

CSC1 - Delivery and contingency

5.3 Adopted South Oxfordshire Local Plan (SOLP) 2011 saved policies

C4 - Landscape setting of settlements

C6 - Maintain & enhance biodiversity

C8 - Adverse affect on protected species

C9 - Loss of landscape features

CON5 - Setting of listed building

CON7 - Proposals in a conservation area

CON11 – 14 – Archaeology recording and analysis

D1 - Principles of good design

D2 - Safe and secure parking for vehicles and cycles

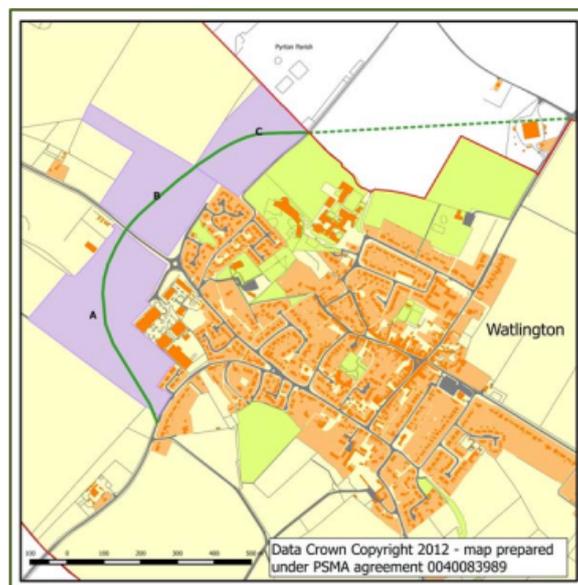
D3 - Outdoor amenity area

- D4 - Reasonable level of privacy for occupiers
- D6 - Community safety
- D10 - Waste Management
- D12 - Public art
- E6 - Loss of employment uses
- EP1 - Adverse affect on people and environment
- EP2 - Adverse affect by noise or vibration
- EP3 - Adverse affect by external lighting
- EP4 - Impact on water resources
- EP6 - Sustainable drainage
- EP8 - Contaminated land
- G2 - Protect district from adverse development
- G4 - Protection of Countryside
- H4 - Housing sites in towns and villages
- R2 - Provision of play areas on new housing development
- R6 - Public open space in new residential development
- T1 - Safe, convenient and adequate highway network for all users
- T2 - Unloading, turning and parking for all highway users

5.4 **Watlington Neighbourhood Development Plan (WNDP)**

The Watlington Neighbourhood Development Plan allocates three housing sites in an arc north and west of the town. These will deliver a minimum of 238 new homes over the plan period. The Neighbourhood Plan also safeguards land for an edge road to reduce the volume of traffic in the town centre and lead to an improvement in air quality.

The map below is taken from the WNDP and shows the allocated housing sites (A, B and C) and an indicative route for an edge road:



The Watlington Neighbourhood Plan is a made Plan and therefore carries full weight. The most relevant policies are:

Watlington Housing Policy: Site A

- P1 – Protect and enhance the character and the historic setting of the town
- P2 – Transport
- P3 – Conserve and enhance the natural environment
- P5 – New housing development
- P7 – Employment

5.5 **Emerging South Oxfordshire Local Plan 2034**

The Council is preparing a new Local Plan, which will set out how development will be planned and delivered across South Oxfordshire to 2034.

Policy TRANS3 of the Emerging Plan specifies land that is safeguarded for strategic transport schemes. This includes land for a bypass for Watlington and the route is shown on the map below:



Due to the stage of preparation, the Emerging Local Plan can only be given limited weight.

5.6 **South Oxfordshire Design Guide (SODG) 2016**

This guide sets out the standard that we expect developments to meet through a series of checklists that relate to key design principles.

5.7 **Environmental Impact Assessment (EIA)**

The council issued a Screening Opinion for this proposal under reference P17/S0055/SCR in January 2017. This confirmed that an Environmental Impact Assessment is not required. All issues are of local significance only and can be examined through the normal planning process.

5.8 **Other legislation and guidance**

- **Dept for Environment, Food and Rural Affairs - Clean Air Strategy 2019**
- **Planning (Listed Buildings and Conservation Areas Act) 1990**
- **Countryside and Rights of Way Act 2000**
- **Landscape Capacity Assessment for Larger Villages (2015)**
- **The Chilterns AONB Management Plan**
- **Position Statement: Development Affecting the setting of the Chilterns AONB**

6.0 **PLANNING CONSIDERATIONS**

6.1 The relevant planning considerations in the determination of this application are:

- The principle of the development

- Matters of detail / technical issues:
 - traffic impact and highway safety,
 - air quality,
 - affordable housing and housing mix,
 - landscape and character,
 - heritage,
 - trees and ecology,
 - neighbour amenity and amenity of future residents,
 - environmental matters (drainage and contamination).
- Infrastructure requirements:
 - contributions pooled under the Community Infrastructure Levy,
 - on-site infrastructure to be secured under a legal agreement.

The principle of the development

- 6.2 Planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.3 In the case of South Oxfordshire, the Development Plan consists of the South Oxfordshire Core Strategy (SOCS) which was adopted in December 2012, and the saved policies of the South Oxfordshire Local Plan (SOLP) 2011.
- 6.4 The Watlington Neighbourhood Development Plan (WNDP) also forms part of the Development Plan and was formally “made” in August 2018. Development which is not in accordance with an up-to-date Development Plan should be refused unless material considerations indicate otherwise.
- 6.5 In terms of the principle of the development, the site is allocated for development in the WNDP. *Watlington Housing Policy: Site A* states that proposals for the development of residential use and for workshops and offices on Site A will be supported where they comply with the following criteria:
- They are landscape-led and are appropriate for their location within the setting of the Chilterns AONB. All proposals should demonstrate that they have addressed site layout, design, orientation, height, bulk and scale of structures and buildings. In addition, careful consideration should be given to the use of colours, materials and the reflectiveness of surfaces in relation to the proximity of the site to the AONB. Careful consideration should be given to the use of street lights and other forms of external illumination to safeguard the dark night skies of the AONB.
 - They provide affordable dwellings to development plan standards.
 - They are designed in a way which takes account of heritage assets in the wider locality of the site.
 - They conserve and enhance the chalk stream alongside the north-eastern boundary.
 - They create the best use of the Flood Zone area with the objective of maximising its ecological value and complementing the adjacent chalk stream.

- They provide land for formal and informal recreation use and open space in accordance with development plan standards.
- They provide land for a route for a re-aligned B4009.
- They provide connectivity within the site and with the town and countryside.
- They provide for the necessary traffic mitigation measures in general, and on Britwell Road and Cuxham Road in particular.
- They are designed so that the built edge of the development blends into the landscape.
- They take account of the existing Watlington Industrial Estate to the south and east of the site. Where necessary planning applications should demonstrate the necessary measures to ensure that the existing industrial uses can continue and that the occupiers of the new dwellings can enjoy appropriate standards of amenity.
- They deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study
- They include measures to provide resilience to the effects of climate change

These matters are assessed in the relevant sections below.

- 6.6 The text accompanying policy Site A says that it is anticipated that the development of the site will yield approximately 140 dwellings. The application proposes 183 homes and therefore exceeds this. The increase in housing numbers is not in itself a reason to object to the application as the numbers presented in the WNDP are a minimum.
- 6.7 As explained in the accompanying text, a key factor in determining the capacity of the site will be the impact on the AONB. This is a matter assessed in the relevant section of the report below. In summary, our landscape officer has not objected to the development on landscape grounds and as such, there has been no harm demonstrated through the uplift in numbers. I therefore have no objection to the principle of the amount of housing proposed in this application.

Matters of detail / technical issues

Traffic impact and highway safety

- 6.8 The road network in Watlington is particularly sensitive. Traffic regularly queues through Watlington Town Centre as the historic constrained layout of the Town Centre is unable to accommodate the traffic demand. The congestion leads to the blocking of junctions and in peak hours results in queues that are slow to disperse. This could result in some highway users performing ‘atypical’ manoeuvres and blocking straight ahead travel.
- 6.9 Any new trips will add to the delay experienced at these junctions and could increase the periods that junctions and carriageways are blocked. Due to the congestion and queues, the impact of additional trips is disproportionate and very few trips may add significantly to the delay experienced by road users. Increased queues themselves could increase the risk of shunt-type collisions, and in this highway layout could add to

manoeuvring within the carriageway and on the footway, as well as adding to driver frustration.

- 6.10 The provision of an 'edge road', as outlined in the WNDP, is essential to alleviate the unacceptable and damaging pressure on the centre of Watlington caused by the increased levels of traffic, from both local development and development along the B4009 corridor. The provision of this road is fundamental to the future expansion of Watlington and sits at the heart of the WNDP.
- 6.11 The application site is one of four sites that are needed to provide the edge road. The other component sites are: planning application P18/S0002/O with a resolution to approve; planning application P16/S2576/O awaiting determination; and WNDP allocated sites B and C are expected to be submitted as a single planning application soon.
- 6.12 A stretch of the edge road would be delivered as a result of this application as it forms part of the internal layout of the development. This has been designed to a specification agreed with County Highways. The application plans show additional land safeguarded to enable the edge road within the development to be linked to the B480 Cuxham Road.
- 6.13 Without the Edge Road in place, all northbound traffic generated by the proposed development would have to either pass through the congested Town Centre or via Pyrton Lane. Pyrton Lane is a narrow rural road with sharp bends and is not an appropriate route for a higher level of traffic.
- 6.14 The delivery of the edge road beyond the application site is therefore essential to provide appropriate mitigation for the transport impacts of this development, and the cumulative impact of other developments in the local area. On this basis, the County Council have secured funding as part of the Oxfordshire Growth Deal to help deliver the edge road and release the housing schemes that are reliant on it.
- 6.15 Although funding has been secured, the County Council are still considering the exact route of the edge road and are working on the timeframe for delivery. This involves several different parties, comprising four application sites, and is a complex process.
- 6.16 As indicated in the 'Relevant Planning History' section above, land for the junction at the other end of the edge road (B4009 Shirburn Road) is in the process of being secured. However, there is no certainty over the sites that would link the two end sections of the edge road a planning application has not yet been submitted on WNDP sites B and C.
- 6.17 Although the applicant has been working collaboratively with highways officers at Oxfordshire County Council to see if a solution can be found, the County Council and applicant are currently unable to agree on the traffic impact of the development without the edge road in place.
- 6.18 The applicant has provided a model to analyse traffic flows through Watlington Town Centre and asserts that traffic impact without the edge road in place would not be sufficient to justify a refusal of planning permission. However, the County Council officers do not have confidence in the model and cannot agree with the applicant's position. County Council Officers are currently working with the applicant to agree a suitable model in order that traffic impact may be appraised appropriately.
- 6.19 The County's recommendation is that development should not proceed until there is sufficient confidence on the timing and delivery of the edge road. It would also be

necessary for there to be a restriction that no homes are occupied until the land and funding for the edge road is secured.

- 6.20 Following that, agreement would need to be found on the number of dwellings that could be occupied prior to the completion of the edge road. The agreed number would need to be determined through a consideration of impact and viability.
- 6.21 Given the sensitive nature of the road network in Watlington, it is essential that the transport impacts of this development upon the Town Centre are properly addressed. As it currently stands, it has not been demonstrated that the development would be acceptable without the mitigation provided by the edge road. Without the edge road, County highways officers consider that the traffic impact would meet the NPPF criteria of 'severe harm' so as to justify the refusal of planning permission.
- 6.22 As such, if the application had been determined at the current time, I would have recommended that planning permission be refused as the traffic arising from the development would add to the residual cumulative impacts on the local road network, most notably through the Town Centre, resulting in additional congestion and delay, and unacceptable harm to highway safety.
- 6.23 The proposal would therefore be contrary to a number of development plan policies, including policy CSM2 of the SOCS, policy T1 of the SOLP, and policies P2 and site-specific policy Site A of the WNDP. Together, these policies require:
- proposals to be served by a road network which can accommodate traffic without causing hazards;
 - proposals to provide traffic mitigation measures to address impacts on the transport network, and;
 - indicate that development which has a severe impact on the transport network will not be supported unless it can be demonstrated that improvements within the network can be undertaken to limit those impacts.
- 6.24 The provision of appropriate mitigation to address the impact on the highway network is the only transport matter that has not been adequately resolved through the submission of amended plans. The County Council highways officers have raised no objection to the amended plans in relation to the proposed access, internal site layout and travel plan. If the application progressed positively, site-specific highways infrastructure, including off-site improvements, could be secured through a legal agreement.
- 6.25 I note that the plans that were initially submitted showed the internal road going through the site from the B4009 Britwell Road to the B480 Cuxham Road. This would be likely to encourage rat-running through Pyrton Lane, which is a narrow rural road with sharp bends. This would not be an acceptable solution to mitigate the traffic impact of the development. The amended scheme which is the subject of this report only proposes one access for the residential part of the site. As above, this is agreed with County Council highways.

Air quality

- 6.26 The traffic pressures on the Town Centre that cause congestion also have a negative impact on air quality. The air pollution problem in Watlington is based on congestion levels in an area of narrow streets and relatively high sided buildings creating a 'street canyon' effect with pollutants unable to disperse effectively.

- 6.27 Watlington town centre is one of three Air Quality Management Areas (AQMAs) within South Oxfordshire. AQMAs are designated when the levels of pollutants in the air have reached those identified by the government as harmful to health and are in breach of what is called the ‘national air quality objectives.’ Watlington AQMA was designated in 2009 due to annual exceedances in national air quality objectives for nitrogen dioxide.
- 6.28 It is essential that appropriate mitigation is secured to ensure that air quality in the Town Centre does not deteriorate further because of growth around Watlington. The edge road would provide suitable mitigation and the proposed development would contribute towards the provision of the edge road.
- 6.29 However, the development would only help secure one section of the edge road and the benefits associated with the edge road would not be realised unless the entire route is provided. Without certainty over the delivery of the edge road, our air quality team consider that the development would have a severe adverse impact on the AQMA in the centre of Watlington.
- 6.30 Our air quality team support the County Council's position that no development should be occupied until the land and funding for the entire edge road is secured. And following that, no more than an agreed number of dwellings should be occupied prior to the completion of the edge road.
- 6.31 The adverse impact on air quality would need to be considered in light of the NPPF. This advises that planning policies and decisions should sustain and contribute towards compliance with national air quality objectives and states “opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancements.”
- 6.32 The government (Defra) has also just published (14 Jan 2019) Clean Air Strategy 2019 highlighting the importance of addressing poor local air quality. Given the importance of air quality, I recommend that the proposed development is not progressed positively until suitable mitigation measures have been secured.
- 6.33 As such, if the application had been determined at the current time, I would have recommended that planning permission be refused as the air quality impacts of the development would be contrary to several Development Plan policies. This includes SOCS policy CSM1, which promotes and supports measures to improve air quality, and policy EP1 of the SOLP which seeks to resist proposals that would have an adverse impact on people through polluting emissions.
- 6.34 Furthermore, policy P2 of the WNDP requires developments to demonstrate how they will minimise air pollution caused by vehicle emissions, particularly in the cumulative effect within the designated AQMA arising from extra traffic generated by new development. The proposed development has not currently met this requirement.

Affordable housing and housing mix

- 6.35 The application proposes to deliver 40 percent of the residential element as affordable housing. This would amount to 73 affordable homes on site and a financial contribution for a 0.2-part unit. This would accord with policy CSH3 of the SOCS, which specifies that 40% of new homes will be affordable.
- 6.36 In terms tenure, the affordable homes would be 73 percent affordable rent and 27 percent shared ownership. This would be in general accordance with our policy requirement of a 75 percent / 25 percent tenure split.

- 6.37 The applicant has worked closely with our housing development team and the amended plans have addressed previous concerns that were raised in relation to clustering. I am therefore satisfied that the affordable housing would meet required standards and would be of a size and type which meets the requirements of those in housing need.
- 6.38 The proposed development would provide affordable housing to Development Plan standards and would therefore also comply with the specific criteria in policy Site A of the WNDP. However, although the details submitted are acceptable, in the absence of a completed S106 legal agreement, an additional reason for refusal would need to be attached to the decision notice as the affordable housing has not been secured. The applicant has indicated that they are agreeable to the contributions set out.
- 6.39 In terms of the market mix, the market housing mix from the Strategic Market Housing Assessment (SHMA) and the Watlington Neighbourhood Plan Housing Survey Report (which is a background paper for the WNDP) are shown below, along with the mix proposed in the application:

Market homes	1 bed	2 bed	3 bed	4+ bed
SHMA	6%	27%	43%	24%
Watlington Housing Survey	9%	38%	34%	19%
Application proposal	6%	24%	45%	25%

The mix would be in general conformity with the SHMA. And although varying from the results of the Watlington Housing Survey, the proposal would deliver predominantly 2-bed and 3-bed homes, for which there is most demand in Watlington. In my opinion the application would deliver a wide choice in homes, in accordance with the relevant policies.

Landscape and character

- 6.40 Whilst the site lies outside of the Chilterns AONB, the boundary of the AONB lies about 75m away, beyond the existing development on Britwell Road. Section 85 of the *Countryside and Rights of Way Act* requires regard to be paid to the purposes of conserving and enhancing AONBs. The terminologies are slightly different but policy CSEN1 of the SOCS and para.172 of the NPPF seek broadly similar objectives.
- 6.41 A number of other Development Plan policies aim to protect the character of the countryside, including policies G2 and G4 of the SOLP. Together, policies CSQ3 of the SOCS, and D1-D4 of the SOLP seek to ensure developments contribute to a sense of place, respond to local character and are of an appropriate design.
- 6.42 The WNDP also contains policies that are concerned with the protection of the landscape and securing developments that contribute to the character of the area. Policy P2 requires development to respect local distinctiveness and to protect distance views of Watlington from the surrounding countryside. WNDP policy P3 stresses the need for good design to limit the impact of light pollution.
- 6.43 In 2015, the application site was assessed in the *Landscape Capacity Assessment for Sites on the Edge of the Larger Villages of South Oxfordshire*. The study considered

that 45 dwellings could be accommodated on the site and a full detailed landscape and visual impact assessment will be required to inform the final capacity of the site.

- 6.44 Our landscape officer has considered the submitted Landscape and Visual Impact Assessment and, following the submission of amended plans, has concluded that the development would not cause any unacceptable landscape and visual harm to the setting of the AONB or Watlington. I therefore consider that the quantum of development on the site is acceptable.
- 6.45 I note that our landscape officer has taken account of the inter-visibility between the site and the AONB. This is confined to locations on the Chilterns scarp itself, such as Watlington Hill, about 1.8km to the east. Over such distances, the development would be seen to lie beyond the existing settlement and in the context of panoramic views across the vale. The development would not intrude into important views towards the scarp (including the “White Mark”) from locations such as the vicinity of Cuxham.
- 6.46 The development proposals would include a substantial amount of boundary planting, which would have a positive landscape impact. The proposals are landscape-led and respect the setting of Watlington through site layout, design, orientation, height, bulk and scale of buildings.
- 6.47 In terms of the impact of lighting, the applicant has submitted a lighting strategy, and this outlines how lighting impacts could be mitigated through the implementation of a stringent lighting design, which would include the use of low light pollution fittings to retain light spill. Subject to suitable condition, I am satisfied that an appropriate lighting scheme could be provided which would minimise the loss of light to the night sky.
- 6.48 In relation to the internal site layout, the incorporation of a central area of open space in the amended plans has greatly improved the layout and the majority of the development accords with the principles of good urban design. Overall, I consider that the proposal is generally in accordance with the above policies and guidelines.

Heritage

- 6.49 There are no designated heritage assets on the application site, but it lies within the setting of Watlington Conservation Area which contains a number of listed buildings, including the Grade II* Church of St Leonard. The site is also within the wider landscape setting of heritage assets in neighbouring villages.
- 6.50 Our conservation officer has commented that the site is not readily perceptible from within Watlington Conservation Area, being separated by twentieth century development and the Watlington Industrial Estate. In accordance with this analysis, I consider that development on this site would not constitute harm to above ground designated heritage assets.
- 6.51 In relation to below ground heritage assets, the site is in an area where several Iron Age, Roman and medieval finds have been reported. An archaeological evaluation of the site has been undertaken which recorded a number of post holes and pits towards the south eastern side of the site. Although these features were undated fragments of burnt clay (daub) were recovered which suggest some form of human activity close to the area.
- 6.52 Subject to the imposition of conditions requiring a programme of archaeological mitigation, I am satisfied that the proposal would safeguard the recording of archaeological matters within the site.

Trees and ecology

- 6.53 The proposed development would require the removal of three tree / hedge covered soil bunds which will have been constructed and planted to help screen off the existing large barns. These trees have limited arboricultural value and our tree officer has advised that they should not be considered as a constraint to development.
- 6.54 Following the submission of amended plans, our forestry officer is satisfied that the development would not have an adverse impact on any retained landscape features. Subject to the agreement of a suitable planting scheme, which could be controlled by condition, I am satisfied that the development would be acceptable in relation to trees.
- 6.55 With regards to ecology, the site has been subject to a series of ecological surveys for protected species and habitats to determine what constraints are present. The habitats on site are generally common and widespread and would not be considered as a constraint to the proposed development. A population of grass snake has been recorded. In addition, the site supports habitats for foraging and commuting bats, although the numbers and species of bat recorded are not significant.
- 6.56 There would be no net-loss in biodiversity as a result of the development. Our ecologist has not raised any concerns in relation to the impact on the chalk stream alongside the north-eastern boundary and a condition could ensure that measures are secured to conserve and enhance the stream. As such, I consider that the development would accord with the relevant Development Plan policies, including a specific criterion of WNDP policy Site A.

Neighbour amenity and amenity of future residents

- 6.57 The homes in Windmill Piece are the only neighbouring properties that adjoin the site. These neighbouring properties would have a back to back relationship with the nearest proposed homes. The separation achieved between the proposed dwellings and the rear of the neighbouring properties in Windmill Piece would be between 21m and 24m.
- 6.58 Although this separation would be below the 25m recommended in our Design Guide, there would be a planted landscape buffer between the existing and proposed dwellings. Suitable planting would help to filter views between the properties. This would have to be carefully considered so it would not cause any problems in terms of shading.
- 6.59 Subject to a condition securing appropriate planting between the existing and proposed homes I consider that the development would have an acceptable impact on these neighbouring properties in terms of light, outlook and privacy. This would accord with policy D4 of the SOLP, which requires new development to secure an appropriate level of privacy for existing residents. All other existing residential properties are further from the site and would not experience any material planning harm as a result of the development.
- 6.60 The owners of part of Watlington Industrial Estate have objected to the proposed residential development that would adjoin the boundary with Watlington Industrial Estate. The concerns raised relate to the impact that the existing operations on the industrial estate would have on future occupiers of the proposed development in terms of noise and disturbance and the affect this could have on the operations on the industrial estate.

- 6.61 The applicant has explored potential solutions to this matter with our environmental protection officer and subsequently submitted a noise mitigation report. The mitigation measures include acoustic screens, acoustic glazing and mechanical ventilation. Subject to conditions the secure these measures, our environmental health officer has no objection to the impact that the industrial estate would have on future occupiers.
- 6.62 The development would provide two Localised Areas of Play (LAPs) and one Localised Equipped Area of Play (LEAP). Future residents would also benefit from a large area of public open space. Overall, I consider that future residents of the site would have acceptable living conditions.

Environmental matters (drainage, contamination)

- 6.63 All of the development proposed under this application would be located within Flood Zone 1 (least probability of flooding). The council's drainage engineer has considered the submitted Flood Risk and Drainage Assessment and has raised no objection to the development subject to conditions.
- 6.64 With regards to foul drainage, Thames Water have commented that the existing waste water infrastructure has insufficient capacity to meet the needs of the development. Thames Water therefore require the applicant to carry out a drainage strategy detailing any on and off-site drainage works that are required to implement this development. This includes a clause that Thames Water will not accept any waste water into the public system until the works in the drainage strategy have been completed.
- 6.65 Thames Water have commented that the water supply infrastructure has insufficient capacity to meet the additional demands of the development and therefore also require impact studies of the water supply infrastructure. These studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.
- 6.66 In relation to contamination, the Environment Agency have recommended a number of conditions to ensure that any contamination at the site is remediated.

Infrastructure requirements

Off-site contributions pooled under the Community Infrastructure Levy

- 6.67 The council adopted a Community Infrastructure Levy (CIL) in 2016. This enables money to be collected from certain types of development to be pooled together with other developments to fund a wide range of infrastructure to support growth, including schools, transport, community, leisure and health facilities.
- 6.68 In relation to the comments made by Oxfordshire Clinical Commissioning Group (CCG), the council now has a CIL spending strategy. This strategy outlines that 20 percent of available CIL money (after allocations for the town / parish council and administration costs) will be allocated to the CCG to mitigate the impact of development on community health care provision.
- 6.69 If the application was approved and CIL monies collected, Watlington Parish Council would receive 25% of the CIL monies. This could be spent on infrastructure projects that are priorities for the community or could contribute towards strategic infrastructure.

On-site infrastructure to be secured under a legal agreement

- 6.70 On-site infrastructure can be secured through a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended). A S106 legal agreement would secure the on-site affordable housing, open space, and play.
- 6.71 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following additional financial contributions would be required towards on-site infrastructure:
- Provision of recycling / refuse bins - £170 per property – Index RPIX Nov 2016 - £31,110
 - Street naming and numbering - £134 per 10 dwellings - Index RPIX Nov 2016 - £1,072
 - Provision of public art - £300 per dwelling – Index RPIX Nov 2018 - £54,900 plus £10 per sqm of commercial development (indicatively £6,500)
 - S106 monitoring fee - £2,692 to be paid on completion of agreement
- 6.72 The County Council have also requested some site-specific highways contributions to be secured through the S106, as follows:
- Travel plan monitoring fees for the residential element of the scheme - £1,240.
 - Contribution of £1,000 per additional dwelling towards enhancement of bus services passing through Watlington – Index RPIX Oct 2017 (indicatively £183,000)
 - Contribution of up to £1,200 for improved bus stop provision in the vicinity of the site – Index Baxter Oct 2017.
- 6.73 I consider that these contributions / obligations accord with policy CSI1 of the SOCS, which requires new development to be supported by appropriate on and off-site infrastructure and services. They accord with the relevant tests in the NPPF as they are necessary to make the development acceptable in planning terms, are directly related to the development and are fair and reasonably related in scale and kind to the development.
- 6.74 Whilst the applicants have indicated that they are in agreement with the above contributions and would sign up to a S106 on this basis, in the absence of a completed legal agreement, the application fails to secure infrastructure necessary to support the development. As such, it is necessary for this matter to be attached as a further reason for refusal.

Other matters

- 6.75 There would be economic benefits associated with the proposal as it includes 650 sqm of Use Class B1(a) – office – floorspace. This aspect of the development would accord with policy P7 of the WNDP and policy CSEM1 of the SOCS, which encourage sustainable economic growth and opportunities to increase employment.
- 6.76 Notwithstanding the issues raised, I would like to note that the applicant has undertaken significant levels of engagement with both councils and the WNDP Group. This has been both pre- and post-submission and has resulted in many positive changes in the layout, which is reflected in the Parish Council's positive response to the revised scheme, as well as the majority of statutory consultees.

7.0 **CONCLUSION**

- 7.1 The applicant has submitted an appeal against non-determination for this application, as the council has not issued a decision within the appropriate timeframes. This report outlines the approach that officers would have taken if the application had been determined. The decision made by members of the Planning Committee will inform the council's case at the appeal.
- 7.2 The application site is allocated for development in the WNDP and as such, the principle of the development is acceptable. The proposal also complies with most of the criteria specified in policy Site A, or could comply through the imposition of appropriate conditions.
- 7.3 However, the highway and air quality impacts of the development would be contrary to several Development Plan policies. Because of this, officers are currently unable to support the application.
- 7.4 The edge road is considered essential to mitigate the traffic and air quality impacts of the development. Whilst this development would have a positive impact in terms of delivering a section of the edge road and safeguarding further land for its delivery, without the remainder of the edge road in place, appropriate mitigation would not be provided.
- 7.5 Major development in Watlington is linked with the edge road. Officers cannot support this development prior to a suitable alignment for the edge road being agreed in its entirety, together with its deliverability, phasing and funding. We cannot be confident that the edge road will be delivered without all these elements being in place.
- 7.6 County and District officers are supportive of the proposed edge road and associated allocated development and we welcome further collaborative working to resolve this outstanding issue. The applicants have also confirmed their willingness to continue the positive discussions.

8.0 **RECOMMENDATION**

- 8.1 **Having regard to the current appeal against non-determination, officers recommend that had the council determined the application, it would have refused planning permission for the following reasons:**

1. **That the traffic arising from the development would add to the residual cumulative impacts on the local road network, most notably through Watlington Town Centre. The proposal would increase congestion and delays and would be harmful to highway safety. The proposal is therefore contrary to the National Planning Policy Framework, Policy CSM2 of the South Oxfordshire Core Strategy, Policy T1 of the South Oxfordshire Local Plan 2011, and Policies P2 and site-specific Policy Site A of the Watlington Neighbourhood Development Plan.**
2. **That the proposed development would increase congestion and delays within Watlington Town Centre and would have a severe adverse impact on Watlington's Air Quality Management Area. The proposal is therefore contrary to the National Planning Policy Framework, Policy CSM1 of the South Oxfordshire Core Strategy, Policy EP1 of the South Oxfordshire Local Plan 2011, and Policy P2 of the Watlington Neighbourhood Development Plan.**

- 3. In the absence of a completed S106 legal agreement, the proposal fails to secure affordable housing to meet the needs of the District. As such, the development would be contrary to the National Planning Policy Framework, Policy CSH3 of the South Oxfordshire Core Strategy and Policy Site A of the Watlington Neighbourhood Development Plan.**

- 4. In the absence of a completed Section 106 legal agreement, the proposal fails to secure infrastructure necessary to meet the needs of the development. As such, the development would be contrary to the National Planning Policy Framework, Policy CSI1 and CSM2 of the South Oxfordshire Core Strategy and Policies T1, D10, D12, R2 and R6 of the South Oxfordshire Local Plan 2011.**

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