

APPLICATION NO.	P19/S0818/O
APPLICATION TYPE	OUTLINE
REGISTERED	12.3.2019
PARISH	WATLINGTON
WARD MEMBER	Anna Badcock
APPLICANT	Archstone Projects Limited and Bloor Homes Limited
SITE PROPOSAL	Land at Britwell Road Watlington 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; 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 OFFICER	As amended by plans received 8 August 2019. Emma Bowerman

1.0 **INTRODUCTION**

- 1.1 This report 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 January 2020.
- 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 help inform the council's 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. The “Edge Road” (the re-aligned B4009) is an integral part of the development plan for Watlington and is supported by officers at both South Oxfordshire District Council and Oxfordshire County Council.
- 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 This application is a resubmission of planning application P17/S3231/O and initially proposed the same development as was proposed under this previous application. The council did not issue a decision on P17/S3231/O within the required timeframes and the applicant triggered an appeal against non-determination. This appeal was heard at a public inquiry in October and the Inspectors decision is expected mid-December.
- 2.3 This repeat application was submitted to continue exploring the matters that remained in dispute between the applicant and council officers. The plans were then amended to provide for an alternative route for the re-aligned B4009 and this involved the creation of a second vehicular access from the site via the industrial estate road, to the Willow Close roundabout.
- 2.4 These amendments were made at the request of Oxfordshire County Council highway team, who are exploring options to determine what would be their preferred route for the edge road. This work is on-going.
- 2.5 A layout plan for this application is attached as **Appendix B** and is annotated to highlight the vehicular access which would link the development through to the Willow Close roundabout on Cuxham Road. A layout plan for application P17/S3231/O is attached as **Appendix C** for comparison and shows that there would be no vehicular access from the housing development to the industrial estate and subsequently the Willow Close roundabout beyond.
- 2.6 The key difference between the proposals is that the housing proposed under this application would have vehicular access from Britwell Road and Cuxham Road. The housing proposed under application P17/S3231/O would only be accessed from

Britwell Road. Both layouts show land safeguarded for the alternative route to the north east of the site.

2.7 The amended plans to be considered under this application also propose a different mix to what was proposed under application P17/S3231/O. This application proposes six less 2-bed dwellings than P17/S3231/O. These would be split evenly between 3-bed and 4-bed dwellings.

2.8 The following mix is proposed in relation to the residential element of this application:

	1-bed	2-bed	3-bed	4-bed +	Total
Market homes	6	20	53	31	110
Affordable homes	12	46	14	1	73
Total	18	66	67	32	183

2.9 Examples of the proposed house types is attached as **Appendix D**. 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=P19/S0818/O>

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Based on most recent comments received

3.1 **Watlington Parish Council** – Object. The amended route for the edge road is contrary to the policies in the Watlington Neighbourhood Development Plan (W NDP).

The illustrative route using the access road to the Watlington Industrial Estate does not conform to the requirements and policies contained in the W NDP. Policy 2 (a) is clear that the land safeguarded for the edge road should be in accordance with the indicative route which follows the original line for the edge road on the site. The revised route does not follow the expected, indicative route, that is at the core of the plan and which is strongly supported by a majority of Watlington residents. The new routing drives a split through the site dividing it into two distinct areas, isolating the northern (larger) portion. The amended route leaves too many homes on the outside of the edge road and is therefore, not acceptable from both a highways safety and a social integration stand point. The requirement for numerous road and footpath junctions from the housing sites onto the new route increases highways safety concerns and the positioning of the road will inhibit easy and safe foot and cycle passage into Watlington.

Watlington Parish Council stresses that it has previously supported development on this site, based on the original layout and the contribution that the site makes to the route of the edge road in accordance with the W NDP. It is important to note that this support is conditional on the delivery of the full length of the edge road being certain.

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 **Shirburn Parish Meeting** – Object. The details of the edge road proposals have not been agreed, the impact of additional traffic and the impact on the landscape heritage of the AONB.
- 3.4 **Watlington Environmental Group** – Measures in the Ecological Appraisal are generally very good and must be carried through to the final development. Opposed to the lighting within the pedestrian route within the open space.
- 3.5 **Watlington Climate Action Group** – Feel strongly that housing development should be provided on a sustainable basis and would like to see these developments adopt an exemplary standard, to tackle the issues of the climate emergency. Recommended that the demand for housing should be reviewed so that unnecessary units are not built. Other recommendations include maximising biodiversity, exceeding the minimum building regulations requirements for insulation and air tightness, the use of natural materials, use of renewables for heating, the use of solar panels and measures to reduce water consumption.
- 3.6 **Pyrtton Lane Interest Group** – Object until a suitable alignment for the edge road is agreed in its entirety, together with its deliverability, phasing and funding. Without the edge road residents will be significantly and adversely affected by additional traffic going to and from the site.
- 3.7 **Chilterns Conservation Board** – Fundamentally concerned that the quantum of development will negatively impact on the setting of the AONB. Concerned about the impact on the panoramic views from Watlington Hill and the extent to which the greater number of dwellings and the consequential configuration of development impacts upon these wider views. Lighting details are insufficient and represent a traditional configuration that will not deliver the landscape led policy objectives for the site in the recently made WNDP. A planning condition to control lighting and reserve its future consideration would not overcome this issue. CCB would propose a lower level of development around the western edge and this greater scope for landscaping to create the landscape led treatment that best conserves the setting of the AONB and secures an appropriately blended treatment of the road within the edge of Watlington's urban area.
- 3.8 **Chiltern Society** – Object. Endorse the points made by The Chilterns Conservation Board in particular reference to light pollution and the impact on views from the AONB.
- 3.9 **Environment Agency** — No objection subject to conditions on contamination, piling, surface water and flooding.
- 3.10 **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.
- 3.11 **Southern Gas Network Plant Protection** – Provided information about location of gas pipes.
- 3.12 **Crime Prevention Design Officer** – No objection and offered recommendations on how the scheme could be improved from a crime and safety perspective.

- 3.13 **Oxfordshire Clinical Commissioning Group** – Commented that large scale developments are increasing pressure on health services. Object until mitigation has been secured.
- 3.14 **Oxfordshire County Council Highways** – No objection subject to conditions and obligations. Conditions relate to travel plans, a Construction Traffic Management Plan, visibility splays and retention of garages.
- 3.15 **South Oxfordshire District Council (SODC) Air quality** – No objection subject to a condition to secure air quality mitigation measures.
- 3.16 **SODC Housing Development** – No objection subject to the affordable housing being secured through the provisions of a Section 106 legal agreement.
- 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 office element.
- 3.22 **SODC Environmental Protection** – No objection subject to conditions including noise mitigation.
- 3.23 **SODC Waste Management** – Provided general information on requirements for bins.
- 3.24 **Local residents** –

17 received in objection to the development raising the following concerns:

- Highway safety
 - Pyrton Lane not suitable for more / heavy vehicles (no pavements)
 - increased rat running through Pyrton Lane
 - proposal fails to demonstrate safe and convenient access to highway network
 - difficult for pedestrians to cross Britwell Road
 - additional traffic
 - poor condition of surrounding pavements
 - lack of satisfactory mitigation for increase in traffic
- Edge Road
 - uncertainties about funding
 - no development should be allowed until road is completed
 - route of the road not yet agreed
 - impact of Edge Road on heritage assets and landscape character
- This is a standalone application – separate from Edge Road
- Willow Close roundabout should be used
- Willow Close roundabout should not be used
- Development in excess of numbers in WNDP
- Local health infrastructure unable to cope with population increase
- Bus stops / schools / dentist need to be provided before development
- Homes in wrong place

- Homes should be accompanied by more employment
- At odds with climate emergency
- Homes should include renewable forms of energy

4 received with comments

- Edge Road must be provided before houses
- Need for new homes but increased traffic will be prohibitive
- Housing development should be re-evaluated due to the climate emergency
- Requirement for housing debatable
- Better to build near employment – Watlington will be commuter town

One representation raised no objection to the principle of the housing but raised an objection to increased traffic on Pyrton Lane.

4.0 **RELEVANT PLANNING HISTORY**

4.1 As referred to above, there is a current planning application on the site ([P17/S3231/O](#)) for a very similar development to what is proposed under this application. The key difference is that the layout of P17/S3231/O did not link through to the existing highway infrastructure that serves the industrial estate and joins the existing roundabout on Cuxham Road.

4.2 The council failed to determine application P17/S3231/O and the applicant lodged an appeal against non-determination. This appeal was heard at a three day public inquiry in October 2019 and the Inspector's decision is expected in mid-December.

4.3 The non-determination report for application P17/S3231/O was presented to planning committee on 10 April 2019. At the time, officers recommended 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.

- 4.4 Subsequent to this appeal being lodged, the applicant continued dialogue with Oxfordshire County Council (OCC) highways officers in order to address their highway concerns. This included an assessment of traffic in Watlington Town Centre using a micro-simulation model.
- 4.5 Based on this modelling, and with the implementation of mitigation measures including the removal of some Town Centre on-street parking spaces during peak time periods, OCC highways team were satisfied that the appeal proposal could be implemented without severe harm to the highway network. As such, OCC highways withdrew their objection to the proposal and the council did not defend the appeal on transport and highway safety grounds.
- 4.6 In preparation for the appeal, the council's environmental health team commissioned an assessment of the impact of the proposed Edge Road on Watlington Town Centre, which is designated as an Air Quality Management Area (AQMA) due to its poor air quality. Having considered this new evidence, the council's environmental health officers withdrew their objection to the appeal proposal.
- 4.7 As such, the council did not challenge the appeal proposal at the public inquiry in October 2019. Our case at the inquiry was that the appeal proposal should be allowed, subject to affordable housing and infrastructure being secured through the provisions of a legal agreement.
- 4.8 Although the council did not challenge the appeal proposal there were two groups of interested parties who were awarded special "Rule 6" status to be fully involved in the inquiry process. These were Watlington Parish Council and a group called The Pyrton Manor and Shirburn Castle and Environs Alliance, representing The Beechwood Estate, Shirburn Castle and Pyrton Manor, and joined by Pyrton Parish Council and Shirburn Parish Meeting. The Rule 6 parties raised matters of air quality and highway safety and these are matters that the Inspector will consider in deciding whether to dismiss or allow the appeal.
- 4.9 There are also two applications to the north of Watlington that are relevant to this application:
- [P19/S1928/O](#) – This application proposes up to 70 homes to the north east of the application site on the other side of Cuxham Road. The application is currently under consideration.
- [P19/S1927/O](#) – This application proposes up to 60 homes on land between the above site (P19/S1928/O) and Pyrton Lane. The application is currently under consideration.
- 4.10 These proposals would provide part of the edge road from the northeast of Cuxham Road to the Watlington / Pyrton parish boundary. The Secretary of State has received a request from a third party to consider whether to call in these applications for his consideration.
- 4.11 There are two further planning application sites 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](#) and [P19/S2380/RM](#) – This site is positioned between the above site (P16/S2576/O) and the B4009 Shirburn Road. Outline planning permission was granted for up to 37 retirement units for people aged 55 and over, a care home and four staff accommodation units in July 2019. The outline planning permission secured land that could deliver part of the edge road. The Reserved Matters application is currently under consideration.

5.0 POLICY & GUIDANCE

5.1 National Planning Policy Framework (NPPF)

Updated in February 2019 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

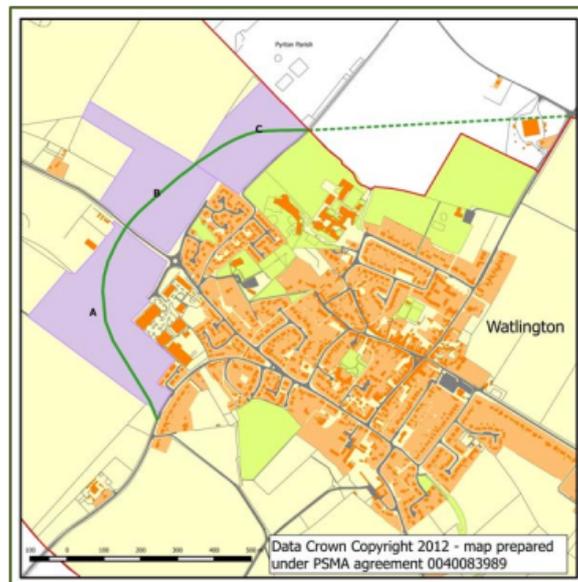
EP4 - Impact on water resources

- 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 has submitted the Local Plan 2034 to the Planning Inspector for an independent examination following public consultation.

The Secretary of State wrote to the council on Wednesday 9 October 2019 and imposed a Holding Direction on the council that means we cannot take any step in connection with the adoption of our emerging Local Plan 2034.

The Holding Direction means the emerging plan has 'no effect whilst the direction is in force' (Housing and Planning Act 2016 (145)(5)(2)).

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 a very similar 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.

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 As referred to above, Oxfordshire County Council in its role as Local Highway Authority objected to application P17/S3231/O due to the impact of the development on congestion levels in Watlington Town Centre. However, OCC withdrew their objection to the development prior to the appeal inquiry.
- 6.11 This change of position was a result of further dialogue between the applicant and OCC, including addendums to the Transport Statement. The applicant also provided traffic modelling and proposed mitigation measures for the Town Centre until such a time as the Edge Road is delivered.
- 6.12 In highway terms, this application is identical to P17/S3132/O but with an alternative route for the Edge Road, which would access onto the Willow Close roundabout. This amendment was submitted at the request of OCC, who are currently considering which route would be preferable for the Edge Road.
- 6.13 In addition to the access onto Willow Close, this application would still safeguard the land that was initially anticipated for the Edge Road. This is the route that is shown linking through to Cuxham Road to the west of the site, through the open space. Therefore, whichever alignment OCC finally choose for the Edge Road, this application would be able to deliver its section.
- 6.14 In terms of the details of the work undertaken by the applicant and agreed by OCC, the traffic model that the applicant commissioned replicates individual behaviour as opposed to traditional models which are grounded on the physical nature of the

highway, lane width, geometry, visibility etc. Given the nature of the highway through Watlington the use of this type of model was considered most appropriate and has been audited by independent professionals appointed on behalf of OCC.

- 6.15 OCC consider that the model provides a fair representation of the operation of the highway network in future scenarios. The model provides journey times for scenarios in 2024 with and without the development. Without mitigation, journey times are lengthened considerably by the impact of background traffic growth and further exacerbated by the development traffic.
- 6.16 OCC are satisfied that, in the long term, the provision of the Edge Road would provide ample mitigation for this development and would accommodate future traffic growth in the area. OCC's previous objections have noted a lack of confidence in the delivery of the Edge Road due to matters such as land assembly, funding etc.
- 6.17 OCC has now secured funding to forward fund delivery of parts of the Edge Road beyond the identified development sites along it. Planning applications have also been submitted from other development parcels necessary to deliver the Edge Road. OCC is preparing a planning application for the road and their current ambition is to deliver the road by late 2023 / early 2024.
- 6.18 As such, there is increased confidence that the road can and will be delivered. However, OCC consider that the cumulative traffic impact on Watlington Town Centre would require mitigation until such time as it is delivered.
- 6.19 To mitigate the traffic impact in the short term, the applicant has proposed introducing peak time parking restrictions which would remove two short stretches of parking, one to the north and the other south of Watlington Town Centre. The model demonstrates that the mitigation would reduce the traffic impact of background traffic growth and the development traffic considerably. The model shows total journey times in 2024, with the development in place, would be similar to those experienced today.
- 6.20 The proposed mitigation has been the subject of a Road Safety Audit. The audit raised one issue; the speed of vehicles approaching from the north may increase as their progress would be unfettered by parked cars. The applicant has addressed this issue through the provision of speed cushions on Shirburn Road. The road safety auditor and OCC consider this an appropriate solution.
- 6.21 OCC are satisfied that the traffic impact of this development of 183 homes could be mitigated appropriately until such a time as the Edge Road is provided. As such, they have not raised any objection to the proposal on traffic and highway safety grounds.
- 6.22 Based on the short-term mitigation agreed between the applicant and OCC I am satisfied that the proposal would be acceptable in highway terms and would comply with the relevant development policies. This includes 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.

- 6.23 Policy P2 of the WNDP also requires proposals for development on the allocated sites to safeguard a route for the Edge Road in accordance with the indicative route. The application plans show the land along the indicative route as safeguarded with no development on this land. As such, the application proposals accord with the requirements of this policy.
- 6.24 As with the previous application, OCC are satisfied that the access and layout proposals are acceptable, providing for both residential and through traffic. OCC have not raised an objection in terms of the traffic impact on Pyrton Lane. This is a site that is located within walking distance of shops, services and public transport links, with schools nearby. Provision would be made within the site for safe and direct walking and cycling and contributions would be secured to improve local bus stops and services.

Air quality

- 6.25 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.
- 6.26 Watlington Town Centre is one of three Air Quality Management Areas (AQMA) within South Oxfordshire. AQMA 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.
- 6.27 As referred to above, the council's air quality specialist objected to application P17/S3231/O due to the impact of the development on Watlington AQMA. However, the council's air quality specialist withdrew their objection to the development prior to the appeal inquiry. This change of position was as a result of some independent modelling of the impact that the proposed Edge Road would have on Watlington AQMA. This work was commissioned by the council.
- 6.28 This air quality modelling considered the impacts that potential levels of growth in the local area would have on the AQMA by the year 2024, both with and without the Edge Road in place. In both scenarios, all areas in Watlington are expected to be compliant with the national Air Quality Objectives as a result in improvements in vehicles emissions technology. However, despite predicted improvements in vehicle emissions in future years, increases in traffic flow means that nitrogen dioxide concentrations will likely remain within 10 percent of the nitrogen dioxide objective without the proposed Edge Road.
- 6.29 The modelling includes traffic increases from known developments in the local area and has considered the cumulative effects of these developments, in accordance with paragraphs 180 and 181 of the NPPF. Based on the outcome of this modelling, officers do not consider that it would be reasonable to refuse planning permission for this proposal on air quality grounds.
- 6.30 The modelling did make it clear that the provision of the Edge Road would have significant benefits in terms of improving air quality in the Town Centre. This study shows that without the proposed Edge Road, little or no improvement in air quality will occur between now and 2024, and nitrogen dioxide concentrations will remain close to or exceeding the annual mean objective set for the protection of human health. As

predictions of the future vehicle fleet and emission factors for future vehicles are subject to uncertainty, these areas remain at risk of exceedance in future years without the proposed Edge Road.

- 6.31 The modelling shows that, with the proposed Edge Road in place, traffic flows in Watlington decrease sharply and as a result predicted concentrations of nitrogen dioxide are also expected to reduce. With the proposed Edge Road in place there are no predicted concentrations within 20 percent of the national air quality objective for nitrogen dioxide.
- 6.32 As such, officers consider that it is important that the Edge Road is delivered. This application would contribute towards this as part of the Edge Road would be delivered within the site and a financial contribution would be secured under the S106 towards the rest of the route. The application also safeguards land for the Edge Road for the route that was originally proposed. Therefore, whichever route OCC finally choose, this application would be able to deliver its section.
- 6.33 The proposal would include a number of measures to mitigate the air quality impact of the development. Subject to these measures being secured by condition, the council's air quality specialist is satisfied that the proposal would have an acceptable impact in terms of air quality. These mitigation measures are:
- Electric vehicle charging points in all garages;
 - Rapid electric vehicle charging points in communal car parks;
 - Provision of a detailed Travel Plan setting out measures to encourage sustainable means of transport (public, cycling and walking);
 - Provision of cycle parking in individual garages (for all houses), as well as communal cycle shelters for other properties;
 - Provision of a new bus stop on Cuxham Road just to the east of the existing roundabout to encourage use of public transport;
 - Financial contribution towards sustainable transport improvements, which could include improvements to bus services in Watlington; and
 - All proposed gas-fired boilers to meet a minimum nitrogen oxide emission standard.
- 6.34 As such, I am satisfied that the proposal would comply with the relevant development plan policies in relation to air quality. 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.
- 6.35 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 council's air quality specialists are satisfied that the additional evidence in the form of the air quality modelling has demonstrated that the proposed development has met this requirement.

Affordable housing and housing mix

- 6.36 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.

- 6.37 In terms of tenure, the affordable homes would be 74 percent affordable rent (54 homes) and 26 percent (19) shared ownership. This is in general accordance with policy, which require a 75 percent / 25 percent split for rent / shared ownership. The mix of affordable homes follows the recommendations of our housing development team who are satisfied that the affordable units would be distributed appropriately across the site.
- 6.38 The proposed development would deliver a policy compliant level of affordable housing which would help meet the needs of those on our housing register. The proposal therefore also complies with the specific affordable housing criteria in policy Site A of the WNDP. Subject to the completion of a legal agreement to secure the affordable housing provision, I consider that the scheme would be acceptable in this respect.
- 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%	18%	48%	28%

- 6.40 The proposed mix would be more heavily weighted towards three-bed and four-bed units, to the expense of providing two-bed units, for which there is a high demand in Watlington. The proposal is not SHMA compliant. Although it would be preferable for the scheme to deliver more two-bed homes, it would deliver a wide choice of homes and in my opinion, this would not, on balance, be a reason to withhold planning permission.

Landscape and character

- 6.41 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.
- 6.42 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.
- 6.43 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 P1 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.

- 6.44 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.
- 6.45 Our landscape officer considered the Landscape and Visual Impact Assessment submitted with the original scheme and concluded that the development would not cause any unacceptable landscape and visual harm to the setting of the AONB or Watlington. The small changes to the layout to accommodate the link through to Willow Close roundabout has not changed the wider landscape impact of the proposal and, as with the previous scheme, I consider that the quantum of development on the site is acceptable.
- 6.46 I note that our landscape officer took 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.
- 6.47 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.
- 6.48 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 a suitable condition, our landscape officer is satisfied that an appropriate lighting scheme could be provided which would minimise the loss of light to the night sky.
- 6.49 In relation to the internal site layout, the incorporation of a central area of open space would provide some relief from the built form within the site and the inclusion of a large number of street trees would create an attractive internal environment. In my opinion, the majority of the development accords with the principles of good urban design.
- 6.50 Although it may be preferable from a design perspective to have more of the homes contained within the edge road (as was previously proposed) I do not consider that the layout is unacceptable because of this. Overall, I consider that the proposal is generally in accordance with the above policies and guidelines.

Heritage

- 6.51 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.
- 6.52 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.

- 6.53 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.
- 6.54 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. This accords with the recommendation made by the County Council archaeologist for planning application P17/S3231/O.

Trees and ecology

- 6.55 The proposed development would require the removal of three tree / hedge covered soil bunds which were 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.
- 6.56 Our tree 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.
- 6.57 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.
- 6.58 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

- 6.59 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.
- 6.60 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.
- 6.61 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.

- 6.62 The owners of part of Watlington Industrial Estate have previously 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.
- 6.63 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.
- 6.64 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)

- 6.65 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.
- 6.66 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.
- 6.67 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.
- 6.68 In relation to contamination, the Environment Agency are satisfied that any contamination can be adequately addressed through further assessments, which can be secured by a planning condition.

Infrastructure requirements

Off-site contributions pooled under the Community Infrastructure Levy

- 6.69 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.
- 6.70 In relation to the comments made by Oxfordshire Clinical Commissioning Group (OCCG), the council 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 OCCG to mitigate the impact of development on community health care provision.

- 6.71 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

- 6.72 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.

- 6.73 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following 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 - £2,412
- 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

- 6.74 The County Council have also requested some site-specific highways contributions to be secured through the S106, as follows:

- Contribution of £1,354,200 index linked (£7,400 per dwelling) towards construction of sections of the Edge Road to be constructed by Oxfordshire County Council.
- 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.
- Interim mitigation Traffic Regulation Orders and speed cushions.
- Safeguarding of land for remainder of route of Edge Road across the development site plus licence for OCC to enter and construct a section of edge road, coupled with rights of access for surveys and dedication of land as highway following completion of works.
- New vehicular access into site plus cycling and pedestrian connections / works on Britwell Road and Cuxham Road.

- 6.75 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.

- 6.76 Subject to the completion of S106, I am satisfied that the proposal would secure appropriate on-site infrastructure to mitigate the impacts of the development.

Other matters

- 6.77 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.

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 help 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 Most pertinent to this application is the traffic impact through the centre of Watlington, where there is considerable congestion, delay and poor air quality. The applicant has worked with OCC to develop mitigation measures to address the short-term traffic impact of the development until the edge road is in place.
- 7.4 Following some further modelling work, the council's air quality specialist is also satisfied that this development, when considered cumulatively with other expected growth, would have an acceptable impact on the Watlington AQMA.
- 7.5 Solutions have been found to highways and air quality matters since the non-determination report for P17/S3231/O was presented to committee on 10 April 2019. This accords with the council's position at the recent public inquiry, where the council did not contest the appeal against the non-determination of P17/S3132/O.
- 7.6 Officers consider that when assessed against the development plan as a whole, the proposal would represent a sustainable form of development. As such, if the council were able to determine the application, officers would have recommended that planning permission be granted subject to conditions and the completion of a legal agreement.

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 granted planning permission subject to:**

i) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above, and

ii) The following conditions:

Time limit and approved plans (full permission)

1. Commencement three years - Full Planning Permission
2. Approved Plans

Reserved matters and time limit (outline permission)

3. Reserved Matters (Details)
4. Commencement Outline Permission

Pre-commencement

5. Construction Method Statement
6. Construction Environment Management Plan
7. Biodiversity Enhancement and Management Plan (full)
8. Biodiversity Enhancement and Management Plan (outline)
9. Tree protection
10. Levels
11. Water supply impact study
12. Off-site drainage
13. On-site foul drainage
14. Surface water
15. Piling
16. Phasing
17. Contamination – phased risk assessment
18. Archaeological written scheme of investigation
19. Staged programme of archaeological mitigation
20. Off-site highway works

Prior to Occupation

21. Contamination – verification
22. Lighting
23. Landscaping scheme
24. Landscape Management Plan
25. Air quality mitigation
26. Noise mitigation
27. Noise mitigation
28. Accesses before occupation
29. Residential Travel Plan

Compliance

30. Construction hours
31. Flood Risk
32. Unsuspected contamination
33. No garage conversion
34. Access details

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