

APPLICATION NO.	P23/S0582/FUL
SITE	Satwell House Satwell, RG9 4RB
PROPOSAL	Landscaping works including the creation of a new access, the creation of a lake and tree planting.
AMENDMENTS	(amended plans and additional information received 27 September 2023 and 07 November 2023 and 02 January 2024).
APPLICANT	Satwell Properties Limited
APPLICATION TYPE	FULL APPLICATION
PARISH	HIGHMOOR
WARD MEMBER(S)	Jo Robb & James Norman
OFFICER	Marc Pullen

1.0 **INTRODUCTION**

- 1.1 The application site (which is shown on the OS extract attached as **Appendix A**) has an area of approximately 33.5 hectares and comprises a detached two storey dwelling located to the centre of the south-eastern end of the site and a number of additional parcels of land. The dwelling is currently accessed by a drive running south-west from the B481 towards the dwelling. A number of ancillary structures, including a garage and ancillary dwellings, are located to the east of the dwelling. Planning permission has recently been granted for the demolition of these structures and their replacement in a location further to east, adjacent to the B481 (reference P21/S3031/FUL).
- 1.2 The principal dwelling benefits from extensive landscaped grounds. The more formal landscaped area of garden lies to the immediate south of the dwelling whilst the extensive landscaped parkland lying to the north-west is associated with the residential use but does not form part of its residential curtilage.
- 1.3 To the west of this parkland, beyond the wooded band extending from the woodland in the south to the northern boundary of the site, is a further parcel of land which previously formed a separate planning unit. This comprises a vacant farmhouse building with associated residential curtilage (located at the northern edge of the site) and its attached farmland which remains in agricultural use. There is a separate access from the B481 into this part of the site, which is shared with a number of additional dwellings.
- 1.4 The site is surrounded by open countryside on all sides, with a few dispersed dwellings forming the hamlet of Satwell to the east. The whole site is washed over by the Chilterns National Landscape (formerly Areas of Outstanding Natural Beauty; AONB). An area of ancient woodland extends along part of the southern boundary and projects into the centre of the site (although is excluded from the red line). Part of this woodland is also designated a Site of Special Scientific Interest (Bears, Oveys and Great Bottom Woods SSSI).

- 1.5 The site is subject to two Tree Preservation Orders. G1 relates to a group of 36 variegated maples along the existing main drive. G2 relates to a group of 6 variegated maples parallel to the old access drive.
- 1.6 Public rights of way run east-west along the northern and southern boundaries of the site, as well as north-east along approximately 200 metres from the eastern boundary of the site. Several further public rights of way radiate out from the site into the surrounding countryside.
- 1.7 The application site is within Highmoor Parish.

2.0 PROPOSAL

- 2.1 This application seeks full planning permission for landscaping works including the formation of a new access from an unnamed section of road to the west of the site to the main dwelling. This would also comprise the creation of a new 'access crescent' with new lawn, hedging and access gate.
- 2.2 It is proposed to create a lake to the centre of the site, over which the newly created drive would pass by bridge.
- 2.3 The application plans and documents have been amended during the application process in response to consultation comments in relation to landscape impacts, drainage and biodiversity.
- 2.4 Reduced copies of the plans accompanying the application are attached as **Appendix B**. Other documentation associated with the application can be viewed on the council's website, www.southoxon.gov.uk.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

Highmoor Parish Council – Objection

First set of comments:

- Removal of an old well-established hedgerow which once formed the boundary to Witheridge Hill common.
- Removal of the hedgerow would result in increase in vehicular speeds and detract from the rural character of the road.
- Proposed new access would be very intrusive on nearby properties along Witheridge Hill – headlights and increased traffic movements.
- No amount of mitigation would reduce the effect of the access on character and amenity.
- To use existing accesses as precedent in design terms is inappropriate.
- The proposed lake would be an alien feature within the landscape and would be visible from public footpaths HM19 and HM12.
- Any additional water run off would exacerbate existing flooding issues down the hill opposite The Old Place.
- We are concerned that such a large and unshaded expanse of open water will put an extra burden on the water supply for the area, especially in times of drought.
- Existing works to fell some woodland, install a path and steps and fence the site have presented a clear threat to the SSSI.

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- Impact on dormice which are present in the hedgerow which is sought to be removed.
- The proposed development would result in a dramatic presence of Satwell House within an otherwise simple landscape of small field and woods.
- The new access would be visible from public vantage points.
- Concern over further fencing and lighting being installed on site to facilitate the proposed development – concerns over dark skies.

Second set of comments:

- We can find little of substantial difference between the original application, and this amended version.
- The suggested species of replacement hedging is not acceptable and not mixed enough.
- The new route of the driveway makes the possibility of nighttime disturbance of the neighbouring properties possibly more likely.
- Do not see that any tests to overcome habitat harm have been met.

Third set of comments:

- Do not consider the tests of ENV2 have been met – which requires benefits of a proposal to outweigh harm, to demonstrate that there are no alternative locations and that measures to mitigate and compensate for harm are proposed.

Rotherfield Greys Parish Council – No response

Stoke Row Parish Council – No response

Ecology Officer (South and Vale) -

First set of comments:

- Holding objection. Further information required.
- Query over the central woodland belt and whether this a priority habitat.
- Query over whether western hedgerow is considered important under the Hedgerow Regulations
- No compensation is proposed to offset impact on woodland belt.
- Concerns over degradation licencing over dormice.
- Bat survey results needed.
- Concern over loss of veteran irreplaceable tree.
- Concern over reptiles and existing water feature on site – advising fish are removed to support great crested newts (GCN).
- No biodiversity gain is provided for consideration.
- External light should be controlled by condition, NatureSpace GCN licence should be obtained and submitted, surveys on certain species should be submitted, habitat creation should be demonstrated, conditions would need to be attached to cover construction harm and biodiversity enhancements onsite.

Second set of comments:

- Woodland belt is considered priority habitat – officers should be satisfied that ENV2 requirements are met.
- Western hedgerow is a priority habitat and has been considered important under the Hedgerow Regulations – as such ENV2 requirements should be met.
- Further details of GCNs should be provided.
- Generally happy with the hazel dormice technical note/plan.
- Confirmation over veteran irreplaceable tree has been provided – support its retention.
- Concerns over biodiversity metric provided.
- The case officer will need to be satisfied that the requirements of Policy ENV2(3) are met for the loss of priority woodland and hedgerow habitats. Currently, there is inadequate compensation proposed for these impacts (as reflected by comments under the BNG metric).

Third set of comments:

- The case officer should be happy that the requirements of Policy ENV2(3) (i) and (ii) are satisfied for loss of hedgerow and woodland priority habitat. If this is the case then planning conditions are recommended to cover matters relating to GCNs, construction environmental management and landscape and ecology management on site for a minimum period of 30 years.

Drainage (South and Vale) – No objection

- First and second set of comments sought further details on percolation testing and soakaways.
- Third set of comments – satisfied with proposal in accordance with details submitted.

Forestry Officer (South and Vale) –

First set of comments:

- The majority of the trees and hedgerows requiring removal have been assessed as having low arboricultural quality and should therefore not be considered a constraint to the proposed development.
- From an arboricultural perspective, I have no objections to the proposed development subject to tree protection and landscaping conditions being attached.

Second set of comments:

- Submitted information states the need for an Arboricultural Method Statement – which should be agreed upfront or by condition.

Third set of comments:

- Same as second set of comments.

Landscape Architect (South and Vale) –

First set of comments:

- Holding objection. Proposal lacks some details on details over the gradient of the new access, including cross sectional drawings, level details for the lake, planting details, details of hardstanding and structures, ecological enhancements as part of the landscaping, planting implementation notes and to address comments made on LEMP.
- It is important to ensure no external lighting.

Second set of comments:

- No objection subject to conditions.
- Conditions to require details of planting details, irrigation, soil deposition and mounding and a revised LEMP.
- Changes have been made which have addressed concerns regarding changes in level at the site entrance. Other outstanding issues could be dealt with through conditions as noted above.

Env. Protection Team (South and Vale) – No objection

- Some concerns about noise and dust during construction and therefore recommend a condition which limits hours of construction.

Contaminated Land (South and Vale) – No objection

- Condition recommended that requires any unsuspected land contamination encountered during the construction to be properly investigated and remediated in submission with the local planning authority.

Newt Officer (Nature Space Partnership) –

- If planning permission is granted, conditions are recommended.

Oxfordshire County Council – Highways

- No objections subject to conditions which (a) require access to be formed and laid out and constructed in accordance with LHA specifications and (b) to ensure visibility splays are provided in accordance with plans and protected from obstruction.

Oxfordshire County Council – Flooding/Drainage

- No objections subject to conditions which (a) require the submission and agreement of a surface water drainage scheme for the site and (b) requires a record of the installed SuDS and site wide drainage scheme to be submitted and agreed in writing.

Oxfordshire County Council – Archaeology

- The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Oxfordshire County Council - Public Rights of Way

- We don't believe that any of the proposed works impact upon a public right of way.

Natural England –

- Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Chilterns Conservation Board –

- We fully support the pre-application opinion, and we share the views expressed on lighting within the AONB. This is a matter of increasing attention and focus and our 2019-2024 Management Plan policy DP8 deals with this, too.
- In evaluation of enhancement opportunities on site, the Board would comment that (i) No lighting should be added within the landscape, to protect and engender the dark skies of the Chilterns (another special quality) and (ii) that trees should be retained where they are in a healthy condition, as opposed to lacking amenity value.
- Biodiversity enhancements should be proposed and controlled by planning condition.

CPRE South Oxfordshire District Committee –

- We request that a suitably worded planning condition be used to ensure the detailed guidance of the EIA is followed in order to protect the dark skies of the Chilterns AONB and prevent harm to nocturnal wildlife.

Chiltern Society –

- This is a complex and comprehensive application for a major development so we ask that, in keeping with NPPF, SODC Local Plan and CCB AONB Management Plan, particular and close attention be given to the importance of preserving dark sky areas by mitigating light pollution (presenting a detailed plan for external and internal lighting to reduce light spill), of enhancing biodiversity and of amenity considerations (noise pollution).

Scottish Southern Electric –

- Guidance on electric and gas pipelines.

Thames Water Development Control –

- No comments to make.

The Woodland Trust – No comments

Forestry Commission (District) – No comments

Neighbours/Residents (18)

First round of consultation:

- Objection to the creation of a new access – visible from neighbours and would impact on privacy on neighbour opposite as cars leave site
- The new entrance seems excessively large in size
- Objection to the loss of hedgerow and replacement with commercial hedging

- Concern over the replacement hedgerow not being appropriate for wildlife and existing fencing on site possibly being replicated which would prevent wildlife movement
- No mention of hedgehogs and impact on deer
- The estate currently has five entrances – why can't one of the existing be used, why is this one needed
- Concern over creation of car park near Cherry Tree Cottage
- Concern over the lighting of the new access and the impact this might have on the area
- The application does not specify the type of trees that would line the new drive and entrance
- Concerns over the construction process, use of heavy vehicles and machinery and the disruption caused – where will the access be and what will the implications be on highway safety. Noise pollution from construction process.
- Construction traffic should use the existing access/entrance off the B481 serving the house
- Where will the water, to fill the lake come from during times of drought – how will this affect the surrounding water table
- The road where the access is proposed is already narrow and quite busy
- Any planned fencing will obstruct views from local footpaths and create corridors for walkers
- Documents do not specifically identify how construction traffic will come into the site and leave

Second round of consultation:

- No change to the proposal
- Still concerns over the need for the proposed access
- Still concerns over the movement of wildlife
- Some clarity over external lighting but still concern if driveway will be lit
- Amendment has reduced number of parking spaces near Cherry Tree Cottage – but still question the need
- There is no need for this development – it is a vanity project
- Concern over the use of access to Stonehouse being used as a service road – this is a single lane track which is suitable for a small number of vehicular movements with poor visibility splays onto the B481. Trees along this access have not been considered despite being within the external works boundary. Concern over conflict with walkers using the footpath.
- The negatives of this scheme outweigh the benefits

Third round of consultation:

- Contest that the development would have small ecological impact - the new hedge will take more than a decade to get back to a state that provides the same ecological value as the current hedge
- The application continues to fail to mention whether any fencing will be used around the replacement hedging – impacting movement of wildlife
- Still no clarification over whether the access will be externally lit
- Construction would pose a real threat to the safety of highway users

4.0 **RELEVANT PLANNING HISTORY**

Application Number	Description of development
P22/S0697/PEJ	Reworking of the landscaping of the Estate with the intention of creating of a world class parkland setting
Advice provided (18/05/2022)	

5.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1 The site does not meet the criteria for Schedule 1 development as per The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The site does not exceed the thresholds for Schedule 2 development (10. (n) Groundwater abstraction and artificial groundwater recharge schemes not included in Schedule 1) but is located in a sensitive area (AONB). The development therefore requires screening for an Environmental Impact Assessment.

The proposal has been screened alongside this application under Regulation 8 of the EIA Regulations. The decision of the screening opinion is that an Environmental Impact Assessment is not required. This is because, having regard to the characteristics of the development, it is not considered that there is potential for significant environmental effects. All issues are considered to be of local significance only and can be examined through the normal planning process.

6.0 **POLICY & GUIDANCE**

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

6.2 **Development Plan Policies**

South Oxfordshire Local Plan 2035 (SOLP) Policies:

- 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
- DES7 - Efficient Use of Resources
- ENV1 - Landscape and Countryside
- ENV11 - Pollution - Impact from existing and/ or Previous Land uses on new Development and the Natural Environment (Potential receptors of Pollution)
- ENV12 - Pollution - Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Potential Sources of Pollution)
- ENV2 - Biodiversity - Designated sites, Priority Habitats and Species
- ENV3 - Biodiversity
- ENV5 - Green Infrastructure in New Developments
- EP1 - Air Quality
- EP3 - Waste collection and Recycling
- EP4 - Flood Risk
- STRAT1 - The Overall Strategy
- TRANS5 - Consideration of Development Proposals

6.3 **Neighbourhood Plan**

No adopted Neighbourhood Plan.

6.4 **Supplementary Planning Guidance/Documents**

South Oxfordshire and Vale of White Horse Joint Design Guide
Chilterns AONB Management Plan

7.0 **PLANNING CONSIDERATIONS**

7.1 **The relevant planning considerations are the following:**

- **Principle of development**
- **Design and landscape impact**
- **Ecological impacts**
- **Impacts on trees**
- **Drainage and flood risk**
- **Highway safety and access**
- **Impact on neighbour amenity**
- **Other material considerations**

7.2 **Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

Where development conflicts with the Development Plan planning permission should be refused unless material considerations indicate otherwise.

Where the development plan is silent on a particular matter or specifically directs assessment in line with national planning policy the development will be assessed against the National Planning Policy Framework (NPPF).

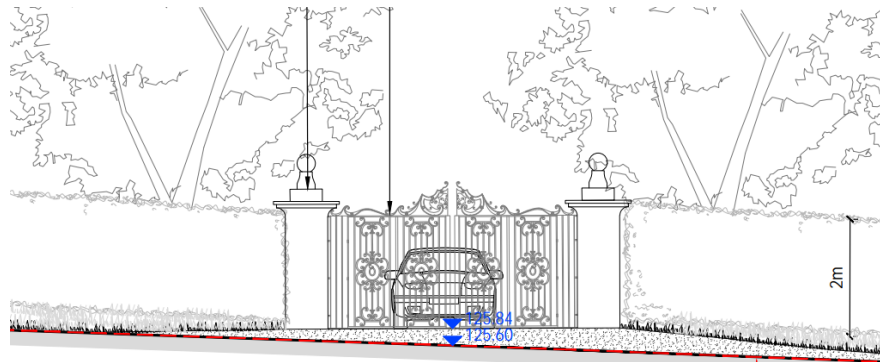
In the case of this application, the most relevant parts of the Development Plan are the South Oxfordshire Local Plan (2035) which was adopted in December 2020.

7.3 **Design and landscape impact**

The site lies within local landscape character area 10, Chilterns Plateau with Valleys. The fields within the southern and eastern part of the site are in landscape character type 16, Semi-enclosed Dipslope. This has comparatively open fields contained within a strong structure of woods, hedgerows or trees and a generally rural and unspoilt character. The woodland in the western and southern part of the site and the north-western field are in landscape character type 23, Wooded Dipslope. This is the dominant landscape type within the area, with a heavily wooded, intimate, and enclosed character, generally rural and unspoilt. Guidelines for character area 10 include promoting conservation of permanent pasture and arable reversion to grassland, especially next to watercourses; strengthening the field pattern by conserving and replanting hedges using locally occurring native species (i.e. hawthorn, blackthorn,

wayfaring tree, dogwood, spindle and oak) and maintaining hedgerows at a height and width appropriate to the landscape type; also safeguarding existing parkland features and small scale planting of deciduous woodland blocks using locally characteristic species.

- 7.4 In consultation with the Council’s Landscape Officer the proposed development is not considered to be detrimental to the landscape character area and the guidelines outlined above. Revisions made have addressed initial concerns. Conditions are recommended to ensure full compliance with the proposed landscaping of the site and to require details to be submitted in respect of planting species, irrigation and drainage pits, soil deposition and mounting and details of landscape and ecological management.
- 7.5 The proposed vehicular access has received objections on visual grounds. It is officer’s opinion that the new vehicular access would not appear out of keeping or incongruous within the street scene. Indeed, there are a few other accesses along this part of the road which serve properties. The proposed new access would require the removal of a significant stretch of existing hedgerow to enable visibility splays. Whilst this would result in visual impacts, a replacement hedgerow will be planted, and over time will reinstate the rural character of the road. The visual harm caused by the loss of the hedgerow would only be temporary.



- 7.6 Concern has been raised locally that the use of external lighting would be detrimental to the character and appearance of the site and the wider National Landscape. Officers recommend that a condition is imposed which would restrict the use of any external lighting to be installed and used as a result of this proposed development.
- 7.7 The use of hedging and species of trees and other vegetation would be agreed by condition. An appropriate species/mix of hedgerow will be supported.
- 7.8 **Ecological impacts**
Policy ENV2 of the SOLP seeks to protect important ecological receptors (designated sites, protected species, priority habitats, etc.). Where adverse impacts on important ecological receptors are likely, development must meet the criteria outlined under the policy to be acceptable. Policy ENV3 of the SOLP seeks to secure net gains for biodiversity and requires that applications are supported by a biodiversity metric assessment. Net loss of biodiversity will

not be supported. Policies ENV2, ENV3 and ENV4 of the SOLP are wholly consistent with paragraphs 180, 185 and 186 of the NPPF.

7.9 Ecological constraints on site:

- The site lies adjacent to the Bear, Oveys and Great Bottom Woods Site of Special Scientific Interest (SSSI).
- The central woodland belt within the site where the new driveway will pass through - a priority habitat.
- The western hedgerow (where the new access is proposed) - a priority habitat and likely important under The Hedgerow Regulations 1997.
- Surveys identify Great Crested Newts, Hazel Dormice and Bats present on site and likely to be impacted.
- Tree T57 has been identified as an irreplaceable veteran oak tree.
- There are badger setts within the site and the proposed development would pass through close to these setts.
- Low populations of reptiles (grass snakes and slow worm) were identified on site.

7.10 Bear, Oveys and Great Bottom Woods Site of Special Scientific Interest (SSSI)

The proposed development is suitably positioned away from the SSSI to avoid direct impacts. The potential for indirect impacts during the construction phase can adequately be addressed by a suitably worded condition (a construction environmental management plan (CEMP) condition). Natural England have been consulted on this application and are satisfied that harm to the SSSI is unlikely.

7.11 Central woodland belt (priority habitat)

Page 16 of the Ecological Impact Assessment (EclA) confirms that this habitat is of county-level importance. Priority habitats are identified as being of principal importance for the purpose of conserving or enhancing biodiversity in England under section 41 of the NERC Act 2006. Paragraph 179 of the NPPF requires local plans to promote the conservation, restoration and enhancement of priority habitats. Policy ENV2(3) of the SOLP responds to this requirement.

Approximately 57m of access drive is being sited through the central priority habitat woodland belt. This will require the loss of trees, result in a loss of understory and introduce greater levels of disturbance, impacting the ecological value of the priority habitat.

Policy ENV2 (SOLP) requires the development to demonstrate need/benefit which outweighs the ecological harm; it also needs to demonstrate that there are no reasonable alternatives, and that measures can be secured to mitigate and compensate for the harm.

Whilst the proposals include scattered tree planting, and perennial woodland (flowers/sedges/ferns) planting, there is no comparable woodland planting to compensate for the loss of onsite woodland habitat. Officers are not convinced that the need or benefit for the development has been properly demonstrated.

7.12 Western hedgerow (priority habitat)

The EclA confirms that boundary hedgerows are likely important under The Hedgerow Regulations 1997. This means that those hedgerows could not be removed without first obtaining the consent of the LPA. There is a general presumption against the loss (or partial loss) of important hedgerows. These hedgerows are also priority habitats. Similar to the priority habitat woodland impacts discussed above, Policy ENV2 is engaged, and the requirements of the policy must all be met for development to be judged acceptable.

Plans (and metric assessment) demonstrate a net gain of new hedgerow planting proposed (some 9%). However, similar to the above, officers are not satisfied that the need or benefit of the proposed development has been demonstrated to outweigh the loss of this priority habitat.

7.13 Great Crested Newts, Hazel Dormice and Bats

Officers are satisfied that suitable measures have been taken to address these species. The applicant has entered into the District Level Licencing scheme for Great Crested Newts. The technical note addressing Hazel Dormice is sufficient and officers are satisfied that it is likely the applicant will secure the relevant licence from Natural England. One tree that is due to be removed was considered likely to be suitable for roosting bats. This tree has been subject to bat emergence surveys and the results have returned a negative result. As such officers are satisfied that bat roosts would not be adversely impacted.

As such, in context with Policy ENV2 (SOLP) officers are satisfied that important species will not be adversely impacted as a result of this development.

7.14 Irreplaceable oak tree (T57)

Originally this tree was shown to be removed but now is shown as being retained in light of the Council's Ecology team's comments.

7.15 Badger setts

One sett has been identified within 30 metres of the proposed access track. This sett would need to be temporarily closed off for construction and when finished opened back up. Officers have considered this as an appropriate method and have concluded that the access track is unlikely to cause issues with badger safety.

7.16 Reptiles

The matters relating to reptiles would be addressed by the suggested Construction Environmental Management Plan.

7.17 Biodiversity Net Gain (BNG) Assessment:

The submitted BNG demonstrates a net gain of biodiversity of 4.75% across the whole site, which is quite significant given the size of the site. The proposed lake makes a valuable contribution to the BNG of the site. The lake will be useful for a range of protected species, including GCN which are known to be on and near the site. This is highly desirable.

This application was submitted before mandatory BNG applied and as such we have assessed this application in line with the current SOLP position which is 'no net loss' e.g. neutral impact - 0% net gain. The proposed development would deliver an overprovision on net gain above the requirement of the SOLP. Officers attribute significant weight to this benefit.

7.18 Concern has been raised by local residents about the development potentially restricting the movement of wildlife with the use of fencing. The impact of the development on wildlife will be controlled via condition but the landscaping condition can be tailored to require the details of wildlife access points to be agreed. Officers are satisfied that this would address these concerns.

7.19 Ecology conclusions

As discussed above the majority of ecological constraints have been addressed and are no longer considered a constraint against the granting of planning permission.

The loss of priority habitat (western hedgerow and central woodland belt) would conflict with the Policy ENV2(3) (SOLP) as the need for the loss has not been properly addressed. This weighs against the granting of planning permission.

In favour of the development is the biodiversity net gain that is being proposed – which, on this scale, is considerable. Furthermore, conditions can ensure that ecology is properly considered during the construction process and is managed long term for a minimum of 30 years. It is anticipated that the replacement hedgerow would take 12 years to establish to the same ecological value of the existing hedgerow and this has been considered in the biodiversity net gain metric. Despite the length of time that it would take for the hedgerow to grow back and establish, officers have considered the net gain to be positive. The impact on woodland would be compensated by the planting of compensatory trees to expand the woodland and understorey planting. This would weigh in favour of the scheme.

It is officer's view that the positives associated with this development would outweigh the impacts caused by the impact on priority habitats and conflict with Policy ENV2.

7.20 **Impact on trees**

There are trees on and adjacent to the site collectively providing a significant positive contribution to the rural character of the landscape setting and Chilterns National Landscape. There are two groups of trees within the south-eastern part of the site that are protected by way of tree preservation order. The offsite woodland surrounding the site to the south-west is categorised as ancient.

7.21 An arboricultural impact assessment has been submitted in support of the application. The report has identified a hedge, a group of trees and parts of two groups of trees require removal to facilitate implementation of the proposed design layout. The proposed softworks plans include details of new tree

planting that would provide an overall improvement to the local treescape, mitigating for the loss of trees.

- 7.22 The arboricultural report identifies the need for an arboricultural method statement (AMS) to be agreed in writing before works taking place. Section 3.9 of the report identifies site specific tree protection measures that will need to be provided within the AMS. In addition to this the soil deposition plan shows that additional tree protection fencing would be required in site areas not currently shown on the arboricultural impact plan.
- 7.23 Details of an appropriate AMS could be agreed by way of pre-commencement tree protection condition. Officers recommend this condition is attached.
- 7.24 **Drainage and flood risk**
The council's Drainage Engineer and Oxfordshire County Council's own flood risk engineer have considered the submitted information and do not object on drainage or flooding grounds. Conditions are recommended to address drainage and flooding matters.
- 7.25 **Highway safety and access**
Policy TRANS5 (SOLP) advises that all types of development will, where appropriate provide for a safe and convenient access for all users to the highway network, provide safe and convenient routes for cyclists and pedestrians and provide parking of vehicles in accordance with Oxfordshire County Council parking standards and provide for loading, unloading, circulation and turning spaces on site. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.26 The Local Highway Authority raise no objection to the proposed development, subject to conditions which seek to ensure that the proposed access onto Witheridge Hill is to be formed and laid out and constructed strictly in accordance with Local Highway Authority specifications and that the visibility splays demonstrated on plan are maintained and not obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.9 metres as measured from carriageway level.
- 7.27 Officers consider it reasonable to condition the need for a construction management scheme to cover the method and control of construction traffic throughout the build. This will address matters of concern made by residents on construction methods and disruption.
- 7.28 **Impact on amenity of neighbours**
Policy DES6 (SOLP) seeks to ensure that development proposals do not result in significant adverse impacts on the amenity of neighbouring uses. Factors to consider include loss of privacy, daylight or sunlight, dominance or visual intrusion, noise or vibration, smell, dust, heat, odour, gases or other emissions, pollution, contamination and external lighting.

Officers are satisfied that the development would not adversely impact on the amenity of neighbours. The new access would exit onto the Witheridge Hill road opposite the vehicular entrance and garage for neighbouring Witheridge. It has been commented that this relationship would be harmful but officers do not consider it would be adverse – the movement of vehicles will be short lived and vehicular headlights would not be directed at this neighbour for prolonged periods of time.

In consultation with the environmental protection team, they have advised that a construction management statement is produced to agree methods of construction and control of nuisance on neighbouring properties.

7.29 Other material considerations

Land contamination

The council's contaminated land officer does not object to the proposed development. They have recommended a condition which requires the applicant to confirm in writing to the Local Planning Authority the presence of any unsuspected contamination that may be encountered during the construction of the development. This recommendation has been made due to the former chalk pits that are located on the application site. It is unknown if the chalk pits were infilled and if so, what material was deposited in the excavation.

Archaeology

The county council's planning archaeologist raises no objection to the proposed development and does not suggest any conditions.

8.0 Other Relevant Legislation

- Section 85 of the Countryside and Rights of Way Act 2000.
- 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.
- Crime and Disorder Act 1998 - In considering this application, due regard has been given to the likely effect of the proposal on the need to reduce crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation, officers consider that the proposal will/will not undermine crime prevention or the promotion of community safety.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposed development would result in some harm to the character and appearance of the Witheridge Hill road with the introduction of a new access. It is officer's opinion that this harm would not be adverse. The impact on ecology is noted and this application does fail to adhere fully to policy – however in favour of the development is the biodiversity net gain that would be provided on site. The proposed development would result in an enhancement to existing tree stock on site and would ensure appropriate drainage and flood risk measures. The proposed development is not considered to be harmful to

highway safety or the amenity of neighbouring uses. All material planning considerations have been considered and, when balancing all matters, Officers consider that the application can be supported and in conjunction with the recommended conditions, the proposal accords with the Development Plan as a whole.

9.2 Abbreviated versions of the recommended conditions are listed below and shown in full in Appendix C.

10.0 **RECOMMENDATION**

Planning Permission

1 : Commencement 3 years - Full Planning Permission

2 : Approved plans

3 : Ecology - Great Crested Newts

4 : Ecology - Great Crested Newts

5 : Construction Environmental Management Plan (CEMP)

6 : Landscape and Ecology Management Plan (LEMP)

7 : Landscaping implementation

8 : Landscaping

9 : Tree Protection (Detailed)

10 : Unsuspected Contaminated Land Condition

11 : Hours of operation - construction/demolition sites

12 : Construction Method Statement

13 : Surface water drainage works (details required)

14 : Drainage - SuDS

15 : New vehicular access

16 : Vision splay

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Appendix C

Recommended Conditions (full text):

	Description	Details
1	Commencement 3 years - Full Planning Permission	<p>The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.</p> <p>Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	Approved plans	<p>That the development hereby approved shall be carried out in accordance with the details shown on the approved plans:</p> <p>Location Plan - SAT_TD_0.00.01</p> <p>General Arrangement Plan 01 - SAT_TD_1.00.11, Rev 01</p> <p>General Arrangement Plan 02 - SAT_TD_1.00.12, Rev 00</p> <p>General Arrangement Plan 03 - SAT_TD_1.00.13, Rev 00</p> <p>General Arrangement Plan 04 - SAT_TD_1.00.14, Rev 00</p> <p>General Arrangement Plan 05 - SAT_TD_1.00.15, Rev 00</p> <p>General Arrangement Plan 06 - SAT_TD_1.00.16, Rev 00</p> <p>General Arrangement Plan 07 - SAT_TD_1.00.17, Rev 00</p> <p>Entrance Crescent Plan - SAT_DD_1.00.18, Rev 00</p> <p>Softworks Plan 01 - SAT_TD_1.00.21, Rev 01</p> <p>Softworks Plan 02 - SAT_TD_1.00.22, Rev 01</p> <p>Softworks Plan 03 - SAT_TD_1.00.23, Rev 01</p> <p>Softworks Plan 04 - SAT_TD_1.00.24, Rev 00</p> <p>Soil Deposition Plan - SAT_TD_1.00.31, Rev 01</p> <p>Ecology & Management Plan - SAT_TD_1.00.41, Rev 01</p> <p>Landscape Masterplan – SAT-TD_1.00.01, REV 01</p> <p>Site Sections 01 - SAT_TD_4.00.01, Rev 01</p> <p>Site Sections 02 - SAT_TD_4.00.02, Rev 00</p> <p>Site Sections 03 - SAT_TD_4.00.03, Rev 00</p> <p>Site Sections 04 - SAT_TD_4.00.04, Rev 00</p> <p>Bridge Design Intent Details - SAT_TD_5.DI.01, Rev 00</p> <p>Jetty Design Intent Details - SAT_TD_5.DI.02, Rev 00</p> <p>Softworks Details - SAT_TD_5.SW.01, Rev 00</p> <p>Rendered Landscape Masterplan - SAT_TD_6.00.02, REV 01</p> <p>Schedule of Hardworks Material - SAT_TD_6.00.03, REV 00</p> <p>except as controlled or modified by conditions of this permission.</p> <p>Reason: To secure the proper planning of the area in accordance with Development Plan policies.</p>

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3	Ecology - Great Crested Newts	<p>No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a Further Licence) and with the proposals detailed on plan Satwell House: Impact Plan for great crested newt District Licensing (Version 1), dated 25th September 2023.</p> <p>Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WMLOR122, or a Further Licence), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.</p>
4	Ecology - Great Crested Newts	<p>No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a Further Licence), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.</p> <p>The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.</p> <p>Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.</p>
5	Construction Environmental Management Plan (CEMP)	<p>Prior to the commencement of each phase of the development (including vegetation clearance) a construction environmental management plan for Biodiversity (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall accord with the recommendations of the supporting Ecological Impact Assessment (Tyler Grange, 13 September 2023) and include the following:</p> <ul style="list-style-type: none"> a) Update ecological surveys for relevant habitats and species, update surveys shall follow national good practice guidelines. b) Risk assessment of potentially damaging construction activities. c) Identification of biodiversity protection zones . d) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on designated sites, important habitats and protected species during construction. e) The location and timing of sensitive works to avoid harm to biodiversity features. f) The times during construction when specialist ecologists need to be present on site to oversee works. g) Responsible persons and lines of communication.

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		<p>h) Use of protective fences, exclusion barriers and warning signs.</p> <p>The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.</p> <p>Reason: To minimise the ecological impacts of development, in accordance with Policy ENV2 of the adopted South Oxfordshire Local Plan 2035 and paragraphs 180 and 186 of the National Planning Policy Framework.</p>
6	Landscape and Ecology Management Plan (LEMP)	<p>Prior to the first use of the new access hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall cover a minimum period of 30 years, accord with the recommendations of the supporting Ecological Impact Assessment (Tyler Grange, 13/09/2023), Biodiversity Net Gain Assessment (Arbtech, 03/11/2023), and include the following:</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Proposals for ecological enhancements for habitats and species d) Aims and objectives of management. e) Appropriate management options for achieving aims and objectives. f) Prescriptions for management actions. g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). h) Details of the body or organization responsible for implementation of the plan. i) Ongoing monitoring and remedial measures. <p>The LEMP shall include details of the legal and funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>The approved plan will be implemented in accordance with the approved details and management prescriptions implemented across the site for the plan period.</p> <p>Reason: To secure net gains for biodiversity, in accordance with Policy ENV3 of the adopted South Oxfordshire Local Plan and</p>

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		<p>paragraphs 180 and 186 of the National Planning Policy Framework.</p>
7	Landscaping implementation	<p>The landscaping scheme as shown on the approved plans</p> <p>SAT_TD_1.00.01 Site Reference Plan/ Landscape Masterplan Rev 01</p> <p>SAT_TD_1.00.11 General Arrangement Plan 01 Rev 01</p> <p>SAT_TD_1.00.12 General Arrangement Plan 02 Rev 01</p> <p>SAT_TD_1.00.13 General Arrangement Plan 03 Rev 01</p> <p>SAT_TD_1.00.14 General Arrangement Plan 04 Rev 01</p> <p>SAT_TD_1.00.15 General Arrangement Plan 05 Rev 00</p> <p>SAT_TD_1.00.16 General Arrangement Plan 06 Rev 00</p> <p>SAT_TD_1.00.17 General Arrangement Plan 07 Rev 00</p> <p>SAT_DD_1.00.18 Entrance Crescent Plan Rev 01</p> <p>SAT_TD_1.00.21 Softworks Plan 01 Rev 01</p> <p>SAT_TD_1.00.22 Softworks Plan 02 Rev 01</p> <p>SAT_TD_1.00.23 Softworks Plan 03 Rev 01</p> <p>SAT_TD_1.00.24 Softworks Plan 04 Rev 00</p> <p>SAT_TD_1.00.31 Soil Deposition Plan Rev 01</p> <p>Site Sections & Elevations</p> <p>SAT_TD_4.00.01 Site Sections 01 Rev 01</p> <p>SAT_TD_4.00.02 Site Sections 02 Rev 00</p> <p>SAT_TD_4.00.03 Site Sections 03 Rev 00</p> <p>SAT_TD_4.00.04 Site Sections 04 Rev 00</p> <p>Details</p> <p>SAT_TD_5.DI.01 Bridge Design Intent Details Rev 00</p> <p>SAT_TD_5.DI.02 Jetty Design Intent Details Rev 00</p> <p>SAT_TD_5.SW.01 Softworks Details Rev 00</p> <p>Others</p> <p>SAT_TD_6.00.01 Design & Access Statement 03/11/2023</p> <p>SAT_TD_6.00.02 Rendered Landscape Masterplan Rev 01</p> <p>SAT_TD_6.00.03 Schedule of Hardworks Materials 05/09/2023</p> <p>shall be implemented prior to the first occupation or use of the approved development and thereafter be maintained in accordance with the approved scheme. In the event of any of the soft landscaping so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, replacement planting, as the case may be, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.</p> <p>Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
8	UNIQUE - Landscaping	<p>Prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> - Details of planting size, planting density and numbers of plants to be provided for all proposed planting - Details of irrigation and drainage of tree pits

		<p>- Soil deposition and mounding around the lake (this should be at a gradient no steeper than 1 in 10, mounting should not be more than 1 metre in height).</p> <p>Reason: To help to assimilate the development into its surroundings in accordance with Policies ENV1, DES1 and DES2 of the South Oxfordshire Local Plan 2035.</p>
9	Tree Protection (Detailed)	<p>Prior to the commencement of any site works or operations, including demolition and site clearance relating to the development hereby permitted, an Arboricultural Method Statement and accompanying Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The Arboricultural Method Statement must include the following:</p> <p>(1) A specification of any pruning or tree surgery works to any trees to be retained, to prevent accidental damage by construction or demolition activities;</p> <p>(2) The specification and location of temporary tree protective fencing and any ground protection required to protect all retained trees in accordance with the current edition of BS 5837 "Trees in relation to design, demolition and construction", and details of the timing and duration of its erection;</p> <p>(3) The definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage;</p> <p>(4) The means of demolition of any existing site structures, and of the re-instatement of the area currently occupied thereby;</p> <p>(5) The route and method of installation of drainage or any underground services in the vicinity of retained trees; Consideration will be made to avoid siting of utilities and service runs within the Root Protection Area (RPA) of all trees to be retained. Only where it can be demonstrated that there is no alternative location for the laying of utilities, will encroachment into the RPA be considered. Methodology for any installation works within the RPA will be provided and must be in compliance with the current edition of NJUG 'Guidelines for the planning and installation and maintenance of utility apparatus in proximity to trees'.</p> <p>(6) The details and method of construction of any other structures such as boundary walls in the RPA of retained trees and how these relate to existing ground levels;</p> <p>(7) The details of materials and method of construction of any roadway, driveway, parking, pathway or other surfacing within the RPA, which is to be of a 'No Dig' construction method, in accordance with the principles with in Arboricultural Association</p>

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		<p>Guidance Note 12 "The use of cellular confinement systems near trees" and in accordance with current industry best practice; and is appropriate for the type of roadway required in relation to its usage.</p> <p>(8) Provision for the supervision of ANY works within the RPA of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified, by an appropriately qualified arboricultural consultant, to be appointed at the developer's expense and notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance or any departure there from to the Local Planning Authority.</p> <p>Thereafter the development shall be carried out in accordance with the approved details with the agreed measures being kept in place during the entire course of development.</p> <p>Reason: To safeguard trees which are visually important in accordance with Policies ENV1, DES1, and DES2 of the South Oxfordshire Local Plan 2035.</p>
10	Unsuspected Contaminated Land Condition	<p>The developer shall confirm in writing to the Local Planning Authority the presence of any unsuspected contamination encountered during the development. In the event of any contamination to the land and/or water being encountered, no development shall continue until a programme of investigation and/or remedial works to include methods of monitoring and certification of such works undertaken. Where land contamination investigation/remedial works are required this must be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice such as Land Contamination: Risk Management 2020 and BS10175:2011 +A2:2017 'Investigation of potentially contaminated sites' and submitted to and approved in writing by the local planning authority.</p> <p>Reason: To ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with Policy ENV11 of the South Oxfordshire Local Plan 2035.</p>
11	Hours of operation - construction/ demolition sites	<p>The hours of operation for construction and demolition works shall be restricted to 08:00-18:00 Monday to Friday and 08:00-13:00 on a Saturday. No work is permitted to take place on Sundays or Public Holidays without the prior written authority of the Local Planning Authority.</p> <p>Reason: To ensure that the development is not unneighbourly in accordance with Policy DES6 of the South Oxfordshire Local Plan 2035.</p>
12	Construction Method Statement	<p>No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following: the parking of vehicles of site operatives and</p>

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		<p>visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities; measures to control the emission of dust and dirt during construction; a scheme for recycling/disposing of waste resulting from demolition and construction works; measures for the protection of the natural environment; hours of construction, including deliveries; has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction methods.</p> <p>Reason: To ensure that the development is not unneighbourly in accordance with Policy DES6 of the South Oxfordshire Local Plan 2035.</p>
13	Surface water drainage works (details required)	<p>Construction shall not begin until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:</p> <ul style="list-style-type: none"> - A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire"; - Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change and 10% urban creep (Note: the Cv values should be set to 0.95 for roofs and 0.90 for paved areas and MADD should be 0.0); - A Flood Exceedance Conveyance Plan; - Comprehensive infiltration testing across the site to BRE DG 365 (to include three tests at each location and using the full depth of the trial pit); - Detailed design drainage layout drawings of the SuDS proposals including cross-section details; - Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; - Details of how water quality will be managed during construction and post development in perpetuity; and - Consent for any connections into third party drainage systems <p>Reason: To prevent pollution and flooding in accordance with Policies ENV12 and EP4 of the South Oxfordshire Local Plan 2035.</p>
14	Drainage - SuDS	<p>Prior to first use of the access hereby approved, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:</p>

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		<ul style="list-style-type: none"> - As built plans in both .pdf and .shp file format; - Photographs to document each stage of the drainage system on site; - Photographs of the completed installation of the drainage structures on site; - The name and contact details of any appointed management company. <p>Reason: In accordance with section 21 of the Flood and Water Management Act 2010</p>
15	New vehicular access	<p>Prior to use of the development hereby permitted, the proposed means of access onto Witheridge Hill is to be formed and laid out and constructed strictly in accordance with Local Highway Authority specifications and all ancillary works specified shall be undertaken.</p> <p>Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>
16	Vision splay	<p>The vision splays shown on the approved plan '20270-0002, Rev P02' shall not be obstructed by any object, structure, planting or other material with a height exceeding or growing above 0.9 metres as measured from carriageway level.</p> <p>Reason: In the interest of highway safety in accordance with Policy TRANS5 of the South Oxfordshire Local Plan 2035.</p>