
APPLICATION NO.	P19/S1928/O
APPLICATION TYPE	OUTLINE
REGISTERED	18.6.2019
PARISH	WATLINGTON
WARD MEMBER	Anna Badcock
APPLICANT	Providence Land Limited
SITE	Land off Cuxham Road, Watlington
PROPOSAL	Application for outline planning permission for up to 70 homes with associated open space and sustainable drainage with all matters reserved
AMENDMENTS	As amended / clarified by plans and information received 17 September 2020.
OFFICER	Emma Bowerman

1.0 INTRODUCTION AND PROPOSAL

- 1.1 The application has been referred to the Planning Committee at the discretion of the Development Manager.
- 1.2 The Planning Casework Unit (PCU) have received a request from a third party for the Secretary of State for Planning at the Department for Communities and Local Government to call-in the application. The PCU is responsible for central Government planning matters.
- 1.3 As such, should the Committee wish to approve the application, it must first be referred to the PCU for consideration. The PCU will determine whether the Secretary of State's intervention is needed and if necessary, prepare a submission summarising the planning issues for the Secretary of State to decide whether to call in the application for his determination.
- 1.4 The application site (which is shown on the OS extract **attached** as Appendix A) is a 6.41-hectare irregular shaped agricultural field to the northeast of Watlington. The site borders Cuxham Road on one side and there is an informal vehicular access onto Cuxham Road. Willow Close is adjacent to the southeast of the site and the other sides of the site border agricultural land.
- 1.5 The application seeks permission for a residential development of up to 70 homes and associated open space and drainage. The application is submitted in outline with all matters reserved. The matters of layout, scale, appearance, landscaping and access will be considered later under a 'reserved matters' application if outline planning permission is granted.
- 1.6 The site does not fall within any areas of special designation. The Chilterns Area of Outstanding Beauty (AONB) wraps around the south and east of Watlington and its closest point is around 500m from the site.
- 1.7 Pyrton Conservation Area lies around 280m to the northeast of the site. The Grade II* listed Pyrton Manor and several other listed buildings are within Pyrton Conservation Area.
- 1.8 Around 750m to the east of the site is the Grade II Registered Park and Garden associated with Shirburn Castle. There are several Grade II Listed structures within

the grounds and the Castle itself is a Grade I Listed Building. The Castle and grounds are also part of Shirburn Conservation Area.

- 1.9 The boundary of Watlington Conservation Area is around 100m to the south of the site. This also contains a number of listed buildings, with the Grade II* Church of St. Leonard located closest to the site.
- 1.10 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 includes an indicative route 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.
- 1.11 The application site is allocated for development in the W NDP. This site-specific policy (Site B) supports proposals for residential development on this site and requires the proposal to comply with several amenity and environmental criteria.
- 1.12 This planning p[application has been submitted in conjunction with another application for up to 60 homes on the field to the northeast of the site. This site is also allocated for housing in the W NDP (Site C) and is being considered under application reference P19/S1927/O. Together, the proposals for Site B and Site C will link Cuxham Road to Pyrton Lane.
- 1.13 The main road through the application site and this neighbouring development site would form part of the Watlington Edge Road. The provision of the Edge Road sits at the heart of the W NDP and aims to divert traffic around Watlington in order to reduce congestion in the town centre and lead to an improvement in air quality.
- 1.14 The Edge Road would link the B4009 Britwell Road to the south of Watlington, to the B4009 Shirburn Road at the north of the town. The route of the Edge Road would involve several sites which are at various stages in the planning process, as referred to in the Planning History section below.
- 1.15 The South Oxfordshire Local Plan 2035 (SOLP 2035) safeguards land for the Edge Road. Whereas the W NDP shows one route, the SOLP 2035 shows two options for the western section of the road. The two options have been included at the request of Oxfordshire County Council (OCC) who are undertaking an optioneering exercise to ascertain which route is preferable.
- 1.16 As part of the Oxfordshire Housing and Growth Deal, OCC has secured funding to forward fund delivery of parts of the Edge Road beyond the identified development sites along it. OCC is preparing a planning application for the road and their current ambition is to deliver the road by late 2023 / early 2024.
- 1.17 At the request of OCC, the applicant submitted an alternative illustrative layout plan. This is because the exact route of the road has not yet been finalised. The plans show that, in combination, the application site and the neighbouring development site (Site C) could deliver the Edge Road along either of the two options identified for the possible route of the road.
- 1.18 The plans **attached** as Appendix B show an illustrative layout that would follow the Edge Road route that is shown in the W NDP. It is noted that this application only considers the development of the southwest field, as indicated on the location plan. The layout is shown with the adjoining proposal to be considered under application P19/S1927/O.

- 1.19 The plans **attached** as Appendix C show the indicative layout utilising the existing roundabout at Willow Close for the Edge Road. This route is not shown in the WNDP but is the alternative option being explored by OCC and is shown as safeguarded in the SOLP 2035.
- 1.20 As the application is submitted in outline, with access as a reserved matter, the access point is not a matter to be considered under this application. The two illustrative plans have been submitted to show that this development, in combination with the neighbouring development, could be implemented using either of the options for the Edge Road.
- 1.21 The location of the access would need to be approved through a subsequent reserved matters application. This outline planning application is purely to consider whether the site could accommodate up to 70 homes.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 A summary of the latest responses received to the proposal is below. A full copy of all the comments made including those in respect of previous iterations of the proposals can be seen online at:

<https://data.southoxon.gov.uk/ccm/support/Main.jsp?MODULE=ApplicationDetails&REF=P19/S1928/O>

Watlington Parish Council	<p>No objection</p> <p>However, Watlington Parish Council notes that the inclusion of the additional detail outlining the potential for the edge road to route off the Cuxham Road roundabout has been submitted at the request of OCC. This illustrative route is at variance with the Parish Council's preferred route as detailed in the WNDP. Watlington Parish Council accepts that as this is an outline planning application with all matters reserved, including access and the route of the edge road, there are no grounds to object at this stage.</p>
Cuxham with Easington Parish Council	<p>Objection</p> <ul style="list-style-type: none"> • Sites B and C should be considered together • No safe route for construction traffic if site considered alone • Construction traffic should not be directed through Cuxham
Pyrton Parish Council	<p>Objection</p> <ul style="list-style-type: none"> • Application is premature as decisions have not been made about Edge Road or the potential expansion of Icknield Community College • Pyrton Lane not suitable for additional traffic • Highway safety risk to pedestrians and cyclists on Pyrton Lane • Consideration should be given to cumulative traffic impacts • Increased flood risk and threat of flooding to the heritage asset Pyrton Manor

Shirburn Parish Meeting	Objection <ul style="list-style-type: none"> • Further development in Watlington is unnecessary • No consideration on heritage assets or AONB • There is no route confirmed or planning consent for the Edge Road • Edge Road contrary to Pyrton Neighbourhood Plan • No proven need for Edge Road • Impact of traffic on Shirburn • Strain on health care, doctor's surgery and bus links • Further strain on road network from construction traffic
Neighbour Representations	27 raising the following objections / concerns: <ul style="list-style-type: none"> • Willow Close roundabout should not be used for Edge Road • The plan has always been to not use Willow Close roundabout for the Edge Road. • Using the Willow Close roundabout for Edge Road will increase noise, disturbance and pollution for local residents • Highway safety implications of using Willow Close for the Edge Road • Using Willow Close for the Edge Road would ruin the neighbourhood • Willow Close option would impact on cats, hedgehogs and bats • Use of Willow Close roundabout for Edge Road contrary to Neighbourhood Plan • OCC overturning Neighbourhood Plan • No further development until Edge Road is assured • Delivery of part of Edge Road will not resolve traffic issues • Proposal should provide footpath link to countryside • Isolated from rest of town • Infrastructure not adequate to cope with more homes • Need more employment opportunities • Impact on views towards church / AONB • Should be considered strategically • Watlington does not require further housing • Impact on heritage assets • Impact on AONB • Edge Road contrary to Pyrton Neighbourhood Plan • Application should be rejected until delivery of Edge Road assured
Watlington Environmental Group	Observations <ul style="list-style-type: none"> • Must demonstrate that water sources are protected and a net gain in biodiversity is achieved • Drainage strategy should maximise biodiversity • Habitats should be linked
Watlington Climate Action Group	Objection

	<ul style="list-style-type: none"> Plans for housing should be reconsidered due to climate emergency Adverse environmental impacts of housebuilding Loss of countryside Should adopt an exemplary standard
Chilterns Conservation Board	No objection <ul style="list-style-type: none"> Lighting should be an exemplar of good practice to conserve and enhance night sky tranquillity of the Chilterns Important that the landscaping breaks up the layout and the development avoids a hard-urban edge Lower density development to the edges is welcomed Fewer dwellings would lessen the impact on the wider setting of the AONB
Southern Gas Network	No objection <ul style="list-style-type: none"> Set out requirements for working around gas pipes
Thames Water	No objection <ul style="list-style-type: none"> Subject to a condition requiring either network upgrades or agreement of a phasing plan
Environment Agency	Not able to make a detailed assessment of the application but provided some general guidance.
Oxfordshire County Council Single Response	<u>Transport Development Control</u> No objection <ul style="list-style-type: none"> Subject to conditions requiring a Construction Traffic Management Plan and a Green Travel Plan Legal agreement required to secure financial contributions towards highways infrastructure and highway works The proposal would not prejudice the route of the Watlington Edge Road and would provide a significant element of it Swept path analysis of Pyrton Lane demonstrates that two large cars can pass along its entirety Signage strategy for Pyrton Lane would deter HGV use The road layout would bypass the S-bends on Pyrton lane The Planning Inspector's decision for Site A is permissive of increased use of Pyrton Lane Town centre mitigation proposed for Site A would accommodate traffic impact arising from the proposed development <u>Lead Local Flood Authority</u> No objection <u>Education</u> No objection

	<ul style="list-style-type: none"> • Would need to be proceeded by a consent on P19/S1927/O to secure the transfer of land to facilitate the potential expansion of Icknield Community College • Legal agreement required to secure a financial contribution towards schools <p><u>Archaeology</u> No comments</p>
Housing Development Officer	No objection <ul style="list-style-type: none"> • Set out requirements for affordable housing
Air Quality Officer	No objection <ul style="list-style-type: none"> • Development would provide part of edge road and would incorporate minimum best practice air quality mitigation measures • Edge Road is a real opportunity to enhance and improve local air quality in Watlington
Countryside Officer	No objection <ul style="list-style-type: none"> • Subject to conditions requiring a Construction Environmental Management Plan for biodiversity and a Biodiversity Enhancement Plan • Habitats on site not a constraint to development • Possible to achieve a net gain in biodiversity
Forestry Officer	No objection <ul style="list-style-type: none"> • Subject to conditions requiring tree and hedge protection and the approval of a landscaping scheme and management
Urban Design Officer	No objection <ul style="list-style-type: none"> • Provided comments on detailed design matters to be taken into consideration at reserved matters stage
Drainage Officer	No objection <ul style="list-style-type: none"> • Subject to conditions requiring surface water and foul water drainage schemes
Contaminated Land Officer	No objection <ul style="list-style-type: none"> • The submitted assessment does not identify any significant sources of contamination
Environmental Health Officer	No objection <ul style="list-style-type: none"> • Subject to condition requiring noise assessment and mitigation

3.0 **RELEVANT PLANNING HISTORY**

3.1 There is no planning history for this site. However, there are applications on nearby sites that are relevant to the extent that they include proposals for the Edge Road:

- As referred to above, there is a current outline planning application on the adjoining field to the northeast of the site, known as 'Site C'. This application ([P19/S1927/O](#)) for up to 60 homes is also being considered at the committee meeting on 13 January 2021.
- The land to the west of Cuxham Road is allocated for housing in the WNDP as 'Site A' and has planning permission for 183 homes under application reference [P17/S3231/O](#), which was allowed at appeal. This development will directly deliver a section of the Edge Road and provide a financial contribution to the sections that OCC would deliver. The route of the Edge Road would follow the route shown in the WNDP.
- Planning application [P19/S4585/O](#) is for a similar proposal on Site A and is pending a decision. This would provide an alternative route for the Edge Road via the existing roundabout that serves Willow Close.
- The field to the east of P19/S1927/O has a pending planning application for the erection of up to 100 homes under application reference [P16/S2576/O](#). A recommendation has not yet been made in relation to this proposal.
- The brownfield site on the corner of Shirburn Road and Pyrton Lane has planning permission for a care home and 37 retirement units through application references [P18/S0002/O](#) and [P19/S2380/RM](#). This site would not deliver a section of the Edge Road but, as a requirement of the planning permission, would require land to be passed to OCC to enable OCC to construct a roundabout to link the Edge Road to Shirburn Road.

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The council issued a Screening Opinion for this proposal under reference P18/S3934/SCR in January 2019. 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.

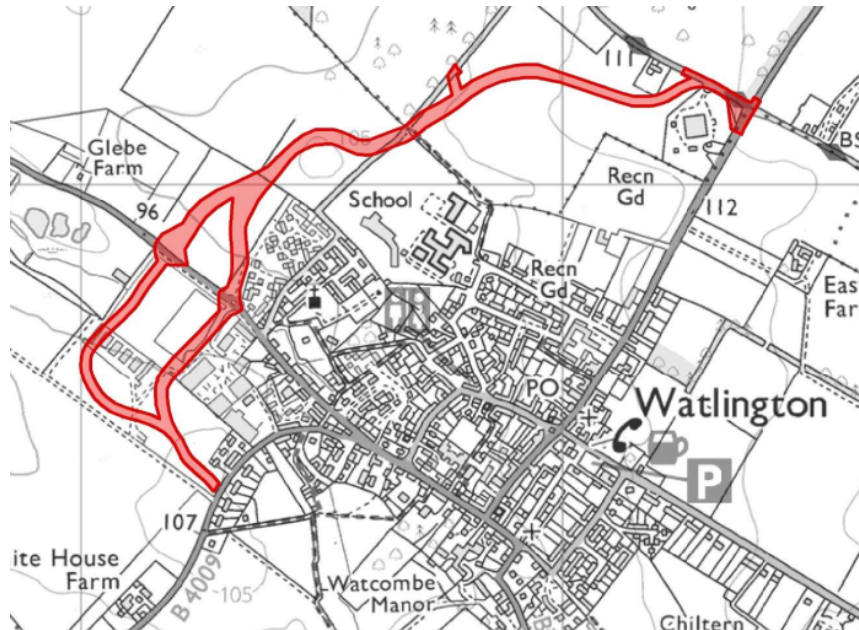
5.0 **POLICY & GUIDANCE**

5.1 **Development Plan Policies**

In the case of South Oxfordshire, the Development Plan consists of the South Oxfordshire Local Plan 2035, which was adopted on 10 December 2020. Watlington's Neighbourhood Development Plan also forms part of the Development Plan.

South Oxfordshire Local Plan (SOLP) 2035

The relevant policies in the SOLP 2035 include policy TRANS3, which specifies land safeguarded for strategic transport schemes, including land for a bypass for Watlington. The safeguarded route is shown on the map below:



Other relevant policies are:

STRAT1 – The overall strategy

STRAT2 – Housing and employment requirements

STRAT5 – Residential densities

H1 – Delivering new homes

H9 – Affordable housing

H11 – Market mix

INF1 – Infrastructure provision

TRANS1b – Supporting strategic transport investment

TRANS4 – Transport Assessments, Transport Statements and Travel Plans

TRANS5 – Consideration of development proposals

INF4 – Water resources

ENV1 – Landscape and countryside

ENV2 – Designated sites, priority habitats and species

ENV3 – Biodiversity

ENV5 – Green infrastructure in new developments

ENV6 – Historic environment

ENV7 – Listed buildings

ENV8 – Conservation areas

ENV12 – Pollution

EP1 – Air quality

EP3 – Waste collection and recycling

EP4 – Flood risk

DES1 – Delivering high quality development

DES2 – Enhancing local character

DES3 – Design and access statements

DES4 – Masterplans for allocated sites and major development

DES6 – Residential amenity

DES8 – Efficient use of resources

DES9 – Promoting sustainable design

DES10 – Carbon reduction

CF5 – Open space, sport and recreation in new residential development

Watlington Neighbourhood Development Plan (WNDP)

The Watlington Neighbourhood Development Plan (WNDP) 2017 – 2033 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 WNDP also shows a route 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 WNDP is a made Plan and therefore carries full weight. Other relevant policies are:

Watlington Housing Policy: Site B – Land off Cuxham Road and Willow Close

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

- 5.2 Pyrton also have a Neighbourhood Development Plan covering their Parish, which adjoins Watlington. The policies in the Pyrton Neighbourhood Plan that relate to heritage assets and landscape matters are relevant to this proposal. However, they do not add anything substantial to the relevant policies in the SOLP 2035 and WNDP insofar as the matters to be considered under this application.

5.3 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG) (November 2016)

Developer Contributions Supplementary Planning Document (April 2016)

5.4 **National Planning Policy Framework and Planning Practice Guidance**

5.5 **Other Relevant Legislation**

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application, the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

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

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. The Development Plan for South Oxfordshire is the South Oxfordshire Local Plan 2035 (SOLP 2035).
- 6.3 The policies of the SOLP 2035 that are of most relevance to the principle of the development are those that seek to direct new development to sustainable locations. This is achieved through a hierarchical approach in policy STRAT1, complemented by policy H1 which supports the delivery of housing on sites that are allocated by Neighbourhood Development Plans.
- 6.4 The Watlington Neighbourhood Development Plan (WNDP) also forms part of the Development Plan. The site is allocated for housing in the VNDP as “Site B” and as such, the principle of the development is acceptable, and the proposal accords with the relevant policies in the Development Plan.
- 6.5 In terms of detail, the VNDP states that it is anticipated that the site will yield approximately 40-60 dwellings. The application proposes up to 70 homes and therefore exceeds the expected yield. The increase in housing numbers is not in itself a reason to object to the application as the numbers presented in the VNDP are a minimum. In this case, the illustrative layout plans show that a layout could be secured to effectively mitigate the impacts of the additional dwellings.
- 6.6 The policy for housing on Site B also requires the development to comply with several amenity and environmental considerations. These are considered in the relevant sections of this report and are set out in the bullet points below:

- They conform to the principles set out in the Watlington Design Guide
- 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 provide land to safeguard the route for a re-aligned B4009
- They provide land for formal and informal recreation use and open space in accordance with development plan standards
- They provide space for an informal recreation area
- They create connectivity with the existing Marlbrook development, town centre and the countryside
- They are designed so that the built edge of the development blends into the landscape to the north and west
- They provide for any necessary traffic mitigation measures
- 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

Matters of detail / technical issues

Affordable housing and housing mix

- 6.7 The application documents state that 40 percent of the proposed homes will be affordable. This complies with policy H9 of the SOLP 2035 in terms of the overall amount of affordable housing.
- 6.8 In terms of the tenure of this 40 percent, the council's Housing Development team commented on this application prior to the adoption of the SOLP 2035 and suggested a mix which accorded with the affordable housing policy in the South Oxfordshire Core Strategy (SOCS). The SOCS policy (policy CSH3) required a tenure mix of 75 percent social rented and 25 percent shared ownership.
- 6.9 Policy H9 of the SOLP 2035 requires a tenure mix of 40 percent affordable rented, 35 percent social rented and 25 percent other affordable routes to home ownership. The council's Housing Development team will be preparing new comments on the application based on the requirements of SOLP 2035 policy H9 and officers will provide an update at the committee meeting.
- 6.10 The affordable units will need to be distributed evenly across the site to avoid large clusters and must be indistinguishable from the market housing. Subject to the affordable homes being secured through the provisions of a Section 106 legal agreement, the proposal will provide homes to meet the needs of the district in compliance with policy P5 of the WNDP and the requirement for Site B to provide affordable dwellings in accordance with Development Plan standards.
- 6.11 In terms of market housing, the mix can be secured through a condition requiring the mix to be informed by the most up-to-date housing needs assessment. This would

ensure that the development of the site accords with the criteria for Site B to deliver a well-balanced mix of housing types, including needs identified in the most recent Watlington Housing Study.

Traffic impact and highway safety

- 6.12 Watlington's narrow streets are under extreme pressure from vehicles passing through the town, severely detracting from its historic character, harming living conditions and creating a hostile pedestrian environment. The Edge Road would help to relieve this situation.
- 6.13 This proposal, in combination with the development of the adjoining Site C, will play an important role in providing part of the Edge Road. The Edge Road through the application site and Site C will be delivered by the developer. The other stretches of the route will be delivered through a combination of direct delivery by developers, developer contributions and construction by OCC.
- 6.14 The nearby Site A has planning permission with potential for the Edge Road to be provided to Cuxham Road where it would join with the application site along the route shown in the WNDP. There is also a planning application with an alternative scheme for Site A which is pending a decision. This would provide a potential alternative route for the Edge Road via the existing roundabout at Willow Close.
- 6.15 The illustrative plans submitted with this application show that the layout of the application site could be arranged to accommodate the Edge Road in the location shown in the WNDP (as shown in Appendix B). The illustrative plans also show that the site could be accessed off the Willow Close roundabout with the Edge Road following the alternative route that is being considered by OCC (as shown in Appendix C).
- 6.16 As this is an outline planning application with access reserved for consideration later, the access points are not fixed and are for illustrative purposes only. The illustrative plans have demonstrated that the development of the site would not prejudice or prejudice the route of the Edge Road. If this application progresses positively, the exact position of the access, and the route of the Edge Road, will be determined under a reserved matters application.
- 6.17 In terms of traffic impact, the submitted Traffic Assessment has considered various scenarios including provision and part provision of the Edge Road. With the entire Edge Road in place and open to traffic the development traffic would have an acceptable impact on local junctions. The assessment shows that with just the element of the road through Site C and the application site open, that there would be a negligible impact on local junctions.
- 6.18 The highways officer at OCC commented that the junction assessments in these scenarios were reassuring. However, he initially raised concern that there was no assessment of the impact on Pyrton Lane, which is a narrow rural lane.
- 6.19 To the south, Pyrton Lane has two very tight bends with limited forward visibility. The provision of the route through the application site and Site C would by-pass the southern part of Pyrton Lane, including the tight bends.
- 6.20 In order to address the highway officer's concern about there being no assessment of the impact on Pyrton Lane, the applicant submitted a swept path analysis. This demonstrated that two large cars (4 x 4s) are able to pass within the carriageway along

its entirety. The proposals also include a signage strategy for Pyrton Lane to deter HGV use and warn of narrowing in the carriageway.

- 6.21 In addition, traffic mitigation measures were secured as a requirement of the development that was approved at appeal on Site A (P17/S3231/O). This included parking restrictions in the town centre until such a time as the Edge Road is open to traffic.
- 6.22 The traffic modelling that was considered for the appeal at Site A took account of housing developments expected to be delivered in the next five years, which included the application site and Site C. The Planning Inspector who determined the appeal concluded that up until at least 2024, the effects of the development can be mitigated with a positive effect on traffic flows through the town centre and a negligible effect on flows along Pyrton Lane.
- 6.23 Although these measures are likely to be implemented through the development of Site A, there is no guarantee that this will be the case. As such, it is necessary for the town centre traffic mitigation that was agreed for Site A to be secured under the legal agreement for this application. It is acknowledged that the town centre mitigation measures are an interim solution, in advance of the completion of the Edge Road.
- 6.24 As time progresses, there is increased confidence about the delivery of the Edge Road. Funds are available as part of the Oxfordshire Housing and Growth Deal for OCC to forward fund parts of the Edge Road that are beyond identified development sites. OCC are continuing their optioneering exercise to confirm the exact route of the road and their current ambition is to deliver the road by late 2023 / early 2024. The safeguarding of the whole of the route has also gained weight following the adoption of the SOLP 2035.
- 6.25 In accordance with the decision taken on Site A, the application proposals are considered to have an acceptable impact on the highway network. Subject to appropriate travel planning and a contribution towards public transport, the location of the site is considered relatively accessible and does not raise concerns of sustainability.
- 6.26 The proposals would provide land to safeguard the route for a re-aligned B4009 and would also provide for any necessary traffic mitigation measures, in accordance with the requirements for the development of Site B in the WNDP. In terms of the stipulation to create connectivity with the existing Marlbrook development, town centre and the countryside, the illustrative plans show that all opportunities have been taken to integrate new footpaths into the surrounding footpath network. Linkages to the rural footpaths cannot be secured as part of the application as this would require development outside of the application site boundary.
- 6.27 Subject to the completion of a legal agreement and relevant conditions, the proposal would also comply with the relevant Development Plan policies. This includes policies TRANS2 and TRANS5 of the SOLP 2035, which seek to promote sustainable transport and accessibility and create appropriate conditions for all users of the highway.

Air quality

- 6.28 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.

- 6.29 Watlington Town Centre is one of three Air Quality Management Areas (AQMA) 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.'
- 6.30 The council's air quality officer is supportive of the Edge Road as it is a real opportunity to enhance and improve local air quality in line with the principles in the NPPF. The proposal would directly deliver part of the Edge Road and also contribute to off-site sections through a financial contribution.
- 6.31 The proposals would also incorporate air quality mitigation measures including electric vehicle charging points, sustainable travel packs, cycle storage and gas boilers within a specified standard. These measures can be secured via a condition.
- 6.32 The proposal would therefore comply with policies ENV12 and EP1 of the SOLP 2035, which require developments to be located and designed so that they do not have adverse impacts on human health and include measures to minimise air pollution.

Landscape and character

- 6.33 Whilst the site lies outside of the Chilterns AONB, it is within its setting. 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 ENV1 of the SOLP 2035 and para.172 of the NPPF seek broadly similar objectives.
- 6.34 The town of Watlington and its relationship with the surrounding rural areas is visible in the panoramic views from Watlington Hill, which is within the AONB. These views are impressive and much public benefit is derived from this open access National Trust site. Watlington as a settlement nestles within these views and this relationship contributes to the special qualities of this part of the AONB.
- 6.35 Development on the edge of Watlington should therefore be treated with great care as it has the potential to erode and harm the setting of the AONB. The design and location of both the proposed lighting and green infrastructure elements are particularly important in terms of the impact on the setting of the AONB. When combined these considerations impact upon wider views from within the AONB, especially when looking down from the higher ground at Watlington Hill.
- 6.36 Given that the site is within an intrinsically dark sky location, the lighting strategy should seek to achieve an exemplary design standard. To safeguard the dark night skies of the AONB, lighting should only be used where and when needed and should be the minimum required. Lighting details can be secured via a condition.
- 6.37 One of the requirements for this site in the WNDP is that the proposals are designed so that the built edge of the development blends into the landscape to the north and west. The indicative layout shows that it will be possible to incorporate significant landscaping at the rural edges of the site, avoiding a hard-urban edge.
- 6.38 The low density of the development will allow for the incorporation of street trees and green spaces within the built-up element of the development. These factors will help achieve a pattern of development that fits with the grain of Watlington. A future reserved matters application will need to demonstrate a strong landscape-led approach.
- 6.39 The detailed scale, design and appearance of the development will be considered at reserved matters stage. Materials will need to be carefully considered, and as required

by the WNDP, the proposal will need to conform to the principles set out in the Watlington Design Guide.

- 6.40 The details submitted with this outline application demonstrate that the site can accommodate the level of development proposed whilst conserving and enhancing the setting of the AONB. This accords with the above Development Plan policies, including the relevant criteria in the WNDP.

Heritage

- 6.41 There are no designated heritage assets on the site, however it sits in the setting of several assets: Pyrton Manor and Pyrton Conservation Area, Watlington Conservation Area and St Leonard's Church and Shirburn Castle Registered Park and Garden and Shirburn Conservation Area. The WNDP highlights the need for the proposal to be designed in a fashion that respects heritage assets in the wider locality of the site.
- 6.42 In considering whether to grant planning permission, the statutory test in section 66 (1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* requires the decision maker to have special regard to the desirability of preserving the setting of listed buildings. In relation to conservation areas, *section 72 (1) of the Act* requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of that area.
- 6.43 There is a greater separation between the application site and Pyrton Conservation Area than there is with the proposed development on Site C, which adjoins this designated area. However, the two developments together will have an impact on the setting of Pyrton Conservation Area and the listed buildings within it.
- 6.44 The presence of built form will erode the open rural character of the existing setting to the Pyrton Conservation Area which is most notable as you travel along Pyrton Lane and into the village from the south-eastern edge. This impact will be most noticeable at night with the introduction of increased street-lighting and general light pollution from the development and movement of vehicles.
- 6.45 The proposed lighting strategy suggests that light levels would be no more than necessary and designed to reflect the low-light area and proximity to the AONB. Lighting details can be secured via a condition and, as referred to above, should seek to achieve an exemplary design standard.
- 6.46 When commenting on the associated application at Site C (P19/S1927/O), the council's conservation officer concluded that the proposals will lead to less than substantial harm to the significance of the Pyrton heritage assets. As required by paragraph 196 of the NPPF, this harm should be weighed against the public benefits of the proposal.
- 6.47 There will be several benefits associated with the proposed development including the significant benefits of the delivery of housing, and particularly much needed affordable housing. Furthermore, this housing will be delivered on an allocated site, which has been through the plan led process, including a public referendum. Through this process, the allocated sites have been determined as being the most appropriate location for growth at Watlington.
- 6.48 The proposal will also have the benefit of delivering part of the route of the Edge Road. The benefits that would amount from this element of the proposal include easing the traffic pressures in the town centre and a resultant improvement in air quality.

Reducing congestion in the town centre will also have a positive impact on its historic character and improve the pedestrian environment.

- 6.49 The level of harm to the heritage assets within Pyrton will be at the lower end of the scale. The public benefits that would result from the proposed development would, in the opinion of council officers, outweigh the harm.
- 6.50 It is also noted that the Inspector who examined the SOLP 2035 considered the Watlington Edge Road in depth and held a separate hearing on it. Although the specific impact of this application was not considered at the hearing, it is relevant in so far that the development will include a section of the Edge Road. In his report on the SOLP 2035, the Inspector comments that:

‘The historic buildings of Pyrton would be well away from the route of the edge road with a considerable amount of intervening greenspace which could be reinforced through the design of the road, and the safeguarding has been realigned so that it is further from the setting of the Manor in Pyrton’.

- 6.51 In terms of the impact on other heritage assets, the application site is separated from Watlington Conservation Area by existing 20th Century housing at Willow Close which also creates a barrier between the site and St Leonard’s Church. The experience of the Watlington Conservation Area and the setting of the church will not be detrimentally impacted as this will essentially exacerbate an existing situation of modern development on what was the historic settlement edge.
- 6.52 Further to the north is Shirburn Castle, the Registered Park and Garden and Shirburn Conservation Area. There is far greater separation between these assets and the application site. Whilst there may be some additional light pollution arising from the development as experienced from these assets, this is much more closely read alongside the existing situation and would have a negligible impact on the overall significance of the designated heritage assets at Shirburn.
- 6.53 Overall, officers consider that the public benefits of the development will outweigh the low-level harm to heritage assets. The proposal accords with the relevant Development Plan policies which seek to conserve and enhance heritage assets and their settings for their important contribution to local distinctiveness, character and sense of place. This includes policies ENV6, ENV7 and ENV8 of the SOLP 2035. The development also accords with the relevant heritage criteria under the requirements for Site B in the WNDP and policy P1, which required development to respect the local and historic character of Watlington.
- 6.54 In relation to archaeology, the County Council’s Archaeologist has confirmed that there are no known archaeological constraints to the development.

Trees and ecology

- 6.55 In relation to trees, there are trees that are located adjacent to the southeast boundary of the site that are protected by a Tree Preservation Order. There is also a row of trees within the site and the reserved matters layout should explore whether there is potential for these to be retained.
- 6.56 The application is accompanied by an Arboricultural Report including a Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan. Subject to the implementation of tree and hedge protection measure, the council’s forestry officer is

satisfied that the proposal will have an acceptable impact on trees. The proposal therefore accords with policy ENV1 of the SOLP 2035 in this respect.

- 6.57 With regards to ecology, the council's ecologist has confirmed that the development is unlikely to have impacts on protected or priority species. It is also possible for this site to achieve a net gain in biodiversity. The proposal therefore complies with SOLP 2035 policies ENV2 and ENV3.

Neighbour amenity and amenity of future residents

- 6.58 Given the distance to neighbouring properties, the proposal would not result in any adverse impacts on neighbouring amenity in terms of a loss of light, overlooking or an overbearing impact.
- 6.59 In terms of the amenity of future residents, this will be assessed at reserved matters stage when the details of the development are available. The proposals would need to comply with relevant standards in relation to separation distances and garden sizes.
- 6.60 The council's environmental protection officer has commented about the potential for noise from the Edge Road to impact on future residents. He has requested an acoustic assessment of road traffic and, if necessary, mitigation measures to protect the dwellings from the external noise environment. This can be secured via a condition.

Environmental matters (flooding, drainage and contamination)

- 6.61 The application site is within Flood Zone 1 (least probability of flooding). The council's drainage engineer has considered the submitted Flood Risk Assessment and has raised no objection to the development subject to conditions to secure appropriate surface and foul water drainage schemes.
- 6.62 Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of the development proposal. Thames Water have therefore requested a condition requiring no properties to be occupied until all wastewater network upgrades required to accommodate the additional flows from the development have been completed, or a housing and infrastructure phasing plan has been agreed. This requirement can be added to the foul water drainage condition.
- 6.63 The submitted Phase 1 Ground Condition Assessment, does not identify any significant sources of contamination and only a very low risk is attributed to the site. Following a review of Environmental Health records, the council's contaminated land officer has confirmed that no further site investigations are required.

Infrastructure requirements

Infrastructure to be secured under a legal agreement

- 6.64 Where necessary, on-site and off-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.
- 6.65 The extent of open space and land for recreation use will be detailed on a reserved matters application. The illustrative plans show that a generous amount of open space can be accommodated on site, to meet Development Plan standards. Details of a play

area can be submitted as a condition. As such, the proposal meets the relevant criteria in the WNDP for the development of Site B.

- 6.66 In accordance with the council's S106 Planning Obligations Supplementary Planning Document, the following index linked financial contributions would be required towards on-site infrastructure:
- £186 per dwelling towards the provision of recycling / refuse bins
 - £229 per 10 dwellings towards street naming and numbering
 - £306 per dwelling towards the provision of public art
 - £3,106 administration and monitoring fee
- 6.67 OCC also require contributions / obligations to mitigate the impact of the development on the functions that they operate. In this case, the development will impact on local education needs and the local highway network, both of which fall within their remit.
- 6.68 In relation to education, there is insufficient capacity to accommodate the expected increase in demand from housing growth in the area, including this application, for early years education and secondary education. The applicant has agreed to the following contributions to expand the capacity serving the site and to mitigate the impact of this development:
- £77,758 towards early years education
 - £373,001 towards secondary education
- 6.69 Land is also required to facilitate the expansion of Icknield Community College and this can be secured through the provisions of the legal agreement for the associated development at Site C (P19/S1927/O). The field to the rear of Icknield Community College is in the same ownership and the applicant has agreed to transfer the required land to OCC.
- 6.70 With regards to highways, the following contributions / obligations have been agreed to mitigate the impact of the development:
- £7,000 per dwelling contribution towards Watlington Edge Road
 - £1,000 per dwelling towards public transport services
 - £1,200 for travel plan monitoring
 - Provision of spine road to specification of Watlington Edge Road
 - Off-site highway works including signage and town centre mitigation (if not already implemented through development at Site A)
 - Public transport infrastructure TBC (dependant on final layout – S106 to include a maximum amount)
 - Public rights of way improvements TBC (dependant on final layout – S106 to include a maximum amount)
 - £3,750 administration and monitoring fee
- 6.71 I consider that these contributions / obligations accord with policy INF1 of the SOLP 2035 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.

Off-site contributions pooled under the Community Infrastructure Levy

- 6.72 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.
- 6.73 The development is CIL liable at a rate of £150 per sq.m (index linked from 2016 and as of December 2020 £182.18 per sq.m), although relief can be claimed for the affordable housing. Under the CIL Regulations, Watlington Parish Council will receive 25 percent of the CIL collected to spend on infrastructure that is a priority to the community.

Other matters

- 6.74 In accordance with policy H11 of the SOLP 2035, a percentage of dwellings should be designed to meet the Building Regulations Part M requirement of accessible and adaptable dwellings and wheelchair accessible dwellings. There is also a requirement in the ESOLP for some of the dwellings to meet Nationally Described Space Standards. These matters can be secured through conditions.
- 6.75 In relation to climate change, there is a requirement in the WNDP for this site to include measures to provide resilience to the effects of climate change. Policy DES10 of the SOLP 2035 also requires new development to meet specific requirements to reduce carbon. To secure suitable measures, an Energy Statement can be secured through a condition. This requirement reflects the importance of climate change following updates to the NPPF, as well as the council's declared climate emergency and associated motion to aim to reach net-zero carbon emissions for the whole district by 2030.

7.0 CONCLUSION

- 7.1 The application site is allocated for residential development within the Development Plan. The proposal will deliver a variety of housing to help meet housing needs and will have further significant benefits in that it will provide a section of the Watlington Edge Road and contribute towards parts of the road that are outside of the development site.
- 7.2 The details provided with this outline planning application indicate that a scheme for up to 70 homes can be accommodated on the site in a manner that will have an acceptable impact on landscape character, ecology, trees and heritage assets. All the technical issues can be addressed by conditions.
- 7.3 Details of the development will be considered at reserved matters stage and this includes layout, scale appearance and landscaping. Details of the access will also be considered at reserved matters stage and the applicant has demonstrated that the site could be laid out to accommodate either of the options for the route of the Edge Road.
- 7.4 When considered against the Development Plan as a whole, the proposal represents a sustainable form of development and there are no valid reasons to withhold outline planning permission.

8.0 **RECOMMENDATION**

8.1 It is recommended that authority to grant outline planning permission is delegated to the head of planning subject to:

- i) Referral to the National Casework Unit;
- ii) The prior completion of a Section 106 agreement to secure the affordable housing, financial contributions and other obligations stated above, and
- iii) The following conditions:

Reserved matters (including details to be submitted), time limit and approved plans

- 1. Submission of reserved matters
- 2. Reserved matters to be submitted within three years
- 3. Commencement
- 4. Approved plans
- 5. No more than 70 dwellings
- 6. Market mix
- 7. Details to be submitted with condition 1:
 - energy statement
 - details of roads, accesses, footpaths and services
 - schedule of external materials
 - vehicle and cycle parking facilities
 - waste and recycling facilities
 - boundary treatments
 - details of all street furniture
 - existing and proposed ground levels
 - maintenance schedule and long-term management plan for soft landscaping

Pre-commencement

- 8. Phasing plan
- 9. Details of off-site highway works
- 10. Construction Traffic Management Plan
- 11. Green Travel Plan
- 12. Lighting plan
- 13. Environmental Management Plan for Biodiversity
- 14. Biodiversity Enhancement Plan
- 15. Tree and hedge protection
- 16. Surface water drainage scheme
- 17. Foul water drainage scheme (including Thames Waters requirements)
- 18. Noise from Edge Road and any necessary mitigation

Prior to Occupation

- 19. Access provision
- 20. Pedestrian, cycle and vehicular access
- 21. Details of play areas and timetable for implementation
- 22. Air quality mitigation measures
- 23. Superfast broadband connectivity

Compliance conditions

24. Hours of construction

25. At least 15% of market housing to meet Part M (4) Category 2

26. At least 5% of affordable housing to meet Part M (4) Category 3

27. All affordable housing and 1 and 2 bed market housing to meet Nationally Described Space Standards

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