



To: **Members of the Planning & Regulation Committee**

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 2 March 2015 at 2.00 pm

County Hall, New Road, Oxford

Peter G. Clark.

Peter G. Clark
County Solicitor

February 2015

Contact Officer: **Graham Warrington**
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Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chairman – Councillor Mrs Catherine Fulljames
Deputy Chairman - Councillor Neil Owen

Councillors

David Bartholomew
Mark Cherry
Patrick Greene
Pete Handley

Bob Johnston
Stewart Lilly
Glynis Phillips
Anne Purse

G.A. Reynolds
John Tanner

Notes:

- **Lunch will be available at County Hall at 12.30 pm.**
- **Date of next meeting: 13 April 2015**

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on (01865) 815270 or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes** (Pages 1 - 8)

To approve the minutes of the meeting held on 12 January 2015 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **Development of a single carriageway road between the B4493 (Didcot Road) and the A417 (London Road), including new roundabout junctions with the B4493 and A417, diversion of 'The Driftway' bridleway along the eastern edge of the new link road, provision of a Pegasus signalised crossing, combined footway/cycleway along the full length of the link road, surface water drainage balancing pond, site compound, street lighting, signage, landscaping and planting on land between the B4493 Didcot Road and A417 London Road, to the east of the A34 - Application No R3.0133/14 (Pages 9 - 34)**

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (**PN6**)

This application is for the construction of a new 1.1km section of single carriageway road running adjacent to the A34 to the east of Harwell, connecting the B4493 and the A417. The proposal would include two new roundabouts, a new footway/cycleway, lighting, signage, a balancing pond and a diversion to an existing section of bridleway.

Objections have been received from two local residents and concerns from another two residents. One of the objectors lives in a property located immediately adjacent to one of the proposed new roundabouts and they have concerns about the impact on their amenity should the development go ahead. Other concerns have been raised about the impact on the bridleway.

There has been no objection from any other consultees, including the Parish and District Councils.

The proposal is supported by emerging policy aimed at facilitating growth in Didcot and Harwell and providing adequate and sustainable transport links between them and

subject to conditions, it is considered to be in accordance with development plan policy relating to biodiversity and amenity. There would be some impact on the countryside and landscape. However, it is considered that this would be outweighed by the benefits of the development and the policy support for it.

The report sets out the background to the proposals and outlines the relevant planning policies along with the comments and recommendation of the Deputy Director for Environment & Economy (Strategy and Infrastructure Planning).

It is RECOMMENDED that subject to:

- i) conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the matters set out in Annex 1 to this report;***
- ii) Provision for the funding of the long term maintenance of the additional section of bridleway and additional maintenance over and above what is currently required for the existing bridleway;***

that planning permission for application no. R3.0133/14 be granted.

7. Construction of Residential Children's Home - New Assessment Centre building and associated external recreation areas and car parking. Change of use from Farmland to Residential care provision on Litchfield Farm land, Merton Court, Eynsham. - Application No R3.0020/15 (Pages 35 - 48)

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN7)

This is a planning application for the construction of a new Children's Home to provide short term care for up to six of the County's most vulnerable children aged between 12 and 17. The proposed development is on the Edge of Eynsham on a green field site that the applicants say will meet their needs of having a degree of remoteness and access to an Urban Environment. The report is being put before committee because of local objections and at the request of the Local Member.

It is RECOMMENDED that planning permission for application no. R3.0020/15 be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the following:

- i. Development to be carried out in accordance with the submitted documents and plans.***
- ii. The development will be carried out within a period of three years from the date of the permission.***
- iii. The Planting shall be subject to a two year aftercare scheme to be submitted and approved prior to the development taking place.***
- iv. Root deflectors shall be used for any trees or shrubs planted within 5***

- metres of adjacent hard surfaces.*
- v. *No external lighting shall be placed on site until details of the lighting has been submitted to and approved by the local planning authority.*
 - vi. *Access, and parking and turning areas shall be provided prior to first occupation of the building.*
 - vii. *A construction traffic management plan shall be submitted to and approved by the Local Planning Authority prior to development taking place.*
 - viii. *Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.*
 - ix. *Following the approval of the Written Scheme of Investigation, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out.*
 - x. *No trees or hedgerows to be removed between 1 September and 28 February. Any works to trees between 1st March and 31 August (inclusive) must be checked by an ecologist immediately before work is carried out so as to ensure there are no nesting birds present. If nesting birds are present, the tree must be cordoned off and works cannot be carried out until the birds have fledged.*
 - xi. *The grassland sward within the application site is to be maintained at a height of no more than 3 inches between the months of March to August inclusive.*

8. Details submitted pursuant to conditions 12 and 13 of permission no. MW.0056/13 for removal and replacement of fences at Radley Ash Disposal site, Thrupp Lane, Radley - Application No MW.0145/14 (Pages 49 - 56)

Report by the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) (PN8)

This is a details pursuant application for the fencing details at the Radley Ash Disposal Site following the Committee's decision on 28 July 2014 that the detailed fence replacement scheme be brought back to committee.

It is RECOMMENDED that the detailed scheme of replacement fencing pursuant to condition 13 of application MW.0143/14 be approved.

9. Relevant Development Plan and other Policies (Pages 57 - 78)

Paper by the Deputy Director for Environment & Economy (Strategy & Infrastructure

Planning) (**PN9**)

The paper sets out policies in relation to Items 6, 7 and 8 and should be regarded as an Annex to each paper.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 2 March** at **12.30 pm** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

Agenda Item 3

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 12 January 2015 commencing at 2.00 pm and finishing at 3.15 pm

Present:

Voting Members: Councillor Mrs Catherine Fulljames – in the Chair

Councillor Neil Owen (Deputy Chairman)
Councillor David Bartholomew
Councillor Mark Cherry
Councillor Pete Handley
Councillor Bob Johnston
Councillor Glynis Phillips
Councillor Anne Purse
Councillor G.A. Reynolds
Councillor John Tanner
Councillor David Wilmshurst (In place of Councillor Patrick Greene)

Other Members in Attendance: Councillor Nick Hards (for Agenda Item 9)

Officers:

Whole of meeting G. Warrington and J. Crouch (Law & Culture); C. Kenneford and D. Periam (Environment & Economy)

Part of meeting

Agenda Item	Officer Attending
6	M. Thompson (Environment & Economy)
7	K. Broughton (Environment & Economy)
8 & 9	R. Goodlad (Law & Culture)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

1/15 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

<i>Apology</i>	<i>Temporary Appointment</i>
Councillor Patrick Greene Councillor Stewart Lilly	Councillor David Wilmshurst Councillor Charles Mathew

2/15 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 1 December 2014 were approved and signed.

Minute 36/14 – Minutes

Mr Periam confirmed that he had now circulated details of costs awarded against the Council with regard to the successful appeal against the Council’s decision to refuse planning permission at Sutton Courtenay Waste Management Site.

Minute 39/14 (Sheehans Recycled Aggregates Plant, Dix Pit, Stanton Harcourt – Application No. MW.0003/14)

The Committee noted that the applicant’s agent had raised a number of interpretation issues with regard to her submission to the December Committee which related to details regarding the accuracy of the size of the extension and interpretation of NPPF policy relating to such operations and greenfield sites. No amendments had been made to the minutes.

3/15 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Evan David Marjorie Sanders David Einig (on behalf of Lee Morris who was unable to attend) Dee Mcdonald)) 6. Manor Farm, Tetsworth –) Application No. MW.0112/14))
Trevor Davies Councillor Nick Hards) 9. Application to register a Village) Green at Queensway, Didcot

4/15 IMPORTATION AND DEPOSIT OF WASTE SOILS IN ORDER TO CONSTRUCT A 6 METRE HIGH LANDSCAPED BUND TO RUN EITHER SIDE OF THE M40 IN THE FIELDS AT MANOR FARM, TETSWORTH, CREATING A BARRIER OF DEFENCE FOR THE ANIMALS AND THE PUBLIC. APPLICATION MW.0112/14

(Agenda No. 6)

The Committee considered (PN6) an application for the importation and deposit of waste soils to construct two 6 metre high bunds to safely contain livestock in the fields adjacent to the M40. The bunds, approximately 600 metres long would require 500,000 tonnes of inert waste material and take five years to construct on either side of the M40 motorway in open fields near Tetsworth.

Having presented the report Ms Thompson addressed questions from:

Councillor Bartholomew – waste going onto the site would be monitored through an EA permit.

Councillor Purse – the proposed diversion was minor and no objection had been received from rights of way.

Councillor Phillips – the fields in question did not have a significant classification.

Councillor Johnston – there had been no objection from the county ecologist.

Evan David had provided veterinary services to Manor Farm for a number of years. He stated that as well as keeping livestock in the proposal was also aimed at keeping cars on the motorway and there had been incidents in the past. The bunds could also help reduce the effects of pollution and noise on livestock, which was a particular problem at lambing and calving times with resultant losses to livestock. There had been occasions when lambs had been able to get through the fence and onto the motorway and he was convinced the bund would provide a more effective barrier.

He then responded to questions from:

Councillor Bartholomew – in addition to preventing potential egress of cars from the motorway the bunds would provide a better and safer environment to work in and reduce noise.

Councillor Phillips – the problem of cars potentially coming through the fence was not a new one but there was now an opportunity to prevent any future occurrences.

Councillor Johnston – he felt the bund would be effective with sheep unlikely to be able to jump the fence after running uphill.

Councillor Mathew – he had been a vet for Manor Farm for 4 years.

Marjorie Sanders a parish councillor in Tetsworth stated that this proposal fitted in with the aims of a local self-help group M40 CEG, which focussed on noise management between High Wycombe to Milton Common and an M40/Highways Agency proposal for a public/private partnership to design and construct sound barriers. The Manor Farm bund with a compatible timescale could form part of that programme. She pointed out that when the M40 was built motorway construction between Lewknor to Milton Common had used spoil from the Stokenchurch cutting and it was proposed to use similar imported material from construction sites for this development. She confirmed that the Parish Council would not have supported the proposal if it had been necessary for lorry traffic to regularly use junction 6 of the M40

necessitating driving through the village. Also bridge traffic, both vehicle and pedestrian, could be controlled by lights and re-routing the footpath was not an issue. Tetsworth Parish Council supported the application and she asked the Committee to bear in mind that the land owner and transport partners both lived and worked locally and a mismanaged project would not be in their interests. Reuse and movement of materials was not new and monitoring would ensure no unsuitable material was deposited. Junctions 6 -7 were an accident black spot and she quoted an incident 2 years previously when a drunk driver had crashed through the barrier and sheep had escaped onto the motorway. Loose animals were a motorway hazard and the recent fatal collision between a motorist and a wild boar on the M4 was a timely reminder of the need to manage risks between animals and motorway in addition to benefits to wildlife, farm animals and residents.

She then responded to questions from:

Councillor Purse – the parish council were active in pursuing where possible opportunities to promote solar panels and worked closely with the M40 motorway users group.

Councillor Cherry – she was aware that Great Haseley parish council had objected but Tetsworth were happy that the material imported would be monitored to ensure that the same material which was used for the Stokenchurch cutting would be used here with no material diverted from landfill.

Councillor Handley – the provision of solar panels on the bund was not part of the proposal but the parish council would support such a proposal if one was submitted.

David Einig read out a statement on behalf of Lee Morris who had been unable to attend. A landscape and visual impact assessment, prepared and based on current best practice namely the Guidelines for Landscape and Visual Impact Assessment (LVIA3), was able to successfully challenge the officer report on a number of points namely:

- paragraph 39 - there would be benefits to the amenity value of the landscape as a result of the proposed footpath resulting from screening of the traffic along the M40 and greater landscape tranquillity.
- Paragraph 45. The character of the site and its context was that of a 'gently rolling vale landscape', as described in the South Oxfordshire Landscape Assessment, and not a flat and open landscape. Furthermore, earthworks associated with the M40 locally had modified the landform pattern through the introduction of cutting and embankment slopes. Within this context, the proposed landform had been sympathetically graded into the natural landform of adjacent fields and for those reasons the scale and the profile of the landform proposed could not be described as prominent and alien. Furthermore it was not considered that a post and wire fence would be visually intrusive in this rural landscape and not elevated, as implied by the comment, "*its height above the surrounding landscape*". Indeed, post and wire fences leading to the M40 overbridge at the southern end of the site were at the same elevation as those proposed.

- Paragraph 46. The LVIA agreed with this statement insofar as the proposed development would mitigate the impacts on the adjacent landscape and views by providing visual screening and reducing noise along a section of the M40 where no form of mitigation had been provided. Whilst driving along the M40 there were numerous distant views into the surrounding landscape which added to the experience of road users. However, once the speed of travel had been taken into account the single incidence or view offered by the site was not significant. The view was short in duration and furthermore landform and vegetation combined to shorten the distance of the view available. Therefore, the amenity benefits resulting from the proposed development for local residents and footpath users, including the Oxfordshire Way Long Distance Path, outweighed any potential loss of amenity for users of the M40.

Dee McDonald highlighted the fact that there had been no objections from the Environmental Agency, the Highways Authority the district environmental health officer, the county drainage team and none from members of the public. Furthermore Natural England had stated that the development was unlikely to affect any statutorily designated sites or landscapes, the Highways Agency were happy with the proposal and safety for road users, as were the county ecologist and archaeologist and the rights of way team had stated it would enhance current provision. She queried why active indications of support from Tetsworth parish council, the NFU, the M40CEG, with regard to traffic noise, local farmers and businesses had not been included in the committee report or placed on the website nor had a letter from Evan David who had spoken earlier. Initially the County Council had indicated the development to be of purely local significance and yet was now recommending refusal on grounds of landscape, even though an independent detailed assessment had concluded otherwise. She was concerned that despite this evidence landscape remained a reason for refusal based on an interpretation by county officers and she maintained the application should have been reviewed by a qualified professional. She tabled photographs of a similar development at junction 13 of the M40 and a similar site in Derby granted on appeal. With regard to need this development had been proposed very much with animal welfare in mind and not as a landfill site. She did not feel the report adequately addressed those issues, again questioning the ability of officers to arrive at a conclusion which doubted that particular need. The bund would improve animal welfare with instances at this site of drivers coming off the motorway, a scenario common on motorways, which was why bunds were common offering greater security for livestock. Re-using waste was second from the top of the waste hierarchy. A concrete barrier would be inappropriate. Tree planting would take too long and in any event would not be completely acceptable to the Highways Agency. Bunds were the safest option, fitting in with the landscape and those most immediately affected (footpath users etc). In view of the local support for the proposal she questioned the justification to recommend refusal and urged the Committee to consider the facts of this planning application, follow the advice given by independent professionals and approve the application. There was no strong or valid reason to do otherwise.

She then responded to questions from:

Councillor Owen – the development would take 5 years (2 ½ and half years on each side. No animals would be on site during work. It would not be a big working operation with only 2 people working on site but it would have long term benefits.

Councillor Johnston –the costs of this development suggested that it was not a money making operation as implied by other respondents.

Councillor Handley – there was no funding available for crash barriers.

Councillor Mathew – details regarding vehicle movements had been set out in paragraph 8 of the officer report.

Councillor Cherry – proposals to monitor drainage would be put in place.

Councillor Phillips – all options had been considered. A fence would not stop large vehicles, a concrete barrier was not suitable and trees would take too long to establish. Therefore this was considered to be the best option.

Councillor Bartholomew considered that the £2m fee quoted seemed a very high price to provide protection for livestock. He had no objection to bunding proposals but felt this was primarily an application for waste disposal.

Councillor Reynolds, however, did have a problem with bunds and felt these would not look normal and, as such, would have an impact. He was also concerned that problems, which existed elsewhere where landfill material was in short supply could be replicated here. He suggested a better alternative could be to provide a fence 10 meters back and infill with trees and shrubs. He agreed that this seemed to be primarily a waste disposal proposal.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Bartholomew and carried 11 votes to 0, Councillor Wilmshurst recorded as abstaining) that Application MW.0112/14 (P14/S3045/CM) be refused planning permission for the following reasons:

- i) It had not been demonstrated that there was a need for the final disposal of waste in this location. The proposed development lay at the bottom of the waste hierarchy and was not sustainable. This was contrary to Oxfordshire Minerals and Waste Core Strategy policy W7, the aims of the National Planning Policy Framework, paragraph 1 and Appendix A of the National Planning Policy for Waste.
- ii) The development would be in the open countryside and would neither maintain nor enhance the countryside for its own sake and would not be on previously developed land, contrary to the provisions of South Oxfordshire Local Plan policies G2 and G4, and Oxfordshire Minerals and Waste Core Strategy policy W6 and National Planning Policy for Waste paragraph 4.
- iii) The development would introduce a prominent and alien feature which would have an adverse impact and so cause harm to the landscape and countryside contrary to the provisions of South Oxfordshire Core Strategy policy CSEN1,

policy C8 of the Draft Oxfordshire Minerals and Waste Local Plan Core Strategy and paragraph 7 and Appendix B of the National Planning Policy for Waste.

- iv) It had not been demonstrated that there was a definite need for the disposal of waste in this location, therefore the proposal was contrary to Oxfordshire Minerals and Waste Local Plan saved policy W7(a) and there was no overriding need which could weigh against the harm to countryside and landscape, and to the objectives of sustainable development, that the development would cause.

5/15 REQUEST TO WITHDRAW NOTICE OF PERIODIC REVIEW IN ACCORDANCE WITH THE ENVIRONMENT ACT 1995, ON LAND AT THRUPP FARM RADLEY.

(Agenda No. 7)

The Committee considered (PN7) a request to withdraw notice of a review of Mineral Permission (ROMP) for Thrupp Farm, Radley until the decision on the ROMP prohibition order had been made. The need for a review could then be assessed in light of the Secretary of State's decision, which was not expected for some weeks, and, if appropriate, a notice of review reissued at that point. This matter had come to Committee at the request of the local member, Councillor Bob Johnston.

RESOLVED: (on a motion by Councillor Johnston, seconded by Councillor Purse and carried unanimously) that the notice of the ROMP review for Thrupp Farm, Radley be withdrawn and re-served once the Secretary of State's decision on the ROMP Prohibition Order had been made.

6/15 COMMONS ACT 2006: IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT FOXWELL DRIVE, NORTHWAY, OXFORD AS A TOWN OR VILLAGE GREEN

(Agenda No. 8)

Councillor Phillips left the meeting prior to discussion on this item and took no part in the discussion or decision on this item or subsequent items.

The Committee considered (PN8) an application made by Miss Georgina Gibbs for registration of land at Foxwell Drive, Northway, Headington in Oxford as a new town or village green under the Commons Act 2006. The landowner had objected to the application and a public inquiry had been held. The Council was the Commons Registration Authority and the Planning & Regulation Committee had delegated authority to determine such applications.

Regarding the application as an unhelpful attempt to block the development proposals at Barton Councillor Tanner moved the officer recommendation. Councillor Johnson seconding.

RESOLVED: (11 votes to 0) that having received the Opinion of the Inspector set out in Annex 2 to the report PN8 to REJECT the application for registration as a new Town or Village Green that plot of land known as Land at Foxwell Drive, Northway in Oxford that site being indicated clearly on “Map A” of the application submitted by Miss Georgina Gibbs and dated 14 December 2012.

7/15 COMMONS ACT 2006: IN THE MATTER OF AN APPLICATION TO REGISTER LAND AT THE GREEN, QUEENSWAY, DIDCOT AS A TOWN OR VILLAGE GREEN.

(Agenda No. 9)

The Committee considered (PN9) an application made by Mr Trevor Davies for registration of land at Queensway, Didcot in Oxfordshire as a new town or village green under the Commons Act 2006. No objection had been received and the Council as the Commons Registration Authority was now required to determine the application through its Planning & Regulation Committee which had delegated authority to do so.

Councillor Nick Hards and Mr Trevor Davies spoke in support of the application both confirming access for recreation purposes over the required period.

RESOLVED: (on a motion by Councillor Johnston, seconded by Councillor Cherry and carried by 11 votes to 0) to APPROVE the application for registration as a new Town or Village Green that plot of land known as The Green, Queensway, Didcot in Oxfordshire that site being indicated clearly on the map appended to the application submitted by Mr Trevor Davies and dated 25 November 2013.

..... in the Chair

Date of signing

For: PLANNING AND REGULATION COMMITTEE – 2 MARCH 2015

By: DEPUTY DIRECTOR (STRATEGY AND INFRASTRUCTURE PLANNING)

Development Proposed:

Development of a single carriageway road between the B4493 (Didcot Road) and the A417 (London Road), including new roundabout junctions with the B4493 and A417, diversion of 'The Driftway' bridleway along the eastern edge of the new link road, provision of a Pegasus signalised crossing, combined footway/cycleway along the full length of the link road, surface water drainage balancing pond, site compound, street lighting, signage, landscaping and planting

Division Affected: Hendreds & Harwell; Didcot East & Hagbourne
Contact Officer: Mary Thompson **Tel:** 01865 815901
Location: Land between the B4493 Didcot Road and the A417 London Road, to the east of the A34

Application No: R3.0133/14 (OCC)
P14/V2593/CM (VOWH)
P14/S3617/CM (SODC)

Applicant: Oxfordshire County Council
District Council Area: South Oxfordshire District Council and Vale of White Horse District Council
Application Received: 3 November 2014
Consultation Period: 13 November – 4 December 2014

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- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Assessment and Conclusions

Recommendation Summary: APPROVAL

• **Part 1- Facts and Background**

Site Location (see plan 1)

1. The site is located to the east of the A34 dual carriageway. The nearest properties include those on the B4493 Didcot Road. Hillview and Sunny Side lie immediately opposite the northern site boundary on the other side of the B4493 from the proposed new road, immediately north east of the proposed new roundabout. Zulu Farm, Meadow View and Alma Barn lie close to the eastern edge of the northern end of the site, Zulu Farm on the north side of the B4493 and Meadow View and Alma Barn to the south. A row of 18 properties starts approximately 45 metres west of the north west extent of the site and 180 metres from the proposed northern roundabout on the B4493 towards Harwell. These properties are on the other side of the A34 from the proposed new road and roundabouts. The Kingswell Hotel and Folly Cottage lie approximately 100 metres from the southern end of the proposed new road and the proposed new roundabout forming the junction with the A417. These properties lie on the opposite side of both the A34 and the A417 from the proposed new road.
2. The site is currently arable agricultural fields, with an agricultural land classification of 3a and 2, and is bounded by agricultural land to the east, the A34 to the west, the B4493 to the north and the A417 to the south. Part of the site area comprises existing highway carriageway at either end of the proposed new road.
3. A public bridleway known as The Driftway runs on a track across the field to the east of the A34, the bridleway then continues north adjacent to the A34 to the B4493. As this section runs through the application site it would need to be diverted to allow the development to go ahead.
4. The North Wessex Downs AONB lies approximately 70 metres south of the A417, outside of the area likely to be affected by this development. The site is not affected by any SSSIs although there are two Local Wildlife Sites within 2km of the site. The site is not within the floodplain, as it lies in flood zone 1.
5. Most of the site lies within the Vale of White Horse District; however the proposed new roundabout at the southern end is in South Oxfordshire.
6. The site lies within an area that is subject to an outline planning application, submitted in December 2014, for a residential development of up to 4450 dwellings. This is the Valley Park development which is also a proposed strategic housing allocation in the emerging Vale of White Horse Core Strategy. The proposed plans for this residential development show the Harwell Link Road.

Details of the Development

7. It is proposed to construct a new section 1.1 km of single carriageway road running adjacent to the A34 between the B4493 and the A417 to the east of Harwell. The proposal also includes roundabout junctions at the northern end of the road where it meets the B4493 and at the southern end where it meets the A417. There would also be a combined footway and cycleway running the length of the new road and street lighting at the junctions, signage, embankments and a new balancing pond. The total site area would be 10.9 hectares.
8. The purpose of the new road would be to provide a link between the residential areas of Didcot with the new science, innovation and business campus in Harwell.
9. The northern roundabout would have three arms, with the potential to convert to four arms in the future to provide access to the Valley Park development. The southern roundabout would be three arms.
10. New signage would not be lit but it would be reflective. There would be a sign on every approach to each roundabout and signs for each exit off the roundabouts. Street lighting would be provided at the roundabouts and on the stretches of roads leading to and from them.
11. There would be a new signalised Pegasus crossing on the B4493 to the east of the site. A Pegasus crossing allows pedestrians, cyclists and horse riders to cross the road.
12. The application proposed that the new road would be subject to the national speed limit; however the applicant has subsequently confirmed that it would be subject to a lower 50 mph limit. The speed limit on the B4493 would be lowered from 40 mph to 30 mph.
13. Landscape vegetation is proposed to screen the development, including trees, hedgerows and shrubs. A temporary noise barrier would be installed for the duration of construction works to reduce noise impacts at Sunnyside and Hillview.
14. It is estimated that the construction period would result in a total of 5185 loads over a 21 month period. This equates to an average of 22 movements per day, or less than 3 per hour. The proposed construction route would be via a farm access off the A417.
15. The development would involve the diversion of the existing bridleway known as 'Driftway'. It is proposed to divert it parallel and to the east of the present route, along the eastern edge of the new link road to meet the B4493. This would then link to a new stretch of bridleway to the north of the northern roundabout via the Pegasus crossing.

16. The plans and details which comprise the application and supporting information can be viewed at <http://myeplanning.oxfordshire.gov.uk> using reference [R3.0133/14](#)

Part 2 – Other Viewpoints

Consultation Responses

17. South Oxfordshire District Council – Planning – No objection. The majority of the site area falls within VOWH District Council. No comments other than to offer support for the scheme as part of the ongoing infrastructure delivery work around the Science Vale Oxford Enterprise Zone. Understand that the work is identified within the emerging VOWH Local Plan 2031.
18. South Oxfordshire District Council – Environmental Health – No response.
19. Vale of White Horse District Council – Planning – No objection. The application supports the provision of necessary infrastructure as set out in the Local Plan 2031 Strategic Sites and Policies document.
20. Vale of White Horse District Council – Environmental Health – No objection.
21. Harwell Parish Council – Welcomes and supports the proposals overall. Width restrictions should be placed appropriately with the new road layouts. Welcomes the new bridleway, but there is no indication of what will happen to the bridleway once the Valley Park access road is added to the roundabout. New planting to protect residents from light and noise pollution is not likely to be adequate and would need to be removed at a later date to allow for the new access road.
22. Didcot Parish Council – No objection, subject to conditions to ensure that the Great Western Park spine road between the A4130 and the B4493 before this new road is opened and the improved cycle and foot way linking Great Western Park and Foxhall Road are both completed before this new road is opened.
23. West Hagbourne Parish Council – No response received.
24. Environment Agency – First Response – Object in the absence of an acceptable Flood Risk Assessment. Further details of methodology and calculations should be provided to support the conclusions.
25. Final Response – Withdraw objection. A condition should be added to any planning permission granted to ensure that the development is carried out in complete accordance with the Water Environment Assessment and associated email and attachments. This would ensure that surface water run-off would not increase the risk of flooding.

26. Highways Agency – No objection.
27. North Wessex Downs AONB – No comments other than that the proposed landscaping scheme and measures to reduce light pollution should be implemented. The development is outside the AONB but very close and therefore within its setting. Subject to the proposed landscaping being undertaken successfully and the lighting design being as proposed the impact from this development on the AONB should not be significant.
28. British Horse Society – A reduction in traffic through Harwell as a result of the new road would be welcome. It is suggested that the B4493 could be re-routed along the new road to make the road through the village a minor road. It is also suggested that a new bridleway could be created further north from the B4493 to connect with Cow Lane. The best solution for horseriders would be to reconnect the Driftway bridleway across the A34. Concerned about the proposal to stop up the existing bridleway parallel to the A34.
29. Rights of Way – No objection, subject to the unsealed surfacing of the bridleway sections being specified to British Horse Society specifications and there being an appropriate long term management and maintenance regime for the bridleway surface and planting.
30. It is understood that the reinstatement of the Driftway over the A34 is out of scope and that there is a need to stop up the existing bridleway.
31. The section of bridleway to be stopped up under Side Roads Order should have access control measures put in place at each end to prevent access and egress onto the bypass. It is recommended that the speed and classification of the Harwell Road B4493 is reduced as much as possible so it becomes more of a local access only route attractive and safe for walkers, cyclists and equestrians. It is recommended that the potential 4th Arm to the Harwell roundabout (to proposed Valley Park) should be designed in from the start in order to minimise future disruption to non-motorised users from cut-out operations. At the south end of the bypass, it is suggested that a cycle track could be created to provide an off-road connection between Harwell and West Hagbourne/Upton, although it is appreciated that this is also outside of scope.
32. Ecologist Planner – First Response – Further information is required regarding farmland birds, reptile mitigation, the planting scheme and mammals.
33. Final Response – No objection, subject to conditions requiring a detailed ecological mitigation and enhancement scheme, updated surveys should the development not commence within 1 year, implementation and maintenance of the approved landscaping scheme, appropriate methods for tree felling, a precautionary method of working for reptiles, lighting to be appropriate for bats, seeding as proposed unless the soils are found to be suitable for calcareous

grassland mix instead, ramping of deep excavations and covering of pipework to protect badgers.

34. The woodland proposed in the landscaping plan could encourage deer and other mammals to the area near the road. However, this is a matter for Transport Development Control to comment upon in terms of highway safety.
35. Arboricultural Officer – No objection as the works will not affect amenity value trees.
36. Transport Development Control – First Response – No objection. However, have a number of comments and observations:
 - Care should be taken to ensure that there is no driver distraction or confusion due to the location adjacent to the A34
 - Recommended that a lower speed limit is applied to the link road.
 - Given the short overall length of the scheme and the proposal to light both ends, considerations should be given to the potential need to light the whole road
 - On the northern part of the route the combined cycleway and footway being separated from the road by an embankment. This would not provide an attractive route and there could be isolation and safety concerns, especially if the road is unlit.
 - On the southern part of the route the cycleway and footway would be located adjacent to the carriageway with a 0.5 metre separation. Further consideration should be given to the safety and attractiveness of a walking and cycling facility so close to a fast road.
 - It is not understood why the vertical alignment of the road is not more assimilated with the topography
 - It is considered likely that the construction HGV movements have been underestimated
37. Final Response – No objection subject to conditions for a monitoring scheme to assess potential for driver confusion due to proximity to the A34 and implementation of measures to mitigate this if required, scheme for lighting on the cycleway and a Construction Traffic Management Plan. The 50 mph speed limit now proposed is considered to be acceptable.
38. Archaeology – First Response – An archaeological field evaluation is required prior to the determination of the application as the site lies within an area of archaeological interest. It is likely that this proposal will encounter further aspects of the prehistoric through to Saxon features identified in the area and has the possibility of encountering further significant sites.
39. Final Response – No objection to the application and no conditions are required. The evaluation requested for this site has now been undertaken. The evaluation recorded a small number of linear features likely to relate to medieval and post medieval agricultural practices. Two small possible prehistoric features were recorded within a single

trench. These features were recorded within the evaluation. No further evaluation is required.

40. Drainage/Lead Local Flood Authority – No objection. The drainage design and storage proposals are fine, restricting the outfall to green field run off rates. Catchpits 23 and 24 should be changed to benched manholes for maintenance. This can be shown on a detailed drainage scheme to be required by condition.

Representations

41. Five third party representations have been received. One was in support of the application, two expressed concerns and two were letters of objection. Details of the comments which were made and an officer response to these can be found in Annex 2.

Part 3 – Relevant Planning Documents

Relevant planning documents and legislation (see Policy Annex to the committee papers)

42. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.

43. The relevant Development Plan policies include:

44. Vale of White Horse Local Plan 2011 (VLP):

- NE5 - Biodiversity
- NE6 – North Wessex Downs AONB
- NE9 – Lowland Vale
- NE10 – Important open land between Harwell and Didcot.
- L10 – Safeguarding and Improving Rights of Way
- DC9 – Amenities of neighbouring properties
- DC14 – Surface water

45. South Oxfordshire Core Strategy (SOCS):

- CSS1- Overall strategy
- CSM1 – Transport
- CSEN1 – Landscape
- CSB1 – Conservation and improvement of biodiversity

46. South Oxfordshire Local Plan 2011 (SOLP):

- G2 - Protection and enhancement of the environment
- C6 – Biodiversity conservation
- T1 – Transport requirements for new developments
- EP1 – Pollution
- EP2 – Noise
- EP3 – Light Intrusion

47. The Vale of White Horse District Council is in the process of preparing a new Local Plan 2031. Part 1 of this plan will be considered at a public examination in 2015. These are not yet development plan policies but carry some weight due to the advanced stage of the process that the plan has reached.
48. Vale of White Horse Core Strategy 2031 Part 1 (Publication Version November 2014)(VOWHCS)
Core Policy 6 - Meeting Business and Employment Needs
Core Policy 17 – Delivery of Strategic Highway Improvements within the South-East Vale sub-area.
Core Policy 33 – Promoting Sustainable Transport and Accessibility
Core Policy 35 – Promoting Public Transport, Cycling and Walking
Core Policy 36 - Biodiversity
Core Policy 44 - Landscape
49. The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions. The National Planning Policy Guidance provides further guidance on many topics.

Part 4 – Assessment and Conclusions

Comments of the Deputy Director for Strategy and Infrastructure Planning

50. The key planning issues are:
 - i) Highways
 - ii) Amenity
 - iii) Rights of Way
 - iv) Countryside
 - v) Biodiversity

Highways

51. VOWHCS core policy 6 identifies 129 hectares of available land for employment development at Harwell campus.
52. VOWHCS core policy 17 lists highways infrastructure to mitigate the impact of planned growth across Science Vale (which extends east-west from Culham and Didcot to Wantage and Grove) and secure the future economic viability of the area. This includes a new Harwell Link Road between the B4493 and the A417.
53. VOWHCS Core Policy 33 states that the District and County Council will work to ensure that the impacts of new development on the strategic and local road network are minimised and promote sustainable transport linking new developments with facilities and employment.

54. SOCS policy CSS1 states that proposals for development in South Oxfordshire will be consistent with the overall strategy, including focussing major development at the growth point of Didcot.
55. SOCS policy CSM1 Transport states that the Council will actively seek to deliver the transport infrastructure and measures which improve movement in Didcot, in particular linking Didcot with the major employment sites at Harwell and also encourage the use of sustainable modes of transport.
56. Transport Development Control have not objected to this application but initially raised a number of queries regarding the design. The applicant has addressed these, explaining that the proposed screen planting would screen headlights from the A34 and anti-dazzle fencing could be used if needed, that lighting the whole length of link road could cause confusion on the A34 which is unlit, that the location of the footway and cycleway at the base of the embankment would mean a more pleasant environment for users, that the distance between the carriageway and the footway cycleway is in accordance with standards, confirming that the speed limit on the link road will be reduced to 50 mph, explaining the rationale behind the vertical alignment of the road and that details of construction traffic will be agreed through a Construction Environmental Management Plan. The applicant has agreed to provide ducting so that lighting could be installed along the whole length of the road in the future should it become appropriate due to housing development in the surrounding land. Transport Development Control therefore have no objection to this application, subject to conditions to ensure that opposing vehicle flows on the A34 do not cause driver confusion, for lighting of the cycleway and footway and for a Construction Environmental Management Plan.
57. The Ecologist Planner has advised that the landscaping proposals would encourage deer and other mammals to the area adjacent to the road. Advice was sought from Transport Development Control on whether this posed a highway safety issue and they advised that the risk to highway safety attached to this would seem to be no more than it would be generally on the rural network and did not request any conditions or change to the planting proposals.
58. The proposed development of a new link road is therefore in accordance with emerging VOWHCS policy aimed at providing the necessary infrastructure to mitigate and facilitate planned employment growth at Harwell. This scheme is one of 17 specifically supported by VOWHCS core policy 17. It is also supported by VOWHCS policy 33 as it would help minimise the impact of growth in the area on local roads and provide options for walking, cycling and horse riding. It is also supported by SOCS policies CSS1 and CSM1 aimed at focussing growth at Didcot and linking the town to employment sites at Harwell.

Amenity

59. VLP policy DC9 states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of loss of privacy, daylight or sunlight; dominance or visual intrusion; noise or vibration; smell, dust, heat or gases; pollution or external lighting.
60. The SOLP also contains policies protecting the environment from pollution (EP1), noise (EP2) and light intrusion (EP3).
61. The proposed roundabout at the northern end of the development is in close proximity to the adjacent dwellings of Sunnyside and Hillview. This has the potential to cause nuisance as a result of increased noise, light intrusion, emissions and visual impacts. The applicant has confirmed that there is no scope to move the location of the roundabout due to constraints on the site. However shrub planting to screen the roundabout from the nearby properties would assist in mitigating a number of potential impacts.
62. In terms of lighting, the proposed new junctions would be lit and this has the potential to impact properties in the vicinity. The impact would be reduced by the proposed use of LED luminaires mounted horizontally to avoid excessive light spill and intrusion. Information submitted with the application suggests that increased light levels would not impact any residential buildings, although there would be small increases in light levels in the front garden of some dwellings. However, full details of the proposed lighting design could be required by condition to ensure that there is no excessive impact on the properties due to the detailed angling and positioning of the new lighting. Subject to this, I consider the proposed development would be acceptable in terms of SOLP policy EP3 and VLP policy DC9 with regard to the impact of lighting.
63. Regarding noise, the applicant has stated that they would consider the use of surfacing materials which reduce road noise. It is recommended that this is a requirement secured through planning condition. The original noise report submitted with the application predicts a minor decrease in noise levels at Sunnyside and Hillview, opposite the northern roundabout. This was considered to be an indicative result as the model used predicts road traffic noise only from freely flowing traffic. Therefore a more detailed noise report was requested and has been submitted.
64. The noise report confirms that there would not be any significant impact on any other sensitive receptors. The study predicts that certain properties (Cross Winds, Meadow View, Long Reach, The Kingswell Hotel and Folly Cottage) would experience a minor increase in noise upon the scheme opening. The updated noise report confirms that Sunnyside and Hill View would experience a negligible increase in noise.

65. The Environmental Health Officer has confirmed that the detailed assessment is realistic and predicted increases are negligible and he has no objection to the proposed scheme.
66. The noise report states that a temporary noise barrier should be installed for the duration of construction works to reduce noise impacts at Sunnyside and Hillview. However, it states that there would still be a significant impact from construction noise for both the earthworks and road construction at these properties. No other properties would experience a significant effect from construction noise. Therefore, it is recommended that conditions are applied to require full details of the proposed noise barrier, and to limit construction hours and require good working practices are complied with. There has been no objection from the Environmental Health Officer in terms of the impact of construction period noise and the effects, although potentially significant, would be temporary and lessened through the proposed mitigation.
67. The noise study predicts minor and moderate decreases in noise levels at some properties in Harwell village as a result of decreased traffic flows once the link road is opened.
68. A Noise Insulation Regulations Assessment has been submitted. These regulations require the Highways Authority to offer insulation or provide grants in respect of a new road if certain criteria are met in terms of noise level increases. The assessment demonstrates that no properties would qualify for noise insulation in association with road traffic noise from this scheme.
69. Therefore, the information submitted with the planning application has demonstrated that SOLP policy EP2 and VLP policy DC9 (in terms of noise) can be complied with. Conditions should be attached to ensure that the mitigation measures proposed in the noise study and the further noise assessment work are implemented.
70. The air quality report submitted with the application contains detailed modelling to quantify potential changes in pollutant concentrations and concludes that concentrations of key pollutants at all modelled receptors are expected to be below relevant Air Quality Strategy objective and European Union limit value thresholds. The assessment included cumulative effects when wider developments in the area are also in place. The construction phase was also assessed and it is recommended that dust mitigation measures are secured through a site Construction Environmental Management Plan (CEMP). This could be secured through condition. These measures should ensure that any residual effect on air quality from construction emissions is not significant.
71. The resident of Sunnyside has expressed concern about a loss of privacy resulting from car headlights shining through windows. However, the property is already located on the B4493 and is set back from the road frontage. Loss of privacy from the construction of the

proposed new roundabout is not considered to be a significant concern and the proposals accord with VLP policy DC9 in this respect.

72. Therefore, subject to conditions, the development is considered to be in accordance with SOLP policy EP1 and VLP policy DC9 (in terms of gases and pollution).
73. The Landscape and Visual Assessment submitted with the application concludes that the most significant visual effects would be on dwellings fronting onto the B4493 and impacts would decrease with distance. The main views would be from the north and east as views from the south would be mitigated by distance and views from the west would be mitigated by the existing A34 and its vegetation. The proposed new screening vegetation would further mitigate visual impacts. I consider that the development accords with relevant policy in terms of visual impact.
74. Harwell Parish Council has expressed concern that the proposed new planting designed to protect residents is likely to be inadequate and would have to be removed at a later date to allow for the development of a new access road to the Valley Park development from the roundabout. The applicant has confirmed that the roundabout has been designed to accommodate a fourth arm for a Valley Park road, however there is no certainty at this point in time that such a road will be constructed, or when. Should additional screening be required in association with works to develop a road to Valley Park then this would be the responsibility of the developer for that application.
75. Given that there has been no objection or adverse comments from the Environmental Health Officer I do not consider that the potential impact on amenity from this development would cause unacceptable harm. Conditions can be used to ensure that the impact on properties is reduced to an acceptable level.

Rights of Way

76. VOWHCS Core Policy 35 states that sustainable modes of transport will be encouraged and supports the provision of new cycle routes.
77. VLP policy L10 states that development over public rights of way will not be permitted unless alternative provision can be made that is equally or more attractive, safe and convenient to rights of way users.
78. SOLP policy T1 states that proposals for development will provide safe and convenient routes for cyclists and pedestrians.
79. Although the development would require the diversion of a section of the existing Driftway bridleway, it does propose an alternative route that would also be safe, attractive and convenient to rights of way users, along the eastern boundary of the new link road and around the proposed new northern roundabout. This would be in accordance with VLP policy L10. The scheme would also incorporate a new footway

and cycleway, which is supported by VOWHCS core policy 35 and SOLP policy T1. The rights of way officer has no objection to the application, subject to provision for the maintenance of the new bridleway and it being surfaced to appropriate specifications.

80. As the new section of bridleway to the east of the road and around the roundabout would be slightly longer than the existing bridleway it is considered necessary to secure funding for the long term maintenance of the additional length. This could be done through the use of a Section 106 planning obligation to secure a commuted sum. As this is necessary to ensure a satisfactory alternative route to the bridleway which is to be stopped up, it is recommended that any permission granted is subject to this requirement. The applicant has indicated that they would be prepared to provide this. The specifications for the surfacing of new bridleway would be a matter to be covered by the diversion order and not a matter for the planning consent.
81. In response to the other comments from the rights of way team, the applicant has confirmed that a new section of road restraint system would be installed across the existing access of the stopped up bridleway. The new roundabout at the northern end would be designed to ensure that a fourth arm to Valley Park could be provided, however it would be the responsibility of the Valley Park developer to construct it when needed.
82. The British Horse Society has commented that the best solution would be if the Driftway could be re-connected over or under the A34 so that users could travel directly into Harwell without using the B4493. They would also like to see the existing bridleway adjacent to the A34 retained. However, these measures are not proposed as part of the scheme and it is accepted that they are not needed to ensure adequate rights of way provision in the area. It is anticipated that the development would reduce traffic on the B4493 through Harwell village, which would improve that road for horseriders and cyclists. The reduction of the speed limit on the B4493 would also increase its safety and attractiveness to pedestrians, cyclists and equestrians.
83. The British Horse Society has also suggested a further new length of bridleway further north and the downgrading of the road through Harwell village. These are outside the limits of this scheme and are not proposed. However, the construction of the proposed new link road is predicted to lead to a reduction in traffic flows through Harwell village, which would make the route safer and more pleasant for horseriders, cyclists and pedestrians.
84. Harwell Parish Council has commented that there is no indication what will happen to the proposed new bridleway around the new B4493 roundabout when an access road to Valley Park is added to the roundabout. The applicant has confirmed that a new crossing point would be needed at that time.

85. Alternative solutions for the rights of way network in the area have been suggested in letters of representation and consultation responses, including reconnecting the two sections of the Driftway on either side of the A34, which were severed when that road was constructed. Although there are a number of ideas that have the potential to benefit rights of way users in the area, these are not proposed as part of the scheme. The proposals as submitted have been considered against the relevant policies and I consider that they comply with rights of way policy as they offer a suitable diversion route, a new crossing and a new cycleway and footway.

Countryside and Landscape

86. VOWHCS Core Policy 44 states that the key features that contribute to the nature and quality of the Vale of White Horse District Council's landscape will be protected from harmful development and where possible enhanced. High priority will be given to conservation and enhancement of the natural beauty of the North Wessex Downs AONB and planning decisions will have regard to its setting.
87. VLP policy NE6 states that development which would be visually prominent, would detract from views from public vantage points or would spoil the appreciation of the landscape quality of the North Wessex Downs Area of Outstanding Natural Beauty will not be permitted.
88. The application area is also identified as falling within the 'Lowland Vale' in the VLP. VLP policy NE9 states that development in the Lowland Vale will not be permitted if it would have an adverse effect on the landscape, particularly on long open views within or across the area.
89. The application area falls within the important open space between Didcot and Harwell, as identified in the VLP. VLP policy NE10 states that in this area development or changes of use which would harm their essentially open or rural character will not be permitted.
90. SOCS policy CSEN1 states that the district's landscape character and key features will be protected against inappropriate development. High priority will be given to the conservation of the North Wessex Downs AONB. SOLP policy G2 states that the district's countryside, settlements and environmental resources will be protected from adverse developments.
91. A landscape and visual assessment was submitted with the application. This concludes that there would be a moderate adverse impact on the impact on the 'large scale farmland' character area, a slight adverse impact on the 'small scale farmland' character area, a slight adverse effect on Harwell and a slight adverse impact on Didcot. It concludes that there would be no effect on the North Wessex Downs AONB. There has been no objection from the AONB board.

92. It is clear that there is a need for this development as part of the wider growth of employment and housing in the area. This specific scheme is also supported by emerging policy. The need and the policy support must be weighed against some potential planning policies relating to the protection of the countryside and landscape. The proposed new road would have some impact on the landscape of the area and would impact an area that is currently open, agricultural countryside. This is not fully supported by policies such as VLP NE9 and NE10.
93. Although there would be some adverse impacts to the local landscape from a development of this scale, none of the effects have been classified as major adverse. The impact would be mitigated to some extent by the location of the development adjacent to the existing A34 dual carriageway and in the future it would be viewed in the context of other new development in the area. The impact on the landscape would be softened with the proposed screen planting, further details of which can be required by a planning condition attached to any planning permission which may be forthcoming. The development is outside of the AONB and would not affect it.
94. I consider that the support given to the proposal by other policies in the existing and emerging plans and the benefits of the proposal to the area outweigh the potential minor and moderate adverse impacts which the new road would have on the local landscape. Given the support elsewhere in policy the proposals are not considered to be inappropriate, adverse or harmful and it is not considered that they would be visually prominent or impact the AONB. Therefore, the proposals are not considered to be contrary to VOWHCS policy 44, VLP policy NE6, SOLP policy G2 or SOCS policy CSEN1.

Biodiversity

95. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.
96. VLP policy NE5 states that development likely to have an adverse impact on a specially protected species will not be permitted.
97. SOLP policy C6 states that in considering proposals for development, the maintenance and enhancement of the biodiversity resource of the district will be sought. Full account of the effects of development on wildlife will be taken. Where there is any significant loss in biodiversity as part of a proposed development, the creation and maintenance of new landscape features, habitats, habitat links and wildlife corridors of appropriate scale and kind will be required to ensure there is no net loss in biodiversity resources.
98. SOCS policy CSB1 states that a net loss of biodiversity will be avoided and opportunities to achieve a net gain will be actively sought.

99. VOWHCS Core Policy 36 states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission will be refused.
100. An Ecological Impact Assessment was submitted with the application. This concludes that the mitigation measures proposed would ensure that the development had a positive impact on the nature conservation value of the application site, although the overall effect is unlikely to be significant. The mitigation includes new planting and the avoidance of night time work to avoid disturbance to bats. The only habitat which would be subject to net loss would be arable fields. There would be a net gain in hedgerow length, species rich grassland, deciduous woodland, wetland habitats, scrub and scattered trees. These habitats would be managed for 5 years by the contractor and then for a further 20 years by the County Council. This 25 years management and maintenance period could be secured by a planning condition should planning permission be forthcoming.
101. There has been no objection from the Ecologist Planner, subject to conditions.
102. Subject to the proposed mitigation, which can be required by condition, the development would not lead to adverse impacts on protected species or on the biodiversity resource of the area. It would therefore comply with the NPPF and relevant development plan policy including VLP policy NE5, SOLP policy C6 and SOCS policy CSB1 and also with emerging policy VOWHCS Core Policy 36.

Flooding and Drainage

103. VLP policy DC14 states that developments generating surface water run-off likely to result in adverse effects such as flooding, will not be permitted unless there is an effective surface water management system. Although the site is not in the flood plain, a flood risk assessment was required due to the size of the application area. The Environment Agency originally objected because detailed calculations supporting the conclusions of this assessment had not been provided. These were subsequently provided and the Environment Agency has removed its objection. The surface water drainage proposals have been considered and there is no objection. The development is therefore considered to be in accordance with development plan policy relating to flood risk, specifically VLP policy DC14.

Agricultural Land

104. The area of land affected by this development is not considered to be significant. Consultations with Natural England are only required when development would cause a loss of 20 hectares or more of best and most versatile agricultural land. In this case the loss would be 8 hectares. The applicant has provided an assessment of the impact on

agricultural land and concluded that any adverse impact would be very slight as the fields are part of large arable enterprises.

105. Therefore, it is considered that the development would not have a significant impact on agricultural land in the area and that it would comply with the NPPF in respect to best and most versatile agricultural land.

Other Matters

106. Didcot Town Council has requested two conditions, firstly that the Great Western Park spine road is completed between the A4130 and the B4493 before this new road is opened and secondly that the improved cycle and foot way linking Great Western Park and Foxhall Road is completed before this new road is opened. The applicant has confirmed that it is intended to have both these two pieces of infrastructure in place before the link road would open. The Great Western Park spine road is estimated to be completed towards the end of 2016 and the cycle and footway linking Great Western Park to Foxhall Road by the end of this year. However, it is not considered necessary to condition the timings of these infrastructure projects to make the development proposed here acceptable.
107. The development would lead to the loss of land classified as 'best and most versatile agricultural land.' NPPF paragraph 112 states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land and where significant development of agricultural land is necessary seek to use areas of poorer quality land in preference to that of a higher quality.

Conclusions

108. The proposed development of a new road to link new residential development in Didcot with employment in Harwell would be in accordance with emerging and development plan policies related to highways infrastructure and facilitating growth at Didcot and Harwell, including VOWHCS policies 6, 17 33 and 35 and SOCS policies CSS1 and CSM1.
109. The development would have the potential to cause amenity impacts on nearby dwellings, however the design and the proposed mitigation measures are considered to adequately protect amenity in accordance with VLP policy DC9 and SOLP policies EP1, EP2 and EP3.
110. The proposal would involve the stopping up of an existing public right of way. However, alternative provision is proposed which is considered to be similarly safe, convenient and attractive, in line with policy VLP L10.
111. The development is located in the open countryside and in an identified area of open space between Didcot and Harwell; therefore there is some conflict with policies aimed at protecting the countryside and

landscape (VLP policies NE9 and NE10). However, the impact on the countryside and landscape would not be severe and given the support for this scheme in other policies it is considered that any conflict with these policies is outweighed by other considerations. The development is considered to accord with the provisions of VOWHCS policy 44, VLP policy NE6 and SOCS policy CSEN1.

112. The proposals comply with relevant policies protecting biodiversity (VLP policy NE5, SOLP policy C6, SOCS policy CSB1 and VOWHCS policy 36.)

RECOMMENDATION

113. It is RECOMMENDED that subject to:

- i) conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the matters set out in Annex 1 to this report;**
- ii) Provision for the funding of the long term maintenance of the additional section of bridleway and additional maintenance over and above what is currently required for the existing bridleway;**

that planning permission for application no. R3.0133/14 be granted.

BEV HINDLE
Deputy Director (Strategy and Infrastructure Planning)

February 2015

Annex 1: Conditions

1. Three year commencement;
2. Complete accordance with approved plans;
3. Standard construction hours;
4. Submission, approval and implementation of a Construction Environmental Management Plan, including dust mitigation;
5. Submission, approval and implementation of details of surfacing materials that reduce noise impact;
6. Submission, approval and implementation of detailed lighting plan, compliant with best practice guidance on bats;
7. Implementation of noise mitigation measures as set out in noise assessment;
8. Submission, approval and implementation of additional noise assessment of mitigation measures arising from it;
9. Submission, approval and implementation of details of proposed noise barrier;
10. Submission, approval and implementation of detailed drainage proposals;
11. Ecological mitigation measures;
12. Implementation of approved landscape planting within the first planting season following the completion of the development;
13. Soil testing prior to seeding and use of calcareous grass mix rather than proposed wildflower grass mix should the site be suitable
14. Ramping of excavations and covering of pipework during construction to protect badgers
15. Submission, approval and implementation of long term management of landscaped areas;
16. Submission, approval and implementation of a detailed Ecological Mitigation and Enhancement Scheme
17. Updated ecological surveys should work not commence within a year
18. Submission, approval and implementation of Precautionary Method of Working for reptiles
19. Submission, approval and implementation of additional road restraint system sections to secure the end of stopped up bridleway
20. Submission, approval and implementation of ducting to facilitate lighting of whole length of road should this be necessary at a later date
21. Submission, approval and implementation of a monitoring and survey scheme for headlight glare from opposing vehicle flows on the A34, implementation of any necessary mitigation arising
22. Submission, approval and implementation of details of lighting for the cycleway/walkway.
23. Submission, approval and implementation of a Construction Traffic Management Plan

Informatives

1. Protected species
2. Birds nesting
3. Maximum 50 mph speed limit
4. The stopping up of a section of public bridleway 243/12 and its replacement with a new section of public bridleway requires an

application to the Rights of Way team for an order under section 257 of the Town and Country Planning Act 1990.

Compliance with National Planning Policy Framework

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by;

- offering a pre-application advice service, and
 - updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions.
- Issues which arose in the processing of the application included concerns raised by consultees about the impact on the rights of way network and amenity and these were addressed with the applicant through the provision of additional information.

Annex 2 - Representations

1. Five letters of representation have been received from individuals in response to this application. This includes one letter of support, two letters expressing concerns and two letters of objection.
2. These letters are summarised below and a response to the points raised is provided.
3. Representation 1 – Support - (Harwell resident)
 - Support the proposal without reservation
 - The link road will help avoid traffic gridlock in Harwell village when more homes are built in the area
 - Will benefit both road users and residents of Harwell
4. Representation 2 – Object - (Occupant of Sunnyside)
 - Impact on value of property
 - Amenity impact of traffic, which will be stationary at peak times
 - Amenity impact of street lighting
 - Headlights will shine through windows
 - Amenity impact of noise
 - Concern about parking for his HGV
 - Concerned about access to property – disabled person living there
 - Concerned that it will no longer be possible to walk his three dogs.

Officer Response – The potential impact on the value of the property is not a material consideration for the determination of the planning process. The objector has been provided with details of the scheme for compensation should the development of a new road decrease the value of their property. The land on which the objector parks his HGV is highways land and is needed for the scheme. The proposals include a number of mitigation measures to reduce the impact of the two properties close to the new roundabout on the B4493. This includes appropriate lighting and surfacing materials and shrub screening vegetation. The applicant has confirmed that it is not possible to move the roundabout further from these properties due to the constraints on the site. A noise assessment has been carried out for this development and confirms that the increase in traffic noise on scheme opening would be negligible. There is the potential for construction noise at this property, but it is considered that this could be satisfactorily managed by condition. The air quality assessment work carried out for the application concludes that there would be an ‘imperceptible’ effect at this property. There has been no objection from the Environment Health Officer to this application and therefore it is considered that the potential amenity impacts on nearby properties can be adequately addressed through condition. Access to the property will be retained and alternative rights of way provision is proposed.

5. Representation 3 – Concern (Resident of West Hagbourne)
 - The noise assessment excludes West Hagbourne and the application cannot be approved without this being corrected.

Officer Response – Further advice was sought from SODC’s Environmental Health Officer (EHO) in relation to concerns that the noise impact assessment did not adequately cover noise impacts on South Oxfordshire residents in West Hagbourne. The EHO confirmed that he agreed with the scope and findings of the submitted noise impact assessment because it assessed the potential impacts on properties closer to the site than West Hagbourne and found impacts to be negligible.

7. Representation 4 – Object (Resident of Harwell)

- Object to building a new road on what is currently a public right of way surrounded by open space
- Walking is beneficial for physical and mental health and it is more beneficial to walk in a natural environment than on a manmade footway/cycleway such as the one proposed.
- Wildlife would be lost.
- More roads will lead to more traffic
- It will not be such a pleasant environment to walk in
- Instead of building new roads and houses across the countryside the council should discourage developers.

Officer Response – The proposals do involve the stopping up of an existing right of way, however, they also involve the diversion of the bridleway route and a new footway and cycleway. The proposals also include a new crossing point on the B4493. This has the potential to improve the situation for users of the rights of way. Overall there would be an increase in a number of habitat types for wildlife and a slight improvement of the biodiversity value of the site. Traffic modelling shows that the proposed road would decrease traffic in Harwell village.

9. Representation 5 – Concern – (Resident of Didcot)

- Concerned about the proposed alignment of the bridleway
- Route would increase the distance travelled along the margin of a busy road
- The proposal does not adequately cater for cyclists travelling from Didcot and Harwell. The new crossing should be immediately south of the new roundabout on the B4493, not east of it.
- If the new road is subsequently extended north towards Milton Park there would probably need to be another detour and the route would be even less attractive.
- Disagree with the proposed stopping up of the existing bridleway
- Best solution would be to reconnect the Driftway bridleway, which was severed by the construction of the A34, using a bridge over the A34 and a crossing on the new link road.
- Also concerned that the proposal would increase traffic on local roads. Aim should be to divert traffic onto the A34.
- Suggests an alternative solution of connecting the A417 and B4493 to the A34 with an additional lane in each direction on the A34.

Officer Response – It is the case that the diverted route would be longer than the existing route. However, it is necessary to stop up the existing section of bridleway for safety reasons as it would be dangerous if users were to

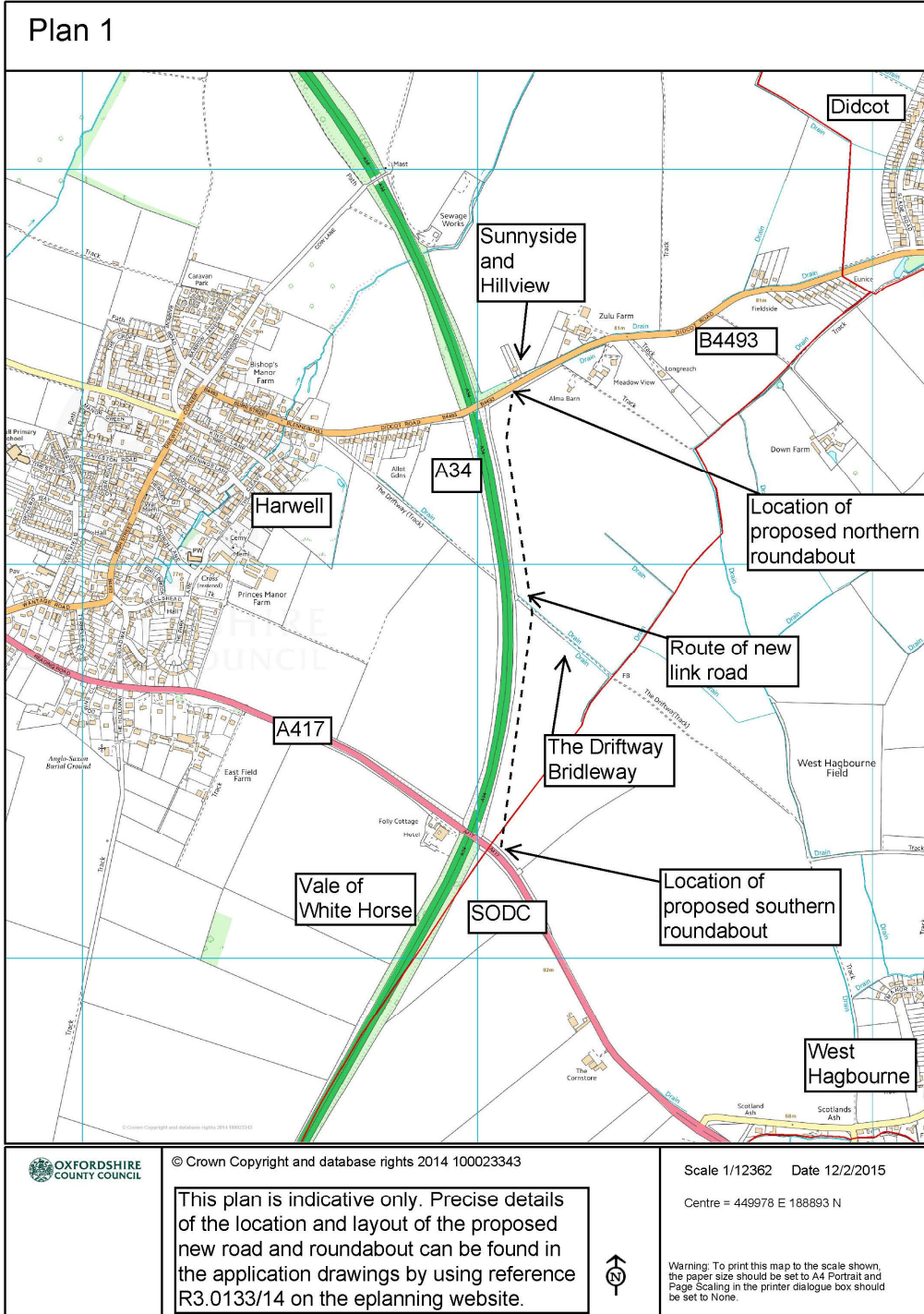
attempt to cross the new link road. Therefore, the diversion route is considered to be a satisfactory option for users of the bridleway. Reconnecting the Driftway across the A34 is not proposed as part of the scheme. This is not considered necessary to make the proposed development acceptable. Traffic modelling shows that the new link road would reduce traffic flows through Harwell village, rather than increase them. The siting of the Pegasus crossing on the B4493 to the east of the new roundabout is proposed because it is considered to be the safest location.

Annex 3 – European Protected Species

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2010 which identifies 4 main offences for development affecting European Protected Species (EPS).

1. Deliberate capture or killing or injuring of an EPS
2. Deliberate taking or destroying of EPS eggs
3. Deliberate disturbance of a EPS including in particular any disturbance which is likely
 - a) to impair their ability –
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b) to affect significantly the local distribution or abundance of the species to which they belong.
4. Damage or destruction of an EPS breeding site or resting place.

Our records and ecological survey results indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.



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For: PLANNING AND REGULATION COMMITTEE – 2 MARCH 2015

**By: DEPUTY DIRECTOR FOR ENVIRONMENT & ECONOMY
(STRATEGY & INFRASTRUCTURE PLANNING)**

Development Proposed:

Construction of Residential Children's Home - New Assessment Centre building and associated external recreation areas and car parking

Division Affected: Eynsham

Contact Officer: Kevin Broughton **Tel:** 01865 815272

Location: Litchfield Farm Land, Merton Court, Eynsham, Oxfordshire, OX29 4QF

Applicant: Oxfordshire County Council

Application No: R3.0020/15 District ref No: 15/00074/CC3REG

District Council Area: West Oxfordshire

Recommendation: Approval

Location (see site plan Annex 1)

1. Eynsham is located about 7km (4.5m) west of Oxford on the southern side of the A40. The site is on the south western edge of the town.

Site and Setting (see site plan Annex 1)

2. The site is an arable field adjoining Merton Court on the north eastern side of the site. To the east it borders houses on Merton Close but there is an existing line of mature trees between the housing and the site. Those trees also extend partly around the southern boundary as well. The site is also overlooked by residential properties in Merton Court around 50m to the north.
3. Land to the south and west are fields in agricultural use that appear to be pastureland. The land is relatively flat lying and the site is just over 0.4 ha in size.
4. Chil Brook is approximately 60m south of the site. The site is just outside flood zone 3 (1 in 100 year probability of flooding) and part of the site is within flood zone 2 (between 1 in 100 and 1 in 1000 year

probability of flooding). The applicant has applied the sequential test and the building itself is outside the flood zone 2 area and so within flood zone 1 (less than 1 in 1000 year probability of flooding), the area with the lowest probability of flooding. There would be no built development at all outside flood zone 1.

5. The site has no specific landscape designation in the West Oxfordshire Local Plan, however the District's landscape character assessment places it just within the Lower Windrush Valley and Eastern Thames Fringes Landscape Character Area. The site also lies within the Wychwood Project Area.
6. Access to the site would be along Merton Close and then via Merton Court which is a road subject to a legal agreement to become an adopted highway, but has yet to be adopted.

Details of the Development

7. There are currently 493 children who are either in Oxfordshire County Council Accommodation or under a care order. The assessment centre would provide care for some of the county's more vulnerable children. This would reduce the need for out of county placements.
8. There has been increased pressure locally due to Operation Bullfinch, a joint police and Council investigation into Child Sex Abuse, to support children and young people who are at risk.
9. The site has been chosen by the applicant because it meets their needs of having a degree of remoteness whilst still being appropriately close to an urban environment.
10. The assessment centre would provide short term care for up to 6 children aged between 12 and 17. The centre would be staffed constantly, with four staff during the day and two staff overnight.
11. The building would be a traditional style two-storey building with two levels of pitched roof. The building would be just under 7.3m high at the apex of the roof at the highest point. 506 m² of gross internal floorspace would be provided. The elevations would be reconstituted stone and horizontal timber cladding. The roof would be slate grey roof tiles. Windows and doors would be of aluminium.
12. The proposed building has been oriented so as to have a south facing roofscape which would have photovoltaic panels placed on it.
13. External lighting facilities would be provided affixed to the building facade, to provide safe and secure movement around the perimeter of the building. Lighting columns and/or bollards would be used to provide illumination to the external driveway and footpath. The locations of the

new external luminaires will be carefully selected to avoid light trespass being a nuisance to the environment and neighbouring buildings and dwellings. For efficient operation, all new external luminaires will be controlled via a time switch, photocell and override switch.

14. The driveway and the parking area on the site would be a porous paving / infiltration system. The building would have raised thresholds to reduce flood risk vulnerability. There would be eight parking spaces one of which would be a disabled space and ten cycle parking spaces.
15. No new fencing is proposed along the highway boundary, but 1.2 metres high post and rail fencing is proposed on other boundaries.
16. Prior to submission of the application for the development, the applicant updated elected members through the Corporate Parenting Panel, quarterly locality meetings for councillors, Children and Young Peoples Board, and correspondence with elected members. There was also a public exhibition of the proposal at Eynsham Village Hall on 17 September 2014.

Representations

17. There are six representations of which 5 were raising objections or concerns. One welcomed the application. The material concerns raised are:
 - i. How would the building fit onto the small site?
 - ii. The building would be too close to immediate neighbours.
 - iii. The building is in the flood plain. Houses have already come close to flooding in the last four years.
 - iv. It would add more traffic to the village.
 - v. Effect on the local amenity.
 - vi. Effect on wildlife.
 - vii. Likely increase in anti-social behaviour.
 - viii. It would be visible from other viewpoints in the village.
 - ix. Concern about construction traffic.
 - x. Request for tree planting along the northern perimeter.
 - xi. Development does not look homely enough - it will not engender emotional security for the children.
18. There were also concerns raised at a public meeting held on 28th January. These were:
 - i. Construction Traffic and Access to site
 - Details of proposed construction routing through the village.
 - Restricted delivery times.
 - wheel washes
 - parking provision for construction vehicles
 - speed limits
 - tonnage limits were raised for future consideration.

- Consider adding double yellow lines to access route throughout construction period.
 - Provision of a hard-core parking area around the site would help to limit mud transfer to the road and alleviate concerns around impact on parking.
- ii. Concern of predatory, dangerous or disruptive people being attracted to the area as a result of the assessment centre
 - iii. pruning or pollarding should be carried out on some of the trees bordering the assessment centre and residential dwellings. These trees are believed to be dangerous.
 - iv. Planting of trees and shrubs be considered for improved screening of the assessment centre from Merton Court. These should be considered around the larger field space as well as the assessment centre site.
 - v. Use of Section 106 funding was suggested to establish safe crossing point on Acre End Street.

Consultations

19. West Oxfordshire District Council - No response received.
20. Environment Agency - refer to standing advice. Floor levels within the proposed development will be set no lower than existing levels AND flood proofing of the proposed development has been incorporated where appropriate.
21. Protected Species Officer - European Protected Species are unlikely to be present. No further consideration of the Conservation of Species & Habitats Regulations is necessary.

The following conditions should be attached to any permission:

- No trees or hedgerows shall be removed except between 1st September and 28th February (inclusive) as this is outside of the bird breeding season. Any works to trees between 1st March and 31st August (inclusive) must be checked by an ecologist immediately before work is carried out so as to ensure there are no nesting birds present. If nesting birds are present, the tree must be cordoned off and works cannot be carried out until the birds have fledged.
 - The grassland sward within the application site is to be maintained at a height of no more than 3 inches between the months of March to August inclusive.
22. County Tree Officer - no objection but makes the following comments:

- The Planting Plan submitted covers an aftercare period of 12 months. Current best practice within BS 8545:2014 Trees: from nursery to independence in the landscape, recommends that this shall be no less than 24 months.
 - Would expect that any trees or shrubs planted within 5 metres of adjacent hard surfaces would include root deflectors to reduce the potential for uplifting and future resurfacing requirements.
23. County Highway Authority - no objection because traffic impact is minimal with less than 10 vehicular trips per day expected. Recommend conditions to cover the following matters:
- access provided as plan and to appropriate construction specification prior to first occupation
 - parking and turning areas to be provided as plan prior to first occupation
 - construction traffic management plan to be submitted and approved prior to development

Relevant planning policies (see Policy Annex to the committee papers)

24. Development Plan Policies:

West Oxfordshire Local Plan 2011 (WOLP) Policies:

BE1 - Environmental and Community Infrastructure

BE2 - General Development Standards

BE13 - Archaeological Assessments

BE21 - Light Pollution

NE1 - Safeguarding the Countryside

NE3 - Local Landscape Character

NE6 - Retention of Trees, Woodland and Hedgerows

NE7 - The Water Environment

NE10 - Water Resources

NE11 - Water Quality

NE13 - Biodiversity Conservation

NE15 - Protected Species

T1 - Traffic Generation

TLC1 - New Tourism Leisure and Community Facilities

25. Other Material Considerations:

Draft West Oxfordshire Local Plan October 2012 (DWOLP):

Core Policy 1 - Presumption in favour of sustainable development.

Core Policy 2 - Locating Development in the Right Places

Core Policy 3 - Prudent Use of Natural Resources

Core Policy 4 - High Quality Design

Core Policy 15 - Local Services and Community Facilities

Core policy 17 - Landscape Character

Core Policy 18 - Biodiversity

Core policy 21 - Flood Risk
Core Policy 22 - Environmental Protection
Core Policy 23 - Historic Environment
Core Policy 24 - Transport and Movement
Core Policy 34 - Eynsham - Woodstock Sub - Area Strategy

National planning Policy Framework (NPPF)

Comments of the Deputy Director (Strategy and Infrastructure Planning)

26. The main issues in relation to this development are the presumption in favour of development, effect on the local landscape and historic environment, transport, flood risk, biodiversity and nature conservation, and the design of the building.

Presumption in Favour of the Development

27. Policy TLC1 of the WOLP states that permission will be granted for community facilities that meet local needs. This is reinforced by Core Policy 15 of the DWOLP which states that development and facilities that promote social interaction and healthy inclusive communities will be promoted.
28. The proposed building would meet an identified need for the County. Though there is no specific need to locate the proposed facility in Eynsham, the proposed site has been shown to meet the needs of the children's home.
29. Core Policy 1 of the DWOLP reflects the presumption in favour of sustainable development as set out in the NPPF. It states that proposals that accord with the policies in the local plan will be granted permission unless material considerations indicate otherwise.
30. Core Policy 2 of the DWOLP adds that development should be located in the right places. It defines Eynsham as a rural service centre suitable for developments at an appropriate scale that will help reinforce their existing service centre role. It says as a general principle that development will be located where it matches the existing scale of the area, and where it meets other criteria covered in this report.
31. Core Policy 34 of the WOLP identifies Eynsham as one of the focal points for development in the Eynsham - Woodstock Sub Area Strategy.
32. In terms of general location the development does meet the strategy of the development plan and the draft local plan. It should therefore be granted planning permission unless any reasons from the following considerations indicate otherwise.

Landscape and Countryside

33. Policy NE1 of the WOLP states that proposed development in the countryside should maintain and enhance the value of the countryside. Policy NE3 of the WOLP adds that development will not be permitted if it harms the local landscape character of the district. This is further reinforced by Core Policy 17 of the DWOLP which states the development should respect and where possible enhance the
34. Policy NE6 of the WOLP states that planning permission will not be granted for proposals that would result in the loss of trees, woodland and hedgerows which are important for visual, historic or biodiversity value.
35. The proposed development would extend the built environment into the open countryside. The site is partly screened from the surrounding countryside by existing planting, and this would be added to by further planting on the site boundary.
36. Views of the building would be seen against the backdrop of the new housing developments of Merton Close and Merton Court which, as with the proposed development, are predominantly two storey. The building is located centrally on the site and does not relate particularly well to either the surrounding houses or the road frontage. Its location is largely dictated by the need to avoid the area of the site most at risk from flooding, and by the need to provide adequate car parking. Nevertheless the proposed building within the wider landscape would not look out of place in the context of the surrounding housing.
37. Although the development would not conserve or enhance the countryside, the harm it would cause given its location and the mitigation of the tree planting would not be significant. The proposed conditions set out by the County Tree Officer should be attached to any permission given, to ensure the mitigation of the proposal.
38. Policy BE21 of the WOLP states that external lighting for rural buildings will only be permitted where it would not cause excessive levels of light and not have a detrimental impact on the village or the country side. The development includes external lighting that would be affixed to the building and on bollards or light columns. There is no detail of the proposed external lighting in the application, and a condition should be attached to any permission that no external lighting shall be placed on the site until the details of such lighting have been submitted and approved.
39. Screening on the northern boundary was requested in the responses, but the site is over 40m from the nearest dwelling to the north, and the building is some 80m away. The northern boundary would be planted with a Hornbeam hedge and this would be sufficient screening for the development at the distance it would be.

40. Pruning and pollarding of trees was raised in the third party representations. This would be a property management issue , and the applicant is aware of the concern because it was raised at a public meeting with the applicant.
41. Subject to the conditions as set out, the development would not cause such harm to the landscape and countryside that it would override the presumption in favour of the development.

Transport

42. Policy BE1 of the WOLP states that development will not permitted unless there is appropriate supporting infrastructure. Policy T1 states that proposals that would generate significant levels of traffic will not be permitted in locations that would rely on the use of the private car. Core Policy 24 of the DWOLP states that priority will be given to new development where travel by private car can be minimised.
43. The proposed development would generate less than 10 car journeys per day on average. The site of the proposed development has been chosen because the home would have a degree of remoteness while still allowing easy access to the village services.
44. The County Highway Authority has no objection to the proposal but has required certain conditions to be attached to the proposal. These conditions require that access arrangements and the parking and turning areas are provided prior to first occupation of the building, and that a construction traffic management plan be submitted and approved prior to development taking place.
45. The construction management plan would address many of the concerns raised on transport grounds. There was a specific concern about a Section 106 agreement for a new crossing on Acre End Street. This was not required by the County Highway Authority and would not be necessary given the low volume of traffic that would use the site.
46. The low level of traffic generation is such that with the mitigation measures set out in the conditions, the development would not cause a significant detrimental effect on the area in terms of traffic.

Local Amenity and Design of the Building

47. Policy BE1 of the WOLP states that development will not be permitted unless the local environment is safeguarded. Policy BE2 of the WOLP states that proposal for new buildings should clearly demonstrate how they will relate satisfactorily to the site and its surroundings. Core Policy 4 of the DWOLP seeks to secure a high standard of design.

48. Notwithstanding the reservations set out in paragraph 36 of this report the development would be relatively distant from the neighbouring houses, and there would not be a significant effect on the local amenity because of its location.
49. Policy BE2 sets out criteria against which the development will be judged. The proposed building would be similar in scale and size to other multi occupation buildings in the area. The proposed elevations would be a mixture of Buff brick and timber cladding. This would not precisely match the surrounding houses but it would give a domestic feel while retaining some difference to reflect the difference in the type of building. The proposal would not have a detrimental effect to people living in or visiting the area. The effect on landscape would not be significantly harmed, nor would existing features of importance, the setting of Eynsham or the surrounding countryside. The proposed building would be constantly staffed and so the risk of crime would be less significant than if the building were left vacant for significant periods of the day. There are solar panels included in the design of the building.
50. Concerns have been raised that the development would encourage anti-social behaviour in the area. The site will be permanently supervised and will have up to 6 children at any one time. The level of supervision and the low number of children makes it unlikely that antisocial behaviour would emanate from the site. There is also no evidence to suggest that the children going to the site are likely to be antisocial.
51. Concern has been raised about the design of the building; that it is not homely enough and will not engender emotional security for the children. This concern is a matter for the applicant as the experts in child care. It is not a relevant planning matter.
52. There are no significant local amenity issues or matters relating to the design of the building. There would certainly be nothing to override the presumption in favour of the development.

Natural Resources and Archaeology

53. Policy NE6 of the WOLP seeks to retain trees woodland and hedgerows. There is no significant removal of hedges or trees proposed as part of the development.
54. Policy NE7 of the WOLP states that development should not have an adverse impact on the water environment, Policy NE10 of the WOLP states that development will not be permitted where it would increase the need for water unless sufficient water resources already exist, and Policy NE11 seeks to protect water quality. The proposed development would be roughly equivalent to a large house or a small group of

houses. It would not have a significant impact on water resources, the water environment or water quality.

55. Core Policy 3 of the DWOLP seeks the prudent use of natural resources. The proposed development is small scale but it still has some features that save natural resources. It is built on the part of the site less susceptible to flooding, and it has solar panels on the roof.
56. Core Policy 21 of the DWOLP seeks to reduce flood risk. The proposed development has the building located on the part of the site that is liable to flooding less than every 1 in 1000 years, and has left the part of the site that is liable to flood between 100 and 1000 years as open field. The Environment Agency has raised no objection to the application.
57. Core Policy 22 of the DWOLP states that developments likely to cause pollution will not be permitted. The proposed development would not cause harm in relation to air quality, contaminated land, hazardous substances, noise, water resources or waste. It does have the potential to cause problems in terms of lighting, but a condition is already proposed requiring details to be approved by the local planning authority. With such a condition attached the development would not cause significant pollution.
58. Policy BE 13 seeks to protect the potential archaeology of the area from potential impacts. The County Archaeologist has no objection subject to conditions requiring a staged programme of archaeological investigation. Such conditions could be added to any permission granted.
59. Policy NE13 of the WOLP states that priority habitats will be safeguarded and maintained, and Policy NE15 of the WOLP states that development having an adverse effect on protected species will not be approved. Core Policy 18 of the DWOLP states that biodiversity will be protected and opportunities to achieve a net gain will be pursued. The County's Protected Species Officer has said that protected species are unlikely to be present. She raised no objection subject to conditions relating to dates within which trees and hedgerows can be removed and dates within which the grass sward should be kept at no more than 3 inches. Such conditions could be added to any permission granted.
60. The proposed development would not cause any significant adverse effect in terms of the natural environment and archaeology.

Conclusions

61. The proposed development with suitable conditions as set out in the report would not cause any significant harm to the countryside or the local landscape. It would not cause a detrimental effect on the area due to traffic. There would be no significant loss of amenity to the local

residents, and the building would be an acceptable design for its location. The development would be acceptable in terms of its use of natural resources and its effect on the local archaeology and biodiversity. There would therefore be no overriding reason for it not to be granted planning permission in accordance with the presumption in favour of development.

RECOMMENDATION

- 62. It is RECOMMENDED that planning permission for application no. R3.0020/15 be granted subject to conditions to be determined by the Deputy Director for Environment and Economy (Strategy and Infrastructure Planning) to include the following:**
- i. Development to be carried out in accordance with the submitted documents and plans.**
 - ii. The development will be carried out within a period of three years from the date of the permission.**
 - iii. The Planting shall be subject to a two year aftercare scheme to be submitted and approved prior to the development taking place.**
 - iv. Root deflectors shall be used for any trees or shrubs planted within 5 metres of adjacent hard surfaces.**
 - v. No external lighting shall be placed on site until details of the lighting has been submitted to and approved by the local planning authority.**
 - vi. Access, and parking and turning areas shall be provided prior to first occupation of the building.**
 - vii. A construction traffic management plan shall be submitted to and approved by the Local Planning Authority prior to development taking place.**
 - viii. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.**
 - ix. Following the approval of the Written Scheme of Investigation, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out.**
 - x. No trees or hedgerows to be removed between 1 September and 28 February. Any works to trees between 1st March and 31 August (inclusive) must be checked by an ecologist immediately before work is carried out so as to ensure there are no nesting birds present. If nesting birds are present, the tree must be cordoned off and works cannot be carried out until the birds have fledged.**

- xi. The grassland sward within the application site is to be maintained at a height of no more than 3 inches between the months of March to August inclusive.**

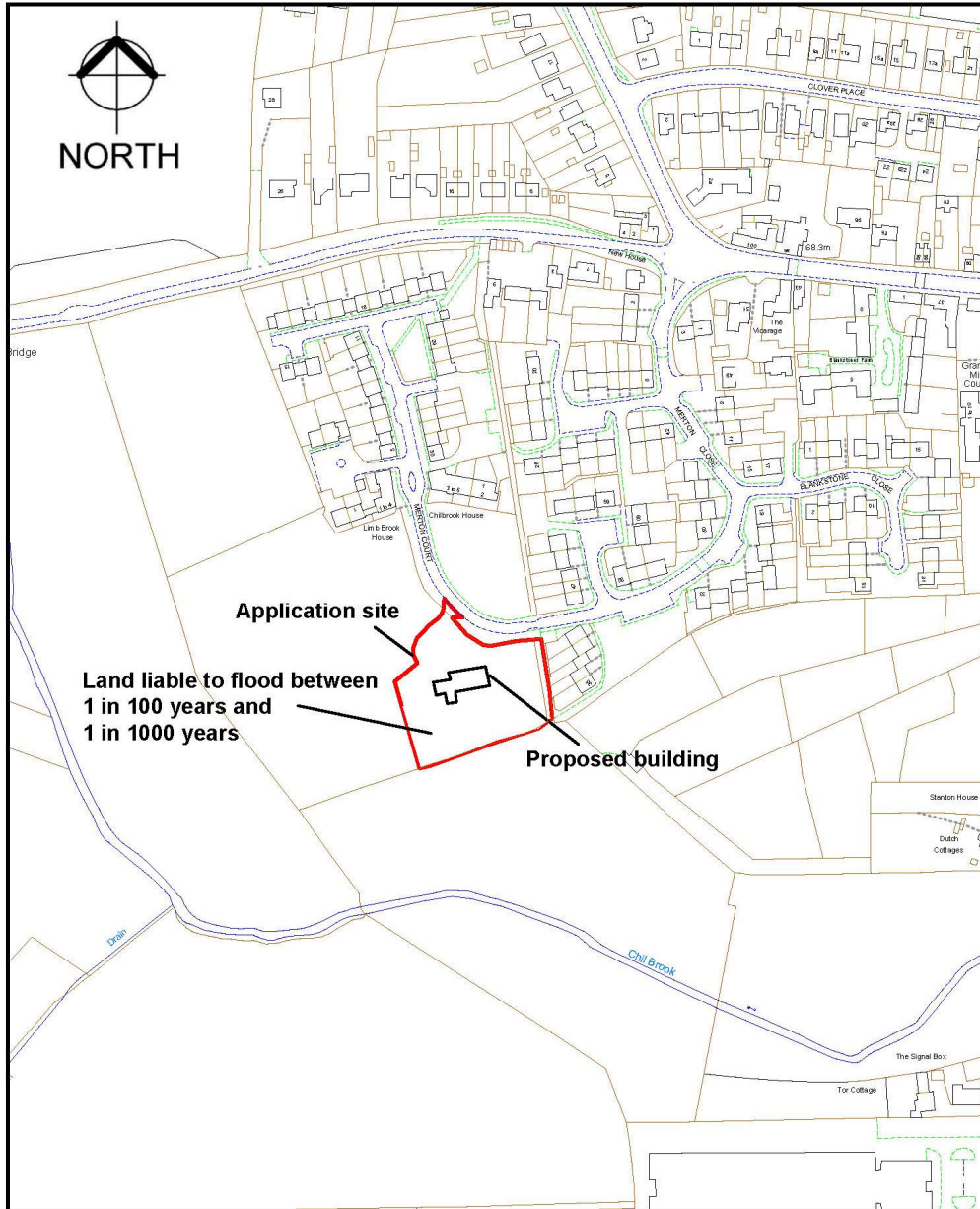
BEV HINDLE

Deputy Director FOR Environment & Economy (Strategy and Infrastructure Planning)

Compliance with National Planning Policy Framework

In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by; offering a pre-application advice service, which the applicant took advantage of in this case updating applicants and agents of any issues that may arise in the processing of their application and where possible suggesting solutions. The applicant held a public meeting with local residents and took note of their concerns. This did not lead to a change to the development. No issues arose from statutory consultees.

**Application no. R3.0020/15
Proposed Children's Home**



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Planning Report

For: PLANNING AND REGULATION COMMITTEE – 2 MARCH 2015

By: Deputy Director (Strategy and Infrastructure Planning)

Development proposed:

Details Pursuant to Condition 13 (Fence replacement details) of Planning Permission P13/V0880/CM (MW.0056/13) at Radley Ash Disposal Site, Thrupp Lane, Radley

Division Affected: Kennington and Radley

Contact Officer: Kevin Broughton **Tel:** 01865 815042

Location: Radley Ash Disposal Site, Thrupp Lane, Radley

Application No: MW.0143/14

Applicant: RWE NPOWER PLC

District Council Area: Vale of White Horse

Date Received: 5 November 2014

Consultation Period: 29/11/2014 to 19/12/2014 (second consultation)

Contents

- Part 1 - Facts and Background
- Part 2 - Other Viewpoints
- Part 3 - Relevant Planning Documents
- Part 4 – Analysis and Conclusions

Recommendation:

The report recommends that application MW.0143/14 be approved.

Part 1 –Facts and Background

Location (see site plan Annex 1)

- 1 Radley Ash Disposal Site is located 700 metres to the south of the village of Radley and 500m east from the eastern outskirts of Abingdon.

The Site and its Setting (see site plan Annex 1)

- 2 The Radley ash disposal site covers an area of 161 hectares. The north-south railway line from Oxford to Didcot bisects the disposal site and marks the boundary between Phase 2 to the west of the railway and Phase 1 to the east of the railway. The issue of replacement fencing covered by this details pursuant application relates to the Phase 2 area to the west of the railway.
- 3 The site lies within the Oxford Green Belt. Areas H/I lies within the River Thames flood plain (Flood zone 3). Area G lies partly within Flood zones 2 & 3. Radley Brook lies to the east of Area G and to the west of the railway line.
- 4 The site comprises former gravel workings that have been engineered to enable the formation of ash lagoons. These ash lagoons have been progressively filled with pulverised fuel ash (PFA) that has been piped to the site from Didcot Power Station.
- 5 The infilled ash lagoons in Phase 1 have been completely restored to agriculture and woodland, having dried out and stabilised some years ago. The Phase 2 ash lagoons to the west of the railway have not been fully restored and have only been partially filled with PFA. Some of the lagoons are nearer to completion than others; some still comprise areas of open water, whereas other parts such as the west of Area H have begun to dry out and comprise grassland and scrub. The site also contains settling and discharge ponds.
- 6 A Byway open to all traffic (BOAT) and the Sustrans cycle path (National Cycle Network) and right of way passes through the Phase 2 part of the site but the route is not affected by the proposals in this application.
- 7 To the north of the Phase 2 part of the site is agricultural land (arable and pasture) and Thrupp Lane which provides access to the site. To the south is the River Thames. To the far west of the site is the Barton Lane business park and the White Horse Leisure and Tennis Centre
- 8 The nearest residential properties are Thrupp Cottage, Thrupp Farm and Thrupp House, located 300m to the north west of Lake H/I.

Background to the Details Pursuant application

- 9 Planning permission P13/V0880/CM (MW.0056/13) was granted on 04/08/2014 for the following:

Revised restoration to nature conservation rather than agriculture, retention of Sandy Overburden Material mound (north of Area I), retention of the majority of the bunds and retention of some of the associated concrete structures to the remaining unrestored ash lagoons (Areas G & H/I) and the settling and discharge pond area east of the Oxford to Didcot railway line, without complying with Conditions A11, A17 & A18 of planning permission SUT/RAD/5948/12-CM

- 10 Condition 13 of P13/V0880/CM states:

No later than three months from the date of this permission a scheme for the erection of replacement and any additional fencing shall be submitted in writing for approval by the Waste Planning Authority. The scheme shall include the following details:

i) A scaled drawing showing the location of the fencing which shall include fencing in appropriate locations along the north boundary of Lakes H & I (fencing where necessary to enclose the site from access off the Sustrans Right of Way), the south east boundary of Area G and fencing in appropriate locations along the south boundary of Lakes H & I (fencing where necessary to enclose the site from the south);

ii) Details of the materials to be used including any re-used parts of the existing fencing where any adverse impacts of its dismantling and removal cannot be otherwise mitigated;

iii) The height of the fencing;

iv) Provision for the management and maintenance of the fencing for a period of five years.

- 11 The Condition was imposed in the interest of the nature conservation (biodiversity) after use of the site. The replacement fence will ensure that the restored areas will be enclosed, thus preventing public access. This will prevent potential disturbance to ground nesting birds and other wildlife that would be caused by dog walkers, off road motor bikes and other types of recreational use.

Details of the Proposed Development

- 12 The applicant has provided a scheme showing the details of proposed replacement fencing, as required by Condition 13. The proposed scheme is available to view in Annex 2 (particularly pages 4-14 of the document).
- 13 The proposed replacement 'agricultural type' fence shall comprise C8/80/15 netting (commonly referred to as "sheep mesh") with 2 strands of plain high tensile galvanised wire above, on the outside (the "public" side) of the posts, and 1 strand of barbed wire at the same height as the upper strand of high tensile wire, but on the inside of the posts facing the enclosed area.
- 14 This arrangement includes barbed wire as a deterrent to casual entry but reduces the probability of someone leaning or falling against the fence from outside the enclosed area being injured by contact with the barbed wire.
- 15 Where the new fence is not on the same alignment as the existing security fence, it will be supported on round, treated FSC certified softwood timber posts, 2.1 m x 125 -150 mm top diameter for straining posts (with struts) at fence ends (including adjacent to gateways) and changes of direction, with intermediate posts 1.8m x 75 -100 mm top diameter at 3m spacing. Struts to wooden straining posts shall be 2.4 m x 75mm -100 mm top diameter. Where required, wood posts shall be driven into the ground: concrete footings will not be provided. Half-round timber posts shall not be used.

- 16 Where the new fence is on the same alignment as the existing security fence the new fence will be supported on the existing galvanised steel angle posts and existing footings as far as possible. These posts will be cut off at approximately 1.2 metres above local ground level, at their existing spacing. Where individual existing metal posts are missing, damaged or the concrete footings have been disturbed or are unsound, the missing or damaged posts will be replaced with wood intermediate posts.
- 17 In all cases the top strand of sheepmesh and the top band of barbed wire shall be no less than one metre (3ft 3ins) high.
- 18 The new fences will be maintained throughout the aftercare period of 5 years from the completion of restoration and fence replacement works. The fences will be routinely inspected and repaired as necessary. Gross accumulations of undergrowth or decaying plant material on or adjacent to the fences, which might otherwise cause the fences to collapse, will be cleared away from the fence lines.

Reason for bringing this Details Pursuant application (Condition 13) to Planning and Regulation Committee

- 19 When the main planning application P13/V0880/CM (MW.0056/13) was considered by the Planning and Regulation Committee on 28 July 2014, whilst accepting the principle of the proposed reduction in height from that existing, members of the committee raised some concerns about the nature of the precise nature of the replacement fencing. When it was resolved that planning permission be approved, members asked for the detailed fence replacement scheme (details pursuant) to be brought back to the Committee.

- **Part 2 – Other Viewpoints**

Consultations

- 20 There is no statutory requirement to consult on details provided pursuant to conditions. However, in this case a consultation period did take place.
- 21 One of the landowners (of a large proportion of the part of the site that is affected by the proposed revisions to restoration) said that he did not want the SOM mound enclosed by the fence and gates proposed under condition 13. As a result of the landowner raising these concerns the applicant has submitted a revised copy of the fence replacement scheme (Version 2.0 date December 2015) omitting the SOM mound area. However, the detailed submission of a scheme for the protection of the SOM mound is required by a separate condition (condition 16) on the planning permission and does not form part of the scheme submitted for condition 13.
- 22 County Councillor Bob Johnston (local member) –No objection
- 23 The Environment Agency –No objection

- 24 Radley Parish Council –No objection but have said ‘still has issue with the removal of existing fences which it considers essential to protect wildlife and prevent nuisance’
- 25 Friends of Radley Lakes –No comments received
- 26 OCC Ecology – No Objection.
- 27 VOWH District Council –No objection
- 28 The Earth Trust –Comments not yet received
- 29 BBOWT Local Wildlife Trust –Comments not yet received
- 30 Natural England –Comments not yet received (extension of time requested)

Part 3 – Analysis and Conclusions

Comments of the Deputy Director (Strategy and Infrastructure Planning)

- 31 The application includes all the details required by condition 13 set out above. The proposed scheme would be similar to normal agricultural fencing which is usually deemed sufficient for protecting former mineral workings restored to nature conservation uses within a rural setting. It would be at least one metre high which should deter most people from entering the land either by design or inadvertently. The barbed wire would be a deterrent but the sheep mesh fence on the public side would protect users of the adjoining land, including walkers from injuring themselves on the fence.
- 32 The proposed fence would be a deterrent but would not stop the most determined trespasser who may well suffer minor injuries when climbing the fence. Motorcyclists would only be able to enter by deliberately cutting through the fence; it would clearly not otherwise be possible to ride a motorcycle through it.
- 33 The proposed sheep mesh fencing should deter most dogs, though it would not keep out those that were to dig beneath the fence. Cats and foxes, along with smaller predators such as stoats and weasels may be able to pass through or over the fence but it would act as a deterrent.
- 34 In commenting on the planning application to which the proposed replacement fencing details have been submitted, there were no objections from Natural England to the proposed reduction in the height of the fencing. Again, the fencing proposed is not dissimilar in both height and materials to that used at other mineral workings which have been restored to nature conservation uses.
- 35 Although the proposed fencing would allow easier access to the site for some wildlife, I do not consider that it would not be justification to refuse the type of fencing proposed. The fence is appropriate to a rural location.

Conclusions

- 36 The replacement fencing details submitted meet the requirements of condition 13. It is recommended that the detailed scheme be approved.

Recommendation

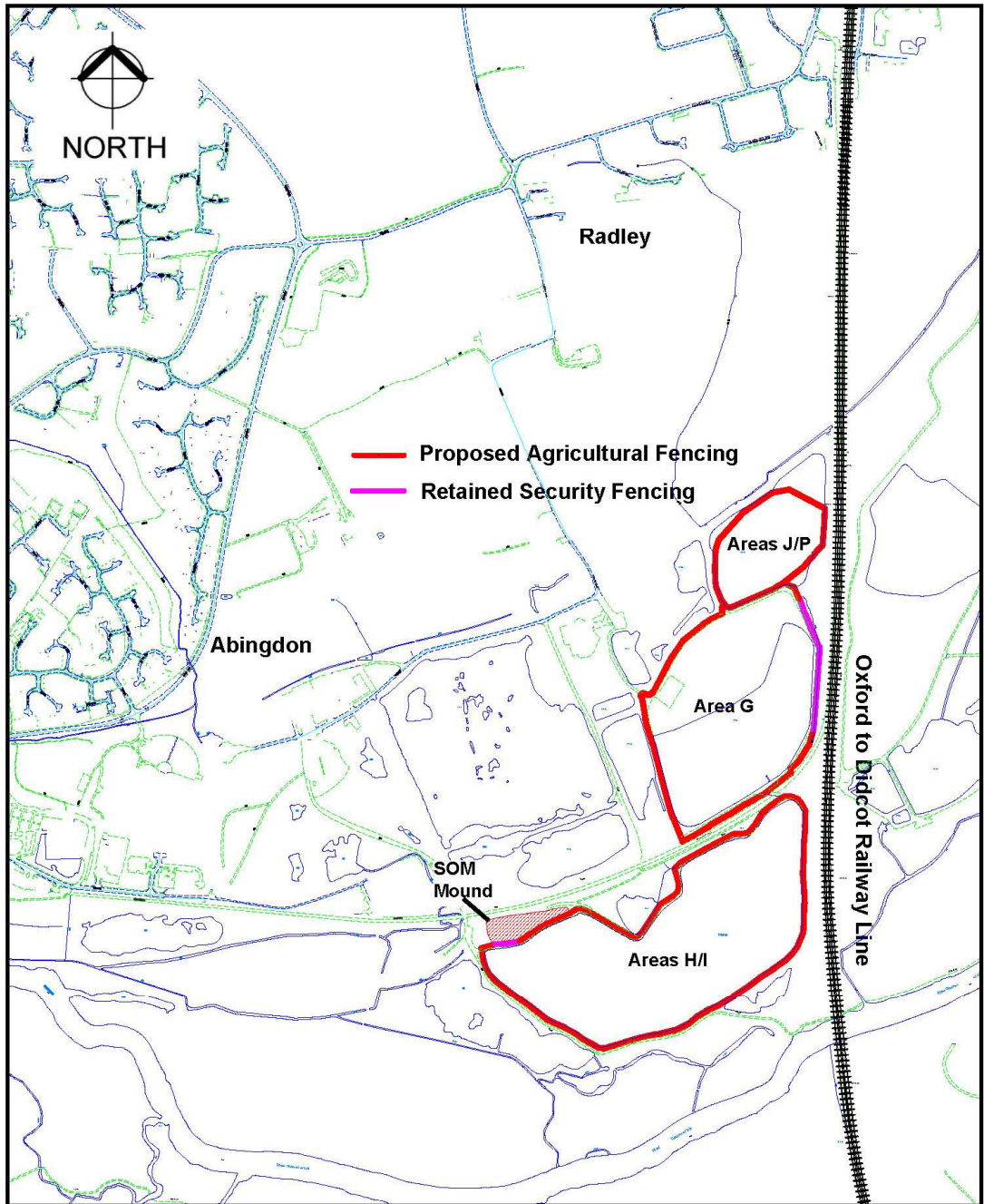
- 37. It is RECOMMENDED that the detailed scheme of replacement fencing pursuant to condition 13 of application MW.0143/14 be approved.**

BEV HINDLE

Deputy Director for Environment & Economy (Strategy & Infrastructure Planning)

February 2015

Application no. MW.0143/14 Radley Fence Replacement Details



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Plot Date: 17/2/2015

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PLANNING & REGULATION COMMITTEE – 2 MARCH 2015

POLICY ANNEX (RELEVANT DEVELOPMENT PLAN AND OTHER POLICIES)

South Oxfordshire Local Plan 2011 (SOLP)

POLICY G2: PROTECTION AND ENHANCEMENT OF THE ENVIRONMENT

The district's countryside, settlements and environmental resources will be protected from adverse developments.

POLICY C6: BIODIVERSITY CONSERVATION

In considering proposals for development, the maintenance and enhancement of the biodiversity resource of the district will be sought. Full account of the effects of development on wildlife will be taken. Where there is any significant loss in biodiversity as part of a proposed development, the creation and maintenance of new landscape features, habitat links and wildlife corridors of appropriate scale and kind will be required to ensure there is no net loss in biodiversity resources.

POLICY EP1: PREVENTION OF POLLUTING EMISSIONS

Proposals which would (by reason of smell, fumes, smoke, soot, ash, dust, grit, or other forms of polluting emissions) have an adverse effect on people and other living organisms, the atmosphere, the land, underground water supplies or watercourses will not be permitted, unless effective mitigation measures will be implemented. In addition, development will not be permitted near to an existing or proposed polluting use, unless effective mitigation measures will be implemented to ensure that there would be no adverse effect on the health and amenity of future occupiers.

POLICY EP2: NOISE AND VIBRATIONS

Proposals which would by reason of noise or vibrations have an adverse effect on existing or proposed occupiers will not be permitted, unless effective mitigation measures will be implemented. In addition, noise sensitive development will not be permitted close to existing or proposed sources of significant noise or vibrations.

POLICY EP3: LIGHT POLLUTION

Proposals for new floodlighting and other external lighting that would have an adverse effect on neighbouring residents, the rural character of the countryside or biodiversity will not be permitted, unless effective mitigation measures will be implemented.

POLICY T1: TRANSPORT REQUIREMENTS FOR NEW DEVELOPMENTS

Proposals for all types of development will, where appropriate:

- (i) provide for a safe and convenient access to the highway network;
- (ii) provide safe and convenient routes for cyclists and pedestrians;
- (iii) be accessible by public transport and have a safe walking route to nearby bus stops or new bus stops and appropriate infrastructure should be provided;
- (iv) be served by an adequate road network which can accommodate traffic without creating traffic hazards or damage to the environment;
- (v) where new roads, pedestrian routes, cycleways and street lighting are to be constructed as part of the development, be constructed to adoptable standards and be completed as soon as they are required to serve the development; and
- (vi) make adequate provision for those whose mobility is impaired.

South Oxfordshire Core Strategy (SOCS)

POLICY CSS1: THE OVERALL STRATEGY

Proposals for development in South Oxfordshire should be consistent with the overall strategy of:

- (i) focusing major new development at the growth point of Didcot so the town can play an enhanced role in providing homes, jobs and services with improved transport connectivity;
- (ii) supporting the role of Henley, Thame and Wallingford by regenerating their town centres through measures that include environmental improvements and mixed-use developments and by providing new houses, employment, services and infrastructure;
- (iii) supporting and enhancing the larger villages of Berinsfield, Benson, Chalgrove, Chinnor, Cholsey, Crowmarsh Gifford, Goring, Nettlebed, Sonning Common, Watlington, Wheatley and Woodcote as local service centres;
- (iv) supporting other villages in the rest of the district by allowing for limited amounts of housing and employment and by the provision and retention of services; and
- (v) outside the towns and villages, and other major developed sites, any change will need to relate to very specific needs such as those of the agricultural industry or enhancement of the environment.

POLICY CSM1: TRANSPORT

The Council will work with Oxfordshire County Council and others to:

- (i) in partnership with the Vale of White Horse District Council, actively seek to deliver the transport infrastructure and measures which improve movement in Didcot and within the Didcot/Wantage and Grove corridor, in particular linking Didcot with the major employment sites at Harwell and Milton Park as identified in the County Council's LTP3 SVUK area Strategy and Southern Central Oxfordshire Transport Study;
- (ii) actively seek to ensure that the impact of new development on the strategic and local road network, in particular the Milton, Chilton and Marcham junctions of the A34 and the road links and junctions identified in the Council's Evaluation

- of Transport Impact and County Council's Southern Central Oxfordshire Transport Study is adequately mitigated (see Policy CSM2);
- (iii) support improvements for accessing Oxford;
 - (iv) work with the authorities affected by cross Thames travel in the Reading area to ensure that traffic and environmental conditions in South Oxfordshire are improved by the implementation of measures which also improve access to Reading;
 - (v) support measures which enable modal shift to public transport, cycling and walking particularly where these support the network of settlements in the district;
 - (vi) promote and support traffic management measures and environmental improvements which increase safety, improve air quality, encourage the use of sustainable modes of transport and/or make our towns and villages more attractive;
 - (vii) adopt a comprehensive approach to car parking aimed at improving the attraction of our town and village centres;
 - (viii) encourage the use of sustainable modes of transport;
 - (ix) promote electronic communications allowing businesses to operate throughout the district and to provide services and information which reduce the need to travel and encourage sustainable modes of transport; and
 - (x) cater for the needs of all users.

POLICY CSEN1: LANDSCAPE

The district's distinct landscape character and key features will be protected against inappropriate development and where possible enhanced:

- (i) Where development is acceptable in principle, measures will be sought to integrate it into the landscape character of the area.
- (ii) High priority will be given to conservation and enhancement of the Chilterns and North Wessex Downs Areas of Outstanding Natural Beauty (AONBs) and planning decisions will have regard to their setting. Proposals which support the economies and social well-being of the AONBs and their communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.
- (iii) The landscapes and waterscapes of the River Thames corridor will be maintained and where possible enhanced as will the setting and heritage of the river for its overall amenity and recreation use.

POLICY CSB1: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

A net loss of biodiversity will be avoided, and opportunities to achieve a net gain across the district will be actively sought.

Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-creation will be sought for all types of habitats, with a primary focus on delivery in the Conservation Target Areas.

The highest level of protection will be given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species).

Damage to nationally important sites of special scientific interest, local wildlife sites, local nature reserves, priority habitats, protected or priority species and locally important geological sites will be avoided unless the importance of the development outweighs the harm and the loss can be mitigated to achieve a net gain in biodiversity.

Vale of White Horse Local Plan 2011 (VLP)

POLICY DC9: IMPACT OF DEVELOPMENT ON NEIGHBOURING USES

Development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of:

- i) loss of privacy, daylight or sunlight;
- ii) dominance or visual intrusion;
- iii) noise or vibration;
- iv) smell, dust, heat, gases or other emissions;
- v) pollution, contamination or the use of or storage of hazardous substances; and
- vi) external lighting.

POLICY DC14: FLOOD RISK AND WATER RUN-OFF

Development generating surface water run-off likely to result in adverse effects, such as an increased risk of flooding, changes in ground water levels, and river channel instability or damage to habitats, will not be permitted unless:

- i) the development's surface water management system accords with sustainable drainage principles and has been designed as an integral part of the development layout; and
- ii) the system will effectively control and adequately mitigate or attenuate any adverse effects from surface water run-off on people, habitats or acknowledged importance and property.

Where development is permitted under this policy, the associated appropriate attenuation measures must be in place before the development commences.

POLICY L10: SAFEGUARDING AND IMPROVING PUBLIC RIGHTS OF WAY

Development over public rights of way will not be permitted unless alternative provision can be made that is equally or more attractive, safe and convenient to rights of way users.

POLICY NE5: PROTECTION OF SPECIES

Development likely to have an adverse affect on a specially protected species will not be permitted unless the adverse affects, either directly or indirectly, can be prevented or acceptably minimised or adequate alternative habitats can be provided.

POLICY NE6: THE NORTH WESSEX DOWNS AREA OF OUTSTANDING NATURAL BEAUTY

Development in the North Wessex Downs Area of Outstanding Natural Beauty will only be permitted if the natural beauty of the landscape will be conserved or enhanced. Development which would be visually prominent, would detract from views from public vantage points or would spoil the appreciation of the landscape quality of the North Wessex Downs Area of Outstanding Natural Beauty will not be permitted.

Major industrial or commercial development will not be permitted in the Area of Outstanding Natural Beauty unless:

- i) it is proven to be in the national interest and no alternative site can be found; and
- ii) all steps are taken to reduce the impact of the development on the beauty of the area.

POLICY NE9: THE LOWLAND VALE

Development in the Lowland Vale will not be permitted if it would have an adverse effect on the landscape, particularly on the long open views within or across the area.

POLICY NE10: URBAN FRINGES AND COUNTRYSIDE GAPS

In the urban fringes and important open gaps between settlements, as shown on the proposals map, development or changes of use which would harm their essentially open or rural character will not be permitted.

Vale of White Horse Core Strategy 2031 Part 1 (Publication Version November 2014) (VOWHCS)

CORE POLICY 6: MEETING BUSINESS AND EMPLOYMENT NEEDS

219 hectares of land is identified for future employment development on the following strategic sites and saved Vale Local Plan 2011 allocations.

Site	Type of Site	Available Development Land (Hectares)
South East Vale Milton Park	Saved Local Plan 2011 allocation	28*
Harwell Campus	Saved Local Plan 2011 allocation	94 (Enterprise Zone) 35 (Outwith EZ)
Monks Farm, North Grove	New mixed use strategic	6

	allocation	
Didcot A	Identified future potential supply	29**

Western Vale South of Park Road, Faringdon	New mixed use strategic allocation	3
	Other saved Local Plan 2011 allocations	24.2
TOTAL		219

Employment and business development as part of mixed-use development will be supported at strategic sites where this meets the requirements set out within the Strategic Development Templates shown by Appendix A, and in accordance with the Sub-Area Strategies.

The other saved Vale Local Plan 2011 employment allocations are:

Site	Available Development Land (Hectares)
Abingdon/Oxford Fringe	
Abingdon Business Park at Wyndyke Furlong	0.7
Abingdon Science Park at Barton Lane	0.7
Cumnor Hill	0.3
Wootton Business Park	1.5
South East Vale	
Milton Hill Business and Technology Park	11.2
Grove Technology Park	5.4
Western Vale	
Land adjacent to A420 (4&20 site), Faringdon	4.2
Land north of Park Road (HCA site), Faringdon	0.2
TOTAL	24.2

Proposals for employment related development on other sites will be supported in accordance with Core Policy 28: New Employment Development on Unallocated Sites.

In addition to the sites identified for new employment development, a number of existing strategic employment sites have been identified in the Sub-Area Strategies. These sites will be safeguarded for employment uses in accordance with Core Policy 29: Change of use of existing employment land and premises.

*The 28 hectares to be provided at Milton Park includes sites covered by the Local Development Order (LDO) which are not within the area of the Local Plan 2011 allocation. A map showing the extent of the LDO and the area of the Local Plan 2011 allocation is included at Appendix C.

**The Didcot A Power Station site consists of around 47 hectares for potential redevelopment. The Employment Land Review recommends that 29 hectares of this land should be identified for employment development. Development at this site should be considered in accordance with Core Policy 16: Didcot A Power Station.

CORE POLICY 17: DELIVERY OF STRATEGIC HIGHWAY IMPROVEMENTS WITHIN THE SOUTH-EAST VALE SUB-AREA

In order to deliver the growth in the South East Vale Sub-Area and the wider Science Vale area, the Science Vale Area Strategy has identified highways infrastructure to mitigate the impact of the planned growth across Science Vale and secure the future economic viability of the area. The package will be further refined through development of the Local Transport Plan 4 being developed by Oxfordshire County Council, and the Science Vale Area Action Plan.

All development within the South East Vale Sub-Area will be required to contribute in accordance with Core Policy 7: Providing Supporting Infrastructure and Services. Within the South East Vale Sub-Area this will include contributions towards the infrastructure identified within the Science Vale Area Strategy:

- access to the strategic road network, for example improvements to the A34 at the Milton and Chilton junctions
- Blackhill lane tunnel (pedestrian and cycle link) and junction on the A4130
- a new link road at north east Wantage between the A338 and A417 (known as the Wantage Eastern Link Road)
- relief to the road network at Rowstock and Harwell (including an improved junction configuration at Steventon Lights, upgrading Featherbed Lane and Hagbourne Hill)
- Science Bridge and A4130 re-routing through the Didcot A site
- A4130 dualling between Milton Interchange and Science Bridge
- a new Harwell Link Road between the B4493 and A417
- a new strategic road connection between the A415 east of Abingdon-on-Thames and the A4130 north of Didcot including a new crossing of the River Thames
- route improvements to the A417 between Wantage and Blewbury
- improvement of the strategic cycle network
- improvement to the bus network, particularly between the strategic housing and employment growth, including a priority bus system between Harwell Campus and Didcot
- West Wantage Link Road

CORE POLICY 33: PROMOTING SUSTAINABLE TRANSPORT AND ACCESSIBILITY

The Council will work with Oxfordshire County Council and others to:

- i. actively seek to ensure that the impacts of new development on the strategic and local road network are minimised
- ii. ensure that developments are designed in a way to promote sustainable transport access both within new sites, and linking with surrounding facilities and employment

- iii. support measures identified in the Local Transport Plan for the district including within the relevant local area strategies
- iv. support improvements for accessing Oxford
- v. ensure that transport improvements are designed to minimise any effects on the amenities of the surrounding area, and
- vi. promote and support improvements to the transport network that increase safety, improve air quality and/or make our towns and villages more attractive

CORE POLICY 35: PROMOTING PUBLIC TRANSPORT, CYCLING AND WALKING

The Council will work with Oxfordshire County Council and others to:

- i. encourage the use of sustainable modes of transport and support measures that enable a modal shift to public transport, cycling and walking in the district
- ii. ensure new development is located close to, or along, existing strategic public transport corridors, where bus services can then be strengthened in response to increases in demand for travel
- iii. ensure that new development is designed to encourage walking as the preferred means of transport, not only within the development, but also to nearby facilities and transport hub
- iv. ensure that new development encourages and enables cycling not only through the internal design of the site, but also through the provision of cycle friendly infrastructure to link the new residents with nearby services, employment areas, educational facilities and public transport hubs where interchange can be provided for longer distance travel
- v. seek to support the provision of new cycling routes where the proposals are consistent with the other policies of this plan
- vi. ensure proposals for major development* are supported by a Transport Assessment and Travel Plan, in accordance with Oxfordshire County Council guidance**, and
- vii. ensure adequate parking is delivered on new developments in accordance with Oxfordshire County Council's published standards***

*as defined by Development Management procedure Order 2010

**Transport for new developments (Oxfordshire County Council)

***Parking standards for new developments (Oxfordshire County Council)

CORE POLICY 44: LANDSCAPE

The key features that contribute to the nature and quality of the Vale of White Horse District's landscape will be protected from harmful development and where possible enhanced, in particular:

- i. features such as trees, hedgerows, woodland, field boundaries, watercourses and water bodies
- ii. important landscape settings of settlements
- iii. topographical features
- iv. areas of features of cultural and historic value
- v. important views and visually sensitive skylines, and

- vi. tranquillity and the need to protect against intrusion from light pollution, noise and motion

Where development is acceptable in principle, measures will be sought to integrate it into the landscape character and/or the townscape of the area. Proposals will need to demonstrate how they have responded to the above aspects of the landscape character and will be expected to:

- vii. incorporate appropriate landscape proposals that reflect the character of the area through appropriate design and management
- viii. preserve and promote local distinctiveness and diversity and, where practical, enhance damaged landscape areas.

High priority will be given to conservation and enhancement of the natural beauty of the North Wessex Downs AONB and planning decisions will have regard to its setting. Proposals that support the economy and social wellbeing of communities located in the AONB, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.

CORE POLICY 46: CONSERVATION AND IMPROVEMENT OF BIODIVERSITY

Development that will conserve, restore and enhance biodiversity in the district will be permitted. Opportunities for biodiversity gain, including the connection of sites, large-scale habitat restoration, enhancement and habitat re-creation will be actively sought, with a primary focus on delivery in the Conservation Target Areas. A net loss of biodiversity will be avoided.

The highest level of protection will be given to sites and species of international nature conservation importance (Special Areas of Conservation and European Protected Species). Development that is likely to result in a significant effect, either alone or in combination, on such sites and species will need to satisfy the Habitat Regulations*.

*Habitats Directive 92/43/EEC of 21 May 1992

Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or of importance for geological conservation interests, either directly or indirectly, will not be permitted unless:

- i. the need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest;
- ii. it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and
- iii. measures can be provided (and secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for the adverse effects likely to result from development.

The habitats and species of importance to biodiversity and sites of geological interest considered in relation to points i. to iii. Comprise:

- Sites of Scientific Interest (SSSI)
- Local Wildlife Sites
- Local Nature Reserves
- Priority Habitats and species listed in the national and local Biodiversity Action Plan
- Ancient Woodland and veteran trees
- Legally Protected Species
- Locally Important Geological Sites

The level of protection and mitigation should be proportionate to the status of the habitat or species and its importance individually and as part of a wider network.

It is recognised that habitats/areas not considered above (i.e. Nationally or Locally designated and not priority habitats) can still have a significant biodiversity value within their local context, particularly where they are situated within a Conservation Target Area and/or they have good potential to be restored to priority habitat status or form/have good potential to form links between priority habitats or act as corridors for priority species. These habitats will be given due weight in the consideration of planning applications. If significant harm to these sites cannot be avoided (through locating on an alternative site with less harmful impacts) it will be expected that mitigation will be provided to avoid a net loss in biodiversity or, as a last resort, compensation will be required to offset the impacts and achieve a net gain in biodiversity.

West Oxfordshire Local Plan 2011

POLICY BE1: ENVIRONMENTAL AND COMMUNITY INFRASTRUCTURE

Development will not be permitted unless appropriate supporting transport, service and community infrastructure is available or will be provided and appropriate provision has been made to safeguard the local environment. Contributions will be sought from developers and/or landowners in accordance with Government advice.

POLICY BE2: GENERAL DEVELOPMENT STANDARDS

New development should respect and, where possible, improve the character and quality of its surroundings and provide a safe, pleasant, convenient and interesting environment.

Proposals for new buildings and land uses should clearly demonstrate how they will relate satisfactorily to the site and its surroundings, incorporating a landscape scheme and incidental open space as appropriate.

A landscape scheme accompanying detailed proposals for development should show, as appropriate, hard and soft landscaping, existing and proposed underground services, a phasing programme for implementation and subsequent maintenance arrangements.

Proposals will only be permitted if all the following criteria are met:

Quality of Development and Impact upon the Area:

- a) the proposal is well-designed and respects the existing scale, pattern and character of the surrounding area;
- b) new buildings or extensions to existing buildings are designed to respect or enhance the form, siting, scale, massing and external materials and colours of adjoining buildings, with local building traditions reflected as appropriate;
- c) the proposal creates or retains a satisfactory environment for people living in or visiting the area, including people with disabilities;
- d) existing features of importance in the local environment are protected and/or enhanced;
- e) the landscape surrounding and providing a setting for existing towns and villages is not adversely affected;
- f) in the open countryside, any appropriate development will be easily assimilated into the landscape and wherever possible, be sited close to an existing group of buildings.

Crime:

- g) good design has been used to help reduce the opportunities for crime.

Energy and Resources:

- h) regard has been given to:
 - i) principles of energy and resource conservation;
 - ii) provision for sorting and storage facilities to facilitate recycling of waste.

POLICY BE13: ARCHAEOLOGICAL ASSESSMENTS

Prior to determining applications affecting sites and areas of archaeological potential, applicants may be required to provide an archaeological assessment and/or field evaluation to determine:

- a) the significance, character and importance of any archaeological monument or remain and
- b) the likely impact of the proposed development on such features
- c) the level of mitigation required to suitably protect the archaeological resource through preservation in situ or preservation by record including excavation, post excavation analysis and publication.

POLICY BE21: LIGHT POLLUTION

The installation of external lighting and proposals for remote rural buildings will only be permitted where all of the following criteria are satisfied:

- a) the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light;
- b) elevations of buildings, particularly roofs, are designed to limit light spill;
- c) the proposal would not have a significant adverse impact on the character of a town or village and its setting or of the wider countryside;
- d) the proposal will not be detrimental to an area of nature conservation interest.

POLICY NE1: SAFEGUARDING THE COUNTRYSIDE

Proposals for development in the countryside should maintain or enhance the value of the countryside for its own sake: its beauty, its local character and distinctiveness, the diversity of its natural resources, and its ecological, agricultural, cultural and outdoor recreational values.

POLICY NE3: LOCAL LANDSCAPE CHARACTER

Development will not be permitted if it would harm the local landscape character of the District. Proposals should respect and, where possible, enhance the intrinsic character, quality and distinctive features of the individual landscape types.

POLICY NE6 – RETENTION OF TREES, WOODLANDS AND HEDGEROWS

Planning permission will not be granted for proposals that would result in the loss of trees, woodlands or hedgerows, or their settings, which are important for their visual, historic or biodiversity value. Removal will only be allowed where it can be demonstrated that the proposed development would enhance the landscape quality and nature conservation value of the area.

POLICY NE7: The Water Environment

Development should not have an adverse impact on the water environment. Initiative which seek to restore or enhance the natural elements of this environment will be supported.

POLICY NE10: WATER RESOURCES

Development will not be permitted which increases the requirement for water unless adequate water resources either already exist or will be provided in time to serve the new development and without detriment to existing uses.

POLICY NE11: WATER QUALITY

Development should not have an adverse impact on the quality of surface or ground water supplies and resources.

POLICY NE13: BIODIVERSITY CONSERVATION

In determining planning applications, the Council will seek to safeguard, maintain and enhance priority habitats and species within the District. Development proposals should include measures to mitigate any effects upon features of nature

conservation value, including where appropriate the provision of compensatory habitats or management.

POLICY NE15: PROTECTED SPECIES

Development that would have an adverse effect on a site supporting a specially protected species will not be permitted unless damage to the ecological interest can be prevented through the compliance with conditions or planning obligations.

POLICY T1: TRAFFIC GENERATION

Proposals which would generate significant levels of traffic will not be permitted in locations where travel by means other than the private car is not a realistic alternative.

POLICY TLC1: NEW TOURISM, LEISURE AND COMMUNITY FACILITIES

Permission will be granted for:

- a) visitor-related proposals which respect and enhance the intrinsic qualities of the District;
- b) community facilities to meet local needs;
- c) the recreational and cultural use of land on a small scale to meet local needs;
- d) new recreational and cultural buildings where they are essential to the existing use of the associated land and are appropriate in scale, design and siting.

Proposals for leisure, tourist and community developments will not be allowed where they would have an adverse impact on the character or environment of the countryside or on towns and villages within the District or would generate unacceptable levels of traffic on the local highway network.

Draft West Oxfordshire Local Plan October 2012

CORE POLICY 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessment against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

CORE POLICY 2: LOCATING DEVELOPMENT IN THE RIGHT PLACES

- 1) New homes, jobs and supporting services will be primarily focused within and on the edge of the main service centres of Witney, Carterton and Chipping Norton. This includes Strategic Development Areas (SDA) at Witney and Carterton with future growth at Chipping Norton to be delivered primarily through the Chipping Norton Neighbourhood Plan. Development elsewhere will be more limited and will focus on meeting locally identified community and business needs.
- 2) The rural service centres of Bampton, Burford, Charlbury, Eynsham, Long Hanborough and Woodstock are suitable for development of an appropriate scale and type that would help to reinforce their existing service centre role. Sites may be specifically identified within or on the edge of some of these service centres, including through Neighbourhood Plans.
- 3) The villages are suitable for limited development which respects the village character and local distinctiveness and would help to maintain the vitality of these communities. Sites within or on the edge of some of these villages may be specifically identified to help meet local needs, including through Neighbourhood Plans.
- 4) Having regard to the scale and type of development envisaged in the main service centres, rural service centres and villages, development will be permitted:
 - a) On sites specifically allocated in a local or neighbourhood development plan for the proposed use;
 - b) On land within existing built-up areas; and
 - c) On land adjoining a town or village where the proposed development is necessary to meet a District-need or a specific local housing, economic or community need that cannot be met in a more sustainable way in terms of the criteria in 6) below and other policies in this plan.
- 5) Development in the small villages, hamlets and open countryside will be limited to that which requires and is appropriate for a rural location and which respects the intrinsic character of the Area. Appropriate development will include:
 - re-use of appropriate existing buildings, with preference given to employment, tourism and community uses;
 - new dwellings where there is an essential operational or other specific local need that cannot be met in any other way, including use of existing buildings. Any new homes provided (other than replacement dwellings) will be controlled by an occupancy condition linked to the operational need and/or to the 'rural exception site' approach for permanent affordable dwellings;
 - new accommodation proposed in accordance with policies specifically for travelling communities;
 - small-scale development which will remain ancillary to existing dwellings, such as to facilitate home-working or other residential annexes;
 - proposals to support the effectiveness of existing businesses and sustainable tourism;
 - development which will make a positive contribution to farm and country estate diversification; and

- telecommunications development sited and designed to minimise impact upon the environment.
- 6) As a general principle, all development will be located where:
- it forms a logical complement to the existing scale and pattern of development and the character of the area;
 - it protects or enhances the local landscape and the setting of the settlement;
 - it makes use of previously developed land where available, provided it is not of high environmental value;
 - it does not involve the loss of an area of open space or any other feature that makes an important contribution to the character or appearance of the area;
 - it can be provided with safe vehicular access and safe and convenient pedestrian access to supporting services and facilities;
 - it is not at risk of flooding or likely to increase the risk of flooding elsewhere;
 - it complies with policies for the protection of the natural environment and heritage assets;
 - it safeguards mineral resources;
 - in the Green Belt, it complies with national policies for the Green Belt;
 - necessary supporting infrastructure can be provided.

CORE POLICY 3: PRUDENT USE OF NATURAL RESOURCES

All development proposals (including new buildings, conversions and the refurbishment of existing building stock) will be required to show consideration of the efficient and prudent use and management of natural resources, including:

- making the most efficient use of land and buildings, whilst having regard to the character of the locality;
- minimising use of non-renewable resources, including land and energy, and maximising opportunities for travel by sustainable means;
- minimising their impact on the soil resource;
- minimising energy demands and energy loss through design, layout, orientation, landscaping, materials and the use of technology;
- maximising passive solar heating, lighting, natural ventilation, energy and water;
- efficiency and reuse of materials;
- minimising risk of flooding;
- making use of appropriate sustainable drainage systems;
- using recycled and energy efficient materials;
- minimising waste and making adequate provision for the re-use and recycling of waste; and
- causing no deterioration and, where possible, achieving improvements in water or air quality;
- all development proposals will be required to achieve high standards of sustainable design and construction. In particular: new dwellings will be expected to achieve at least Code for Sustainable Homes (or equivalent) Level 3 with immediate effect, Code Level 4 from 2013 and Code Level 6 from 2016: on strategic development areas, at least Code Level 4 will need to be achieved with immediate effect;
- all non-domestic developments will be expected to achieve at least BREEAM 'very good' from 2013 and BREEAM 'excellent' from 2016;

- all larger non-domestic developments (over 1000m² floorspace) will be expected to meet BREEAM 'very good' or equivalent with immediate effect;
- within strategic development areas emphasis will be given to those elements/themes of the Code for Sustainable Homes/BREEAM which relate to water consumption, surface water run-off and ecology;
- where developers cannot meet the above requirements, they will need to provide a robust assessment that has been independently validated, to demonstrate why it is not feasible, viable and deliverable;
- guidance includes the 2011 DEFRA publication: Construction Code of Practice for the Sustainable use of Soils on Construction Sites.

CORE POLICY 4: HIGH QUALITY DESIGN

High design quality is central to the strategy for West Oxfordshire. New development should respect and contribute to local distinctiveness and, where possible, enhance the character and quality of the surroundings and should:

- demonstrate high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment where the quality of the public realm is enhanced and the likelihood of crime and fear of crime is reduced; and
- not harm the use or enjoyment of land and buildings nearby including living conditions in residential properties; and
- demonstrate resilience to future climate change, particularly increasing temperatures and flood risk and the use of water conservation and management measures; and
- preserve or enhance areas, buildings and features of historic, architectural and environmental importance, including unlisted vernacular buildings and habitats of biodiversity value; and
- enhance local green infrastructure and its biodiversity, including the provision of attractive, safe and convenient amenity open space commensurate with the scale and type of development, with play space where appropriate.

Designers of new development will be expected to provide supporting evidence for their design approach. They should have regard to specific design advice contained in supplementary planning guidance covering the District. The West Oxfordshire Design Guide, Landscape Assessments, Conservation Area Appraisals and Cotswolds AONB guidance documents are key tools for interpreting local distinctiveness and informing high quality design.

CORE POLICY 15: LOCAL SERVICES AND COMMUNITY FACILITIES

The Council will promote the development and retention of local services and community facilities to promote social interaction and healthy inclusive communities. Proposals that would result in the loss of community facilities and services will only be supported where it can be clearly shown that appropriate alternative provision of at least equivalent suitability and accessibility, particularly by foot, will remain or that the existing use is no longer required or viable and is incapable of being made viable or adapted for other community uses. Where possible a robust marketing exercise

will be required to demonstrate a lack of commercial or community interest in continuing the community facility or service.

CORE POLICY 17: LANDSCAPE CHARACTER

The quality, character and distinctiveness of West Oxfordshire's natural environment, including its landscape, tranquility, geology, countryside, soil, and biodiversity, will be conserved and enhanced.

New development should respect and, where possible, enhance the intrinsic character, quality and distinctive natural and man-made features of the local landscape, including individual or groups of features such as stonewalls, trees, hedges, woodlands, rivers, streams and ponds.

New development should not result in the loss of trees, woodlands or hedgerows, or their settings which are important for their visual, amenity, historic or biodiversity value.

When determining development proposals within or impacting upon the Cotswolds Area of Outstanding Natural Beauty, high priority will be given to the conservation and enhancement of the area's landscape and scenic beauty.

Special attention and protection will be given to the landscape and biodiversity of the Lower Windrush Valley project, the Windrush in Witney Project Area and the Wychwood Forest Area.

CORE POLICY 18: BIODIVERSITY

The overall biodiversity of West Oxfordshire shall be protected and opportunities to achieve a net gain actively pursued, including:

- giving sites of international nature conservation importance and nationally important sites of special scientific interest the highest level of protection from any development that will have an adverse impact
- requiring a Habitats Regulation Assessment to be undertaken of any development proposal that is likely to have a significant adverse effect on the Oxford Meadows SAC, particularly in relation to air quality and nitrogen deposition
- avoiding harm to locally important wildlife and geological sites and sites supporting irreplaceable habitats (including ancient woodland and aged or veteran trees), Biodiversity Action Plans (BAP) priority habitats or legally protected, notable or BAP priority species, other than in exceptional circumstances where the importance of the development significantly and demonstrably outweighs the harm and the harm can be mitigated through appropriate measures (for example, through the reinstatement of features or, as last resort, compensatory work) to achieve a net gain in biodiversity
- requiring all developments to enhance the biodiversity of the site or the locality, especially where this will help deliver networks of biodiversity and green infrastructure and BAP targets and meet the aims of Conservation Target Areas.

Where appropriate, development will be expected to provide or contribute towards the provision of necessary enhancements to areas of biodiversity importance.

CORE POLICY 21: FLOOD RISK

Flood risk will be managed using the sequential, risk-based approach, set out in the National Planning Policy Framework, of avoiding flood risk to people and property where possible and managing any residual risk (taking account of the impacts of climate change). In assessing proposals for development:

- the Sequential Test* and, if necessary, the Exception Test** will be applied
- all sources of flooding will need to be addressed and measures to manage or reduce their impacts, onsite and elsewhere, incorporated into the development proposal
- appropriate flood resilient and resistant measures should be used
- sustainable drainage systems to limit run-off will be integrated into the site design, maximising their habitat value and ensuring their long term maintenance
- a site-specific flood risk assessment will be required for all proposals of 1ha or more and for any proposal in Flood Zone 2 and 3 and Critical Drainage Areas
- only water compatible uses and essential infrastructure will be allowed in a functional flood plain (Flood Zone 3b)
- land required for flood management will be safeguarded from development and, where applicable, managed as part of the green infrastructure network, including maximising its biodiversity value.

*The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

**If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- a) it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by the Strategic Flood Risk Assessment; and
- b) a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Both elements of the test will have to be passed for development to be allocated or permitted.

CORE POLICY 22: ENVIRONMENTAL PROTECTION

Proposals which are likely to cause pollution or likely to result in exposure to sources of pollution or risk to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity. The following issues require particular attention:

Air Quality

The air quality within West Oxfordshire will be managed and improved in line with National Air Quality Standards, the principles of best practice and the Air Quality Management Area Action Plans for Witney and Chipping Norton.

Contaminated Land

Proposals for development of land which may be contaminated must incorporate appropriate investigation into the quality of land. Where there is evidence of contamination, remedial measures must be identified and satisfactorily implemented.

Hazardous substances, installations and airfields

Development should not adversely affect safety near notifiable installations and safeguarded airfields.

Artificial Lights

The installation of external lighting and proposals for remote rural buildings will only be permitted where:

- i) the means of lighting is appropriate, unobtrusively sited and would not result in excessive levels of light;
- ii) elevation of buildings, particularly roofs, are designed to limit light spill;
- iii) the proposal would not have a detrimental effect on local amenity, character of a settlement or wider countryside, intrinsically dark landscapes or nature conservation.

Noise

Housing and other noise sensitive development should not take place in areas where the occupants would experience significant noise disturbance from existing or proposed development.

New development should not take place in areas where it would cause unacceptable nuisance to the occupants of nearby land and buildings from noise or disturbance.

Water Resources

Proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and important ecological features they support.

Waste

Planning permission will be granted for appropriately located development that makes provision for the management and treatment of waste and recycling, in accordance with the Oxfordshire Joint Municipal Waste Strategy and local waste management strategy.

CORE POLICY 23: HISTORIC ENVIRONMENT

All development proposals will be expected to respect, protect and enhance the special character and distinctiveness of West Oxfordshire's historic environment and its heritage assets and their setting.

Development must not result in loss or damage to important heritage assets, or their settings, particularly those of national importance.

Development should make a positive contribution to the historic environment's local character and distinctiveness, especially where this will address local issues identified in, for example, Conservation Area appraisals.

CORE POLICY 24: TRANSPORT AND MOVEMENT

Priority will be given to locating new development in areas with convenient access to a reasonable range of services and facilities and where the need to travel by private car can be minimised, particularly where this would help to reduce traffic congestion around Oxford and the Air Quality Management Areas of Witney and Chipping Norton.

All new development will be designed to maximise opportunities for walking, cycling and the use of public transport, ensure the safe movement of vehicles and minimise the impact of parked and moving vehicles on local residents, business and the environment.

West Oxfordshire District Council will continue to work in partnership with the highway authority, developers, local councils and other organisations, including the Oxfordshire Rural Community Council, bus and rail operators, to:

- secure and safeguard appropriate improvements to the road network including specific schemes identified in LTP3 and the draft IDP in order to reduce congestion and accommodate the safe movement of people and goods whilst minimising adverse impacts on the environment
- increase the use of bus, rail and community transport through the provision of improved services, facilities and information including specific schemes identified in LTP3, the draft IDP and the draft Rail Strategy for Oxfordshire
- provide safe and convenient travel within and between the network of towns and villages in West Oxfordshire, particularly for pedestrians, cyclists and users of public and community transport including specific schemes identified in LTP3 and the draft IDP
- secure traffic management and environmental improvement schemes to help improve the attractiveness of the area and quality of life, especially in terms of air quality and safety for all residents and visitors
- promote improvement and extension of electronic communications (e.g. high-speed broadband) to support local businesses and services and help reduce the need to travel; and
- provide, maintain and manage an appropriate amount of off-street public car parking, particularly to support our towns and village centres.

Proposals for new developments that have significant transport implications either in themselves or with other proposals will be required to include a transport

assessment. In accordance with County Council requirements, travel plans will be required for development proposals that have the potential to attract significant numbers of traffic movements. Parking in new developments will be provided in accordance with the County Council's adopted parking standards.

CORE POLICY 34: EYNESHAM-WOODSTOCK SUB-AREA STRATEGY

The focus of new development will be Eynsham, Long Hanborough and Woodstock. Development in these rural service centres will be of an appropriate scale and type that would help to reinforce the existing service centre role. Development elsewhere will be limited to meeting local housing, community and business needs and will be steered towards the larger villages.

Proposals for development in the sub-area should be consistent with the strategy which includes:

- delivery of about 450 new homes to include affordable housing and homes for older people and newly forming households
- ensuring that new development makes appropriate and timely provision for necessary supporting infrastructure, including education, leisure, green infrastructure and other community facilities
- protection of the Oxford Green Belt and Cotswolds Area of Outstanding Natural Beauty (AONB)
- protection of historic and community assets including in particular the safeguarding of the Blenheim World Heritage Site and its setting
- enhancing public transport and pedestrian and cycle routes and infrastructure together with managing car parking to reduce car use for short journeys
- working with the highway authority, the town council and other partners to reduce the impact of through traffic in Woodstock
- seeking the retention and development of local services and community facilities throughout the sub-area and ensuring Woodstock Town Centre remains vibrant through resisting the loss of shops and other town centre uses, and promoting an increase in the availability and efficient use of car parking provision in appropriate locations
- avoiding development which will increase the risk of flooding and working with partners such as the Environment Agency to deliver flood mitigation measures
- working with the River Thames Alliance, support tourism and leisure proposals which are sensitive to and where appropriate enhance the ecological, landscape and heritage value of the River Thames
- support for additional employment opportunities including sustainable tourism and rural diversification.

In the Lower Windrush Valley the Council will continue to work with the Lower Windrush Valley Project and County Minerals Authority to identify appropriate opportunities for tourism and leisure development. Proposals which complement the rural character of the area will be supported and where possible deliver comprehensive long term recreational access, community or nature conservation benefits.

