

APPLICATION NO.	P22/V0248/O
SITE	Land East of Kingston Bagpuize
PARISH	FYFIELD AND TUBNEY
PROPOSAL	A hybrid planning application comprising: 1) outline planning permission, with all matters reserved except for access, for development of up to 660 (use class C3}, extra care development of up to 70 units (use class C2), a local centre of up to 0.5ha (use classes C2, E(a), E(b), E(c), E(d), E(e), E(f), E(g)(i), F1, F2), a one form entry primary school on an area for educational provision of up to 2.2ha, playing field and car parking, informal open space, landscape and sustainable drainage areas, access, footpaths, cycle ways, infrastructure and associated engineering works (including a noise attenuation bund and acoustic fence) and 2) full planning permission for construction of a three arm roundabout to the A420 (Oxford Road), a four arm roundabout to the A415 (Abingdon Road) and link road between (as amended by information received 22 June 2022, 5 July 2022 and additional transport information received 18 August 2022 and additional air quality information received 29 November 2022).
WARD MEMBER(S)	Eric Batts Jerry Avery
APPLICANT OFFICER	Lioncourt Strategic Land Ltd Stuart Walker

RECOMMENDATION

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

A S106 agreement being entered into to secure affordable housing, a primary school and land for expansion, onsite play, and sports provision, Frilford junction and Marcham interchange highway improvements and financial contributions towards traffic impact mitigation, public transport, travel plan monitoring, public art, street naming, waste bin provision, education and the management of public open spaces, sport and play areas.

The following planning conditions:

Standard

1. Reserved matters to be approved
2. Reserved matters time limit for submission
3. Time limit for implementation
4. Approved plans & document list
5. Environmental Statement
6. Quantum of development
7. No more than 660 dwellings and one 70 bed care home (class C2) to be constructed

Details to accompany / support Reserved Matters

8. Reserved Matters to be no less than 50 dwellings
9. Housing mix to be SMHA compliant
10. Construction Environmental Management Plan for Biodiversity
11. Biodiversity Enhancement Plan
12. Details of existing and proposed levels, slab and finished floor and roof levels
13. Details of noise mitigation

Pre-commencement

14. Phasing plan to be agreed
15. Design brief for southern green edge
16. Construction Environmental Management Plan (CEMP)
17. Sustainable drainage
18. Groundwater monitoring
19. Foul drainage
20. Contaminated land
21. Community Employment Plan
22. Archaeological Scheme of Investigation
23. Archaeological Evaluation
24. Tree Protection
25. Landscaping
26. Great Crested Newts District Licence
27. Great Crested Newts Licence Mitigation

Pre-occupation

28. Suds compliance report
29. No occupation until off site foul water network upgrades to accommodate the development have been completed or a phased occupation plan agreed with the LPA in consultation with Thames Water.
30. Residential Travel Plan
31. Travel plans for commercial uses
32. Final unit within a development parcel not to be occupied until all connecting roads and paths are complete
33. Electric Vehicle charging points for all dwellings
34. Management plan for play areas
- 35 : Contaminated land verification report

Compliance

36. Construction hours

Informative

1. Planning Obligation

2. Superfast broadband - 30 plus dwellings

1.0 INTRODUCTION AND PROPOSAL

- 1.1 This application comes to planning committee for consideration as it is a large-scale major application seeking permission for more than 200 dwellings. It is a resubmission of a scheme refused in February 2021 on highway grounds, air quality and the absence of a S106 legal agreement.
- 1.2 The proposal is a hybrid submission that seeks:
- Outline planning permission (with all matters reserved, except access into the site) for up to 660 houses (Class C3), a 70 bed extra care facility (Class C2), a local centre of up to 0.5ha for retail and commercial uses (Classes C2, E(a), E(b), E(c), E(d), E(e), E(f), E(g)(i), F1, F2), a primary school, open space and associated infrastructure to serve the development, and
 - Full permission for the construction of a new link road on the east side of the site between the A420 (Oxford Road) to the north and the A415 (Abingdon Road) to the south.
- 1.3 The site, approximately 38.4ha, is allocated as a strategic site for housing development for around 600 dwellings in the adopted Local Plan 2031 Part 2 (LPP2). A location plan is **attached** at Appendix 1.
- 1.4 The proposal is supported by parameter plans and an environmental statement. The parameter plans show a mixture of land uses, access points, green infrastructure and development heights of 2, 2.5 and 3 storeys. All plans and supporting technical documents accompanying the application are available to view online at www.whitehorsedc.gov.uk.
- 1.5 Since submission of this application in February 2022, officers have carried out all the appropriate consultations, assessed the scheme and been in negotiations with the applicant around the details of the proposal and what it can deliver in terms of required infrastructure and quantum of housing, with amendments made through additional supporting information on air quality and transport.
- 1.6 The indicative development framework plan is **attached** at Appendix 2.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

2.1 A summary of responses received to the original proposal and to the amendments is below. All comments received can be seen in full online at www.whitehorsedc.gov.uk.

<p>Fyfield and Tubney Parish Council</p>	<p>November amendment – maintain objection, additional comments:</p> <ul style="list-style-type: none"> • Contrary to local plan requirements. Application does not address issues at Frilford junction, nor does it provide satisfactory air quality mitigation for Marcham. • Traffic generation on A420 and lack of mitigation to offset impact on residents in Fyfield and Tubney. • Disagree with and refute assumptions made in latest air quality technical note. • There should be a proper assessment on climate change (carbon budget) consistent with the declared climate emergency. • Optioneering of Frilford junction by OCC has been delayed and decisions on the application should await the outcome. <p>August amendment – maintain objection, additional comments:</p> <ul style="list-style-type: none"> • Request independent analyses of applicant's data. • No decision should be made until the OCC optioneering for Frilford junction is complete. • Dangers associated with A420 and connectivity of the development to the parish are not addressed. • Phasing of development from east to west is not appropriate and we question viability of the site in current economic circumstances. • Concern over the loss of the S6 bus service. <p>July amendment – maintain objection, additional comments:</p> <ul style="list-style-type: none"> • The applicant and council have not demonstrated how satisfactory air quality mitigation will be achieved. • Technical points raised on air quality are not addressed. • Do not agree with air quality officer's view. Request an independent review of submitted documentation. • Health impact assessment is selective in information provided. • No substantiation of the need for additional housing. • To approve this application will be unsound and open to legal challenge.
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	<p>Original submission – Objection:</p> <ul style="list-style-type: none"> • Traffic generation. • Air quality impact is not addressed. • Strongly disagree with air quality officer's conclusions. • Technical evidence is not considered reliable. • Housing is not needed. • Not consistent with local sustainability considerations and is contrary to council's Climate Action Plan. • Impact on local services.
Kingston Bagpuize with Southmoor Parish Council	<p>July amendment – Objection:</p> <ul style="list-style-type: none"> • Previous objections are sustained <p>Original submission – Objection:</p> <ul style="list-style-type: none"> • Pollution – increased traffic generation and air quality issues will impact local communities. • Increased traffic generation – increased volume of traffic using A415, A420 and local roads • Sewer problems - assessment has shown that there is insufficient capacity within the existing foul water sewers between the proposed outfall location and Kingston Bagpuize STW to accommodate the anticipated flows from the proposed development. • Local Health Services - Unacceptable pressure on local GP services • Public/Community Buildings – inadequate provision for local service buildings plus required parking. • Cricket pitches – who is to provide this? • Landscape proposals – there is no guarantee that the existing trees as shown on the proposals plan can be accommodated as they are outside the development site.
Longworth Parish Council	<p>Original submission – Objection:</p> <ul style="list-style-type: none"> • Will exacerbate traffic issues for our village • Traffic generation would be dangerous and disruptive • Local traffic already has difficulty turning out on to the A415 from the Appleton Road. Inevitably there will be an increase in density of traffic commuting along this road. There are already times when this tails back a long way from the traffic lights at Newbridge.
Appleton with Eaton Parish Council	No comment received

Marcham Parish Council	<p>July amendment – Objection:</p> <ul style="list-style-type: none"> • Maintain objection on traffic impact and generation. • Marcham Parish Council support the view of Tubney and Fyfield Parish Council in its request for the applicant's findings to be independently examined. • The revised submissions do not alleviate concerns as there is a genuine inability of the local road network to accommodate the additional traffic flows proposed. • The application has been refused once, and there are no significant modifications to merit any change in that decision. • Marcham Parish Council would call for consistency in the District Council's decision making and for the application to be refused. <p>Original submission – Objection:</p> <ul style="list-style-type: none"> • Volume of traffic generation • Inability of the local road network to accommodate the additional traffic flows proposed • Increased traffic congestion and waiting times • Detrimental impact to Air Quality Management area in Marcham • Significant increase in pollutants • Parish Council has not had sight of any proposals which should provide a solution to the problem of air quality and pollution. • Previous refusal and no significant modifications to merit any change to that decision.
Frilford Parish Meeting	<p>July amendment – Objection with same comments</p> <p>Original submission – Objection:</p> <ul style="list-style-type: none"> • This will have a detrimental effect on Frilford - with an increase of at least 50% in the amount of traffic on the already creaking A415 and A338 by 2031, as well as negatively affecting the rurality of our village and the surrounding area.
St Helen Without Parish Council	No comment received
Residents	<p>November amendment – three letters of objection with additional points raised:</p> <ul style="list-style-type: none"> • Disagree with conclusions of the independent air quality review • Negative impact of commuter / car borne development is not recognised in supporting documents

	<ul style="list-style-type: none"> • Proposal does not address climate change • Previous grounds for refusal still not addressed <p>August amendment – four letters of objection received with additional points raised:</p> <ul style="list-style-type: none"> • No substantial changes made • This remains a poor location for housing with walking distances to existing facilities being too far for sustainable travel <p>July amendment – 22 letters of objection received raising the following additional matters:</p> <ul style="list-style-type: none"> • There is no satisfactory solution to the traffic problem with the existing road network and this highlights the need for a Marcham bypass • Financial contributions offered are inadequate • Inadequate Transport Assessment • Inadequate Air Quality Assessment that fails to take account of cumulative impact • Proposal is an out-dated and unsustainable model of development, remote from places of work, facilities, and services • Public transport is poor, so the development will be reliant on private vehicles • Health Impact Assessment is not fit for purpose • Proposal contributes negatively to climate change and does not reduce carbon emissions, contrary to the council's declared climate emergency and climate action plan • Proposed roundabout adds a 'pinch point' increasing congestion • Tweaks made at best – not significant to overcome concerns <p>Original submission – 41 letters of objection raising the following issues:</p> <ul style="list-style-type: none"> • Traffic generation and impact on local road network • Impact on air quality and lack of mitigation • No significant change from previously refused scheme • Too many houses • Overdevelopment • Loss of rural character • Remote site with no link to local services, employment, or public transport • No need for housing development here with Dalton Barracks development • No consideration for sustainable transport, safe cycling, walking or horse riding
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	<ul style="list-style-type: none"> • New developments should be smaller and use renewable energy only • Conflicts with council's Climate Action Plan • No public engagement has taken place • Poor layout proposed • Impact on amenity of existing properties • High density and lack of amenity space • Lack of infrastructure – community buildings, schools and health facilities • Inadequate sewer network for additional development • Potential to cause surface water flooding • Baseline data in Transport Assessment is out of date • No change to parish boundary • New A420 roundabout and link road serves no benefit to traffic or pollution issues • Loss of good farming land and habitat for wildlife • Use of Grampian conditions for foul water issues • Contrary to planning policy – housing numbers larger than local plan allocation • Wrong place for development and site should never have been allocated
Highways England	<p>July amendment – No objection:</p> <ul style="list-style-type: none"> • We have reviewed all the documents submitted and our recommendation remains the same as our response dated 3rd March 2022 where we recommended that conditions should be attached to any planning permission that may be granted. <p>Original submission - No objection subject to conditions:</p> <ul style="list-style-type: none"> • Construction Traffic Management Plan. • We note that Oxfordshire County Council have concerns related to the ability of the local road network to accommodate the impact from the proposal and that currently there is not an agreed package of mitigation measures between Oxfordshire County Council and the applicant. We request to be consulted on any measures subsequently agreed between Oxfordshire County Council and the applicant that has the potential to adversely impact the A34 and its junctions, principally this relates to access and egress from the local road network to the A34 at Marcham and Botley junctions (A415 and A420).
Oxfordshire County Council – Transport	<p>November amendment – No objection subject to:</p> <ul style="list-style-type: none"> • S106 contributions • An obligation for a S278 / S38 agreement

	<ul style="list-style-type: none"> • Suggested planning conditions <p>July amendment – No objection subject to:</p> <ul style="list-style-type: none"> • S106 contributions • An obligation for a S278 / S38 agreement • Suggested planning conditions • Updated travel plan <p>Original submission – Holding objection:</p> <ul style="list-style-type: none"> • The applicant has not been able to fully demonstrate their impact upon the highway network and further modelling is required. • The proposed development is unable to demonstrate that it has mitigated its impact on the highway network at Frilford junction and through Marcham village, which when viewed in the context of the residual cumulative impacts, has been demonstrated as severe. • OCC are continuing to undertake optioneering work for Frilford Lights and Marcham village. Therefore, until the necessary studies have been undertaken, without a preferred scheme (or schemes) and a cost estimate identified, it is not possible to determine an appropriate contribution sum that will be required from this development proposal. • There are still unknowns as to what mitigation is required and how this will be delivered at Botley and Marcham interchanges, and further discussions are required with National Highways.
Stagecoach	<p>November amendment – Maintain support.</p> <p>July amendment – Support</p> <ul style="list-style-type: none"> • The revisions give further technical comfort to support the proposal and that traffic impacts are not of a nature or scale that would warrant refusal. • It is apparent that impacts of additional development on the local transport network are probably better mitigated here than on almost any other site identifiable in the Local Plan. • This is a highly sustainable location for growth. <p>Original submission – Support</p> <ul style="list-style-type: none"> • Strategic location in line with national and local planning policy. • Will increase use of the S6 service towards Oxford with the re-routing of the service on the new link road.

Oxfordshire County Council - Education	Original submission – No objection subject to S106 contributions for primary, secondary, and special education.
Oxfordshire County Council – Minerals and Waste	Original submission – No objection
Oxfordshire County Council – Waste Management	Original submission – No objection subject to S106 contributions for recycling centres.
Oxfordshire County Council - Archaeology	Original submission – No objection subject to conditions: <ul style="list-style-type: none"> • Archaeological written scheme of investigation • Staged programmed of archaeological evaluation and mitigation
Oxfordshire County Council – Healthy Place Shaping	July amendment – No objection. Original submission – Holding objection: <ul style="list-style-type: none"> • The Health Impact Assessment requires further information to fully assess and recommend adequate mitigations to protect and promote health and wellbeing.
Historic England	Original submission – No objection: <ul style="list-style-type: none"> • We do not wish to offer any comments and suggest seeking the view of your specialist conservation and archaeology advisors.
Conservation Officer	July amendment – No further comments Original submission – No objection: <ul style="list-style-type: none"> • The plans have not changed from the previous scheme regarding impacts on heritage assets. As such my recommendation remains as before. • I am satisfied that the revised plans respond appropriately to the setting of Kingston Bagpuize House and the Conservation Area and at this outline stage represents a scheme for development that could be suitably implemented in heritage terms. • Specific design principles should inform how the southern Green Edge area is brought forward either by condition in advance of a submitted application for this part of the site or to agree these parameters prior to the submission of Reserved Matters for this part of the site. • Additionally, there should be no illumination or floodlighting to the MUGA / Youth Provision area to the west of the cricket pitches as this lies partly

	adjacent to and within the existing historic vista from Kingston Bagpuize House.
Natural England	July amendment – No objection Original submission – No objection
Countryside Officer	July amendment – No further comments Original submission – No objection: <ul style="list-style-type: none"> • The ecology baseline report has concluded that the habitats and species on site are generally consistent as recorded under the 2018 application, with the impacts being materially the same. • Peripheral habitats will mostly be retained and bolstered as part of the development. • The biodiversity metric assessment has concluded that a small net gain for biodiversity can be achieved. Again, this is consistent with previous assessments of the site and this development. • The supporting air quality assessment has concluded that impacts on nearby SSSIs from increased vehicular movements, are not likely. • As such, there are not considered to be any material ecological reasons why development should not take place on this site. • Should the application be approved suggested conditions include a Construction Environmental Management Plan (CEMP) and a phase-specific Biodiversity Enhancement Plan (BEP)
Environment Agency	July amendment – Maintain objection Original submission – Objection: <ul style="list-style-type: none"> • Proposed development involves a connection to the main foul sewerage system which would pose an unacceptable risk of pollution to Bagpuize Brook water quality, and we recommend that planning permission should be refused on this basis.
Oxfordshire County Council – Lead Local Flood Authority	July amendment – No objection: <ul style="list-style-type: none"> • Suggested conditions as previous Original submission – No objection subject to conditions: <ul style="list-style-type: none"> • Detailed surface water drainage scheme (SUDS) • Record of installed SUDS
Drainage Engineer	July amendment – No objection, subject to conditions: <ul style="list-style-type: none"> • No further comment

	<p>Original submission – No objection, subject to conditions:</p> <ul style="list-style-type: none"> • Detailed sustainable drainage scheme (SUDS) • Scheme for Groundwater monitoring • SUDS compliance report • Foul drainage scheme
Thames Water	<p>July amendment – No objection, subject to Grampian condition:</p> <ul style="list-style-type: none"> • Kingston Bagpuize sewage treatment works has a project currently going ahead. The scope of this project has been split into two parts to ensure delivery time frames are met. • Storm Tank (including Inlet works and preparatory items) to be completed by 31/03/2024, Ammonia Limits – To upgrade the works to allow it to meet the predicted WINEP AMP7 consent standard of 28/9/1.8mg/l (95%ile) TSS/BOD/Ammonia-N. This work is to be completed by 22/12/2024. • Occupation should not take place until works are complete. <p>Original submission – No objection, subject to Grampian condition:</p> <ul style="list-style-type: none"> • The existing foul water network infrastructure is unable to accommodate the needs of the development proposal and network reinforcement works are required to avoid sewage flooding and / or pollution incidents. • The existing water supply network is unable to accommodate the needs of the development proposal and reinforcement works are anticipated to be necessary to avoid no / low pressure water. • Suggest a Grampian condition so development is not occupied until confirmation is provided that either:- All foul water and water supply network upgrades required to accommodate the development have been completed; or a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water.
Health & Safety Executive	No comments received
Southern Gas Networks	No comments received
Air Quality	<p>November amendment – No objection.</p> <ul style="list-style-type: none"> • Following concerns raised by Fyfield and Tubney Parish Council about the air quality assessment by AQC, submitted by the applicants in support of the

	<p>application, an independent critical appraisal of the AQC report was commissioned. This work was undertaken by Atkins. The Atkins report identified some minor issues and areas of lack of clarity in the AQC report, however Atkins concluded that the AQC report was sound and that the outcomes of the report are unlikely to be influenced by updating it to account for the minor issues raised by Atkins. AQC have provided response to all the points raised by Atkins and by Fyfield and Tubney Parish Council in a separate document.</p> <ul style="list-style-type: none"> • In view of this I can accept the outcomes of the AQC air quality report, as sound, and I have no objection on grounds of air quality. • The Atkins report did identify the need to ensure that construction traffic associated with this development should be routed to avoid the need to travel through Marcham and this is accepted. I would expect this issue to be included in an approved CTMP. However, for the avoidance of any doubt I would welcome a condition requiring construction traffic to be routed away from Marcham. • I would also expect a condition, as previously requested, requiring the provision of EV charging infrastructure for each property with off street parking and a condition requiring a dust management plan for the development, this would normally form a chapter in the CEMP. <p>August amendment – No objection:</p> <ul style="list-style-type: none"> • In my last consultation response, I advised that I was happy with the air quality assessment subject to endorsement by OCC that the predicted traffic figures used in the air quality assessment were acceptable. • I am happy to accept the Air Quality Assessment and I have no objection subject to the conditions as outlined my response date 4 March 2022. <p>July amendment – No objection:</p> <ul style="list-style-type: none"> • Addendum consists of modelling of the future years baseline traffic assessment taking account of additional development in the area. It is also stated that it corrects minor errors in predicted future years traffic flows through the Marcham AQMA. • It is not stated which additional development is included within the modelling and it is not clear what the stated 'minor errors' in predicted traffic flows are, and how they have been corrected. It would be helpful if these points could be clarified, and as the
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	<p>Addendum is based on predicted traffic flows it would be helpful to have the endorsement of the county traffic planners that the traffic modelling, assumptions and outputs are appropriate.</p> <ul style="list-style-type: none"> Assuming the traffic predictions are appropriate, the modelling indicates that levels of NO₂, PM₁₀ and PM_{2.5} modelled will be well below the objective in the future years predicted and that the conclusions of Chapter 6 and Appendix 6.1 of the ES remain unchanged. In view of this I have no objection, subject to satisfactory endorsement of the veracity of the traffic modelling. <p>Original submission – No objection:</p> <ul style="list-style-type: none"> The report is thorough and well considered. It consists of a detailed air quality assessment and follows recognised methodology. It includes modelling of baseline and future years impacts on air quality both with and without the proposed development. The impacts have been modelled for appropriate receptors both within and outside the Marcham AQMA and on the development itself. Modelling has been undertaken for NO_x and NO₂ and PM₁₀ and PM_{2.5}. The predicted impacts of all these pollutants with the development in place, is for the most part predicted to be negligible for all the future years considered, and where it is not negligible, it is 'slightly beneficial' because improvements are predicted in Kingston Bagpuize because of the opening of the link road between the A420 and A415 which will form part of the development. With regard to air quality, it is noted that best practice measures are proposed, as outlined in 8.2 of the Air Quality Report, and these are welcomed. I would like more detail the EV charging provision referred to. I would expect infrastructure to be provided at each plot with off street car parking. With regard to construction impacts on air quality, it is noted that there is a significant potential for dust soiling in the vicinity and this is identified in the Air Quality Report. However, it is accepted that with appropriate mitigation in place, dust can be effectively managed by adherence to a dust management plan. <p>Suggested Conditions:</p> <ul style="list-style-type: none"> EV charging provision CEMP (approved dust management plan)
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Contaminated Land	<p>July amendment – No further observations</p> <p>Original Submission – No objection subject to contaminated land condition.</p>
Environmental Protection Team	<p>July amendment – No objection:</p> <ul style="list-style-type: none"> • I have no further observations to add to the comments I made previously. <p>Original submission – No objection:</p> <ul style="list-style-type: none"> • I have no further observations to add to the comments I made previously on application P18/V2791/O. • Subject to the full implementation of the mitigation measures identified in the acoustic report, I have no objection to the proposed development.
Housing Development Team	<p>Original submission – No objection:</p> <ul style="list-style-type: none"> • The site will be required to deliver 58 First Homes, 129 rented and 44 shared ownership units • Draw attention to policy CP24, SHMA mix of unit sizes, property types and general issues for location of affordable housing
NHS Bucks, Oxon, Berkshire West, Integrated Care Board (BOB ICS)	<p>November amendment – No objection subject to financial contributions to expand community health facilities.</p> <p>Original submission – No objection, subject to funding for NHS services:</p> <ul style="list-style-type: none"> • This area remains under considerable pressure without CIL funding or S106 monies for health.
Thames Valley Police	<p>Original submission – No objection:</p> <ul style="list-style-type: none"> • Provide general comments to ensure any forthcoming detailed applications meet design requirements to minimise risk of crime.
Landscape Architect	<p>July amendment – No objection:</p> <ul style="list-style-type: none"> • Play Areas Drawing DE214-16 Rev A addresses my concerns. • There will be a requirement to replace the vegetation structure lost to the create of the roundabout to the A420 especially to the north of the roundabout. <p>Original submission – Holding objection:</p> <ul style="list-style-type: none"> • No objection to the principle of the proposed development in Landscape and Visual terms and the Parameter Plans reflect those previously submitted. • Concerns over the amount of play provision as no details have been provided with the scheme to

	<p>indicate that new houses are within 400m walking distance of a LEAP.</p> <ul style="list-style-type: none"> • Provision of formal play provision is short of the expected play provision on site. • It should be clear how the proposed provision meets the policy requirements of the site, including the required offsets of 30m for NEAP and Youth provision and 20m for LEAP, so this can be brought forward into the S106 agreement. • Youth provision should be an integral part of POS design and easily and safely accessed in the evenings. It should be semi-private but be overlooked for ease of informal observation and supervision. • Recommend that clarity is provided with regards to play provision and conditions will be required to cover implementation, management, and maintenance of the site along with detailed hard and soft proposals.
Forestry Team	<p>July amendment – Previous comments apply</p> <p>Original submission – No objection subject to conditions:</p> <ul style="list-style-type: none"> • Tree protection details • Landscaping scheme
Waste Management Officer	<p>Original submission – no objection. Comments for reserved matters.</p> <ul style="list-style-type: none"> • Can the plans indicate waste storage and presentation points for properties? • Can the plans indicate if there will be any blocks of flats with bin stores and show bins laid out within these?
Equality Officer	No comments received
Urban Design Officer	<p>July amendment – No objection:</p> <ul style="list-style-type: none"> • Previous urban design comments provided on application P18/V2791/O remain relevant and I have no further comments to make on this current application. • Previous comments included the capacity to accommodate the quantum of development intended by the scheme's masterplan is accepted and indicates how it can be achieved in a well-structured layout; the scheme establishes clear character areas and their key attributes, built form, landscaping, massing density and scale. The scheme also respects its development context and setting

	<p>remaining outside of the visual corridor set by Kingston Bagpuize House and Gardens.</p> <ul style="list-style-type: none"> • A new Joint Design Guide 2022 (JDG) is now adopted by both South Oxfordshire and Vale of White Horse District Councils, and it is therefore a material consideration when determining planning applications. • Specific design principles should inform how the southern Green Edge area is brought forward either by condition in advance of a submitted application for this part of the site or to agree these parameters prior to the submission of an RM application for this part of the site. • No illumination or floodlighting to the MUGA/Youth Provision area to the west of the cricket pitches as this lies partly adjacent to and within the existing historic vista from Kingston Bagpuize House. • There will be a requirement to replace the vegetation structure lost to the create of the roundabout to the A420 especially to the north of the roundabout. • Conditions will be required to cover implementation, management, and maintenance of the site along with detailed hard and soft proposals.
Sport England	<p>July amendment – No objection:</p> <ul style="list-style-type: none"> • Highlight a concern about children’s play areas adjacent to the cricket pitches. Suitable precautions should be taken for example suitable fencing to protect users. • Strongly suggest this is addressed prior to planning permission as a condition may result in the loss of a playing field in which case Sport England would object at Reserved Matters stage. • Condition: Subject to details of the design and layout of the cricket pavilion being submitted and approved. <p>Original submission – No objection, subject to condition:</p> <ul style="list-style-type: none"> • Basic principles of the design for the sports provision are as previously agreed. • Disappointing that the applicant has not provided further details of the cricket pavilion and parking at this stage. A condition is therefore required to secure these details.
Leisure Team	No comments received
Kingston Bagpuize Cricket Club	<p>November amendment – Maintain objection.</p> <p>Original submission – Objection:</p>

	<ul style="list-style-type: none"> • The area marked adult cricket is too small for adult league cricket. • However, the amount of space allocated to the cricket playing area overall seems to be 1.98Ha which should be adequate. It just needs to be reconfigured. • The shape of the proposed clubhouse is very awkward to meet some of the necessary requirements. • There appears to be parking for only approx. 20 cars which is not enough. • There appears to be no storage building for housing ground maintenance equipment, mowers, rollers etc and this would be essential even if the intention was for this be a second ground for the club. • Protective fencing - nothing obviously marked on the plan. • Who is responsible for funding and building the clubhouse and preparing the ground, net, storage facilities and fencing and to what standard? • The cricket club would also like input into the design and creation of the facilities to ensure they are fit for purpose. • While the development of new cricket facilities is always welcome, Kingston Bagpuize Cricket Club cannot support this proposal in the way the facilities are currently configured.
Economic Development	No comments received
National Planning Casework Unit	Original submission – No comments to make on Environmental Statement
Community Infrastructure & S106 Officer	Original submission – No objection: <ul style="list-style-type: none"> • This is a strategic site exempt from CIL – matters to be covered by a S106 legal agreement.
Vale of White Horse Planning Policy Officer	July amendment – No objection: <ul style="list-style-type: none"> • Development Policy 26: Air Quality requires development to ‘minimise the impact on air quality, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or, where this is not possible or sufficient, through appropriate mitigation in accordance with current guidance.’ • LPP2 Development Policy 26: Air Quality also requires that ‘where sensitive development is proposed in areas of existing poor air quality and/or where significant development is proposed, an air

	<p>quality assessment will be required'. Paragraph 3.197 of LPP2 states that 'any air quality assessments and other related work should be undertaken by a competent person/company in line with best practice and the council's emerging Air Quality Developer Guidance'. The council's Air Quality Developer Guidance is available on the council's website.</p> <ul style="list-style-type: none"> • It should also be noted that there are specific air quality mitigation requirements associated with this site allocation set out in paragraph 2.46 and the site development template (Appendix A) of LPP2, which state: 'The occupation of dwellings on the site will not begin prior to (1) the completion of the upgrade to Frilford Junction unless an alternative phasing plan is agreed with the County Council and (2) satisfactory air quality mitigation for Marcham'. This requirement was added via the modifications process by the Inspector at the LPP2 examination due to concerns over the transport generated by the development and the impact the development could have on the Air Quality Management Area at Marcham. • The requirements of LPP2 Development Policy 26: Air Quality and the site development template should be satisfied unless material considerations indicate otherwise. • Additional policies added to previous comments include: DP16: Access and DP17: Transport Assessments and Travel Plans. <p>Original submission – No objection:</p> <ul style="list-style-type: none"> • The site is allocated for residential development for up to 600 dwellings, under Core Policy 8a: Additional Site Allocations for Abingdon-on-Thames and Oxford Fringe Sub-Area. • Policy context • It should also be noted that the site development template additionally requires that 'The occupation of dwellings on the site will not begin prior to (1) the completion of the upgrade to Frilford Junction unless an alternative phasing plan is agreed with the County Council and (2) satisfactory air quality mitigation for Marcham'.
Campaign to Protect Rural England	<p>Original submission – Objection:</p> <ul style="list-style-type: none"> • A similar application has already been turned down, based in part on reservations about traffic generation and the lack of infrastructure to support it, specifically at Marcham where there are real

	<p>concerns about air quality. Although this application claims to address the air quality issue, it does not satisfy the constraint in the Local Plan Part 2, and hence, nothing has changed, and this new application should be refused.</p> <ul style="list-style-type: none"> • CPRE fully supports the objections of Fyfield and Tubney Parish Council.
Nature Space	<p>July amendment – no further response</p> <p>Original submission – Holding objection:</p> <ul style="list-style-type: none"> • Not satisfied that the applicant has adequately demonstrated that there will no impact to great crested newts (GCN) and/or their habitat because of the development being approved. • Although there are plans to mitigate the impact on GCN caused by the development in the form of temporary newt fencing and timings of vegetation clearance, as well as habitat creation in the long term, believe at present there will be an impact on GCN during the development process due to the high likelihood they are present on site. • Temporary newt fencing along the west border may potentially obstruct any GCN already on site or traveling across the site from accessing the breeding pond to the west as there are currently no translocation plans. • Due to the large size of the development and related works there will likely be a significant delay between the destruction of the suitable GCN habitat on site and the creation of new habitat, • Only one of seven ponds within 500m of the proposed development has been surveyed. Population size may be greater than reflected in ecological information provided. • At present the Natural England rapid risk assessment tool is giving as result as “Red: Offence highly likely” - Should GCN be encountered on site prior or during the construction phase all works must cease immediately and a licence obtained. • There is a reasonable likelihood that GCN will be impacted by the development proposals and therefore, the applicant must either: <ul style="list-style-type: none"> - Submit a Nature Space Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Vale of White Horse District Council’s District Licence; or - Apply for an EPS site-based mitigation licence from Natural England to avoid an offence taking place.

	<p>- If it is determined that there is no suitable habitat impacted on site and the likelihood of GCN is very low, then a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist may be acceptable for the development.</p>
British Horse Society	<p>Original submission – Objection:</p> <ul style="list-style-type: none"> • No mitigation for horse riders • The old A420 known as the Oxford Road runs through the proposed development site and is currently open to all non-motorised traffic, including horse riders. The applicant's supporting Planning statement (220130 RS RB) refers to it as a bridleway and cycleway. The plans merely show how the route will be set out for vehicular access, with no clear provision for walkers, cyclists and horse riders. This is contrary to both the National Planning Policy Framework and the adopted Local Transport Plan (LTP) for Oxfordshire which both state that planning policies and developers should "...protect rights of way or enhance those running over or near their developments..." • If the old A420 Oxford Road is to be reopened to motor vehicles, to enable access to the development, then a dedicated path should be provided for horse riders as well as walkers and cyclists, with surfaces suitable for all three user groups and ample room for this.

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P18/V2791/O](#) - Refused (11/02/2021)

A hybrid planning application comprising:

1) outline planning permission, with all matters reserved except for access, for development of up to 660 homes (use class C3), extra care development of up to 70 units (use class C2), a local centre of up to 0.5ha (use classes A1, A2, A3, A4, A5, B1(a), C2, D1 and D2) a one form entry primary school on an area for education provision of up to 2.2ha, playing field and car parking, informal open space, landscape and sustainable drainage areas, access, footpaths, cycle ways, infrastructure and associated engineering works (including a noise attenuation bund and acoustic fence) and

2) full planning permission for construction of a three-arm roundabout to the A420 (Oxford Road), a four-arm roundabout to the A415 (Abingdon Road) and link road between.

The application was refused on highway grounds, air quality and the absence of a completed S106 legal agreement.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The scale of development requires an Environmental Impact Assessment under Part 10b of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The application is accompanied by an Environmental Statement (ES) and addendums. These are available to view online at www.whitehorsedc.gov.uk.

4.2 The following areas of potential impact were assessed: transport and access, air quality, noise, flood risk and drainage, ecology and biodiversity, landscape effects and visual amenity, archaeology and heritage, agricultural land and farming circumstances, socio-economic effects, mitigation, and residual effects.

5.0 MAIN ISSUES

5.1 The main issues are:

- Principle of development
- Amount of housing
- Affordable housing and housing mix
 - Affordable housing
 - Market housing
 - Accommodating needs of an ageing population
 - Space standards
- Urban Design
 - Density
 - Open space
 - Onsite sports and youth provision
- Residential amenity
 - Noise
- Landscape and visual impact
- Flood risk and drainage
 - Foul water and water supply
- Traffic and highway safety
 - Access
 - Offsite highway junction improvement works
 - Public transport
- Air Quality
- Historic environment
 - Conservation Areas
 - Listed buildings
 - Archaeology
- Biodiversity
- Other considerations
 - Loss of agricultural land
 - Climate change
 - Education

- Health and wellbeing
- Retail use
- Contaminated land
- Community employment plan
- Public art
- Local plan delivery
- Parish boundary review
- Financial contribution requests
 - Community Infrastructure Levy
 - S106 legal agreement

5.2 **Principle of development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan for this proposal comprises the adopted Local Plan 2031 Part 1 (LPP1) and the adopted Local Plan 2031 Part 2 (LPP2). There is currently no neighbourhood plan covering this site.

5.3 The application site area is the East of Kingston Bagpuize with Southmoor strategic housing site, allocated for housing by core policies CP4a and CP8a of LPP2. The principle of development is therefore acceptable unless material considerations indicate otherwise.

5.4 Policies CP4a and CP8a of LPP2 state that development at this strategic allocation will be supported where development meets the requirements set out within the Site Development Template and in accordance with the Development Plan taken as a whole. The Site Development Template states that the overall allocation will deliver around 600 homes, subject to master planning.

5.5 The proposed development is assessed against the requirements of the Site Development Template and the Development Plan taken as a whole, below.

5.6 **Amount of Housing**

Objections have been raised that the amount of housing exceeds that envisaged by the adopted local plan. Policies CP4a and CP8a allocate the site for around 600 dwellings. Housing allocation figures are only approximate as the final figure will always depend on the more detailed information and assessment that is entailed with a full planning application.

5.7 In meeting our housing need there is a presumption in favour of sustainable development under policy CP1 of LPP1. The National Planning Policy Framework (NPPF) also expects allocated sites to make optimal use of their potential to achieve efficient use of land. As set out below, 660 units have been assessed against all relevant planning considerations and no technical objections have been raised regarding the quantum of development. Therefore,

officers consider an increase of up to 60 dwellings together with a 70bed care home on the approximate number of 600 is, in principle, reasonable.

5.8 Affordable housing and housing mix

Affordable housing

Policy CP24 of LPP1 requires development to provide 35% affordable housing with a tenure split of 25% first homes, 56% affordable rented and 19% shared ownership. Based on 660 dwellings the proposal will provide 231 affordable dwellings (35% of 660) and such provision can be secured through a legal agreement. The proposal complies with policy CP24.

5.9 Market housing

Policy CP22 of LPP1 expects a mix of house types that is in accordance with the Strategic Housing Market Assessment (SHMA) unless an alternative approach is proven to be necessary due to viability constraints. A range of dwelling sizes are proposed within the application to accord with SHMA, and this can be secured by condition should permission be granted. The proposal complies with policy CP22.

5.10 Accommodating needs of an ageing population

Policy CP26 of LPP1 expects strategic site allocations to provide residential units for older people (with or without extra care). The proposal includes a 70bed (Class C2) care home use and a mix of house sizes which may be attractive to people wishing to downsize which meets the requirements of this policy.

5.11 Space standards

Policy DP2 of LPP2 sets out space standards for new residential development along with policy requirements for Category 2 – Accessible and adaptable dwellings and Category 3 – Wheelchair user dwellings. These can be secured through a legal agreement. The proposal therefore complies with policy DP2.

5.12 Urban Design

Policy CP37 of LPP1 states that new development must demonstrate high quality design that responds positively to the site and its surroundings, creating a distinctive sense of place through high quality townscape and landscaping that physically and visually integrates with its surroundings. It sets out further design criterion for streets and movement, green infrastructure, social inclusion and safe communities, climate change resilience and that development must be visually attractive, with scale, height, massing and materials appropriate to the site and surrounding area. Policy CP38 of LPP1 sets out more detailed design criterion required for strategic and major development sites.

5.13 Commercial uses and the residential element of this proposal is an outline submission with only access into the site to be considered. Details concerning layout, scale, appearance and landscaping of the development are therefore Reserved Matters to be considered at a later stage. However, in support of the outline application parameter plans on land use, green infrastructure and heights have been submitted, along with Indicative plans and a supporting Design and Access statement.

- 5.14 The proposal is in general accordance with site specific requirements on design and layout as set out in the Site Development Template in LPP2 and officers are confident in the capacity of the site to accommodate the quantum of development intended with sufficient land set aside without compromising layout and design quality of dwellings, amenity, and parking provision. The parameter plans are acceptable to inform delivery of a high quality and integrated sustainable extension to Kingston Bagpuize at Reserved Matters stage to accord with policies CP37 and CP38 and the site development template.
- 5.15 *Density*
Policy CP23 of LPP1 requires a minimum net density of 30 dwellings per hectare (dph) unless local circumstances indicate that this would have an adverse effect on the character of the area, highway safety or the amenity of neighbours. The indicative density plan shows density ranges from 25dph to 45dph with an average net density across the site of approximately 37dph. Officers consider the proposal is compliant with policy CP23.
- 5.16 *Open space*
Policy DP33 of LPP2 requires major development to provide 15% of the site as public open space. The green infrastructure parameter plan indicates the provision of public open space will exceed this requirement and this provision can be secured through a legal agreement. The proposal complies with policy DP33.
- 5.17 *Onsite sports and youth provision*
Concern has been raised by the local cricket club that the area reserved for cricket facilities is too small and impractical. Sport England also wish to engage with the developer to ensure facilities are appropriately designed and financially sustainable. The detailed construction of the pavilion, playing field and ancillary facilities along with the youth provision on site will be considered at Reserved Matters stage, but this will need careful consideration to meet current Sport England standards. Like Kingston Bagpuize Cricket Club, officers are confident there is space to accommodate an adequately sized cricket pitch and facilities and their specification can be secured through a legal agreement. Further details on layout can be secured through a design brief condition.
- 5.18 **Residential Amenity**
Reserved Matters will be the opportunity to fully consider any impact on amenity for existing residents. Officers consider, based on the indicative plans, that it should be possible to provide a housing development to accord with policy DP23 of LPP2 and design guide principles in respect of residential amenity for both new and existing dwellings.
- 5.19 *Noise*
Noise generated from road traffic on the A420 and the A415 is apparent on site. The applicant has provided a noise impact assessment as part of the ES and in response to its findings, mitigation is proposed (including a 3m high acoustic bund / fence to the A420) to ensure no unreasonable impact on future

residents. The environmental protection team raises no objection, subject to implementation of proposed mitigation which can be secured at Reserved Matters stage. The proposal therefore accords with policy DP25.

5.20 Landscape and Visual Impact

Policy CP44 of LPP1 confirms that key features that contribute to the nature and quality of the district's landscape will be protected from harmful development, and where possible enhanced. Where development is acceptable in principle, proposals will need to demonstrate how they have responded to landscape character and incorporate appropriate landscape proposals.

- 5.21 The site and its surroundings fall within Natural England's National Character Area 'Midvale Ridge' which is described as a band of low-lying limestone hills stretching east-west from the Vale of Aylesbury to Swindon. The council's landscape capacity study (part of the local plan evidence base) locates the site within the small character area of 'Kingston Bagpuize to Woodhouse Limestone Ridge with woodland', an area situated on southern slopes of the Limestone Ridge and defined with small to medium scale parcels of land with numerous land uses.
- 5.22 As the site is allocated for housing development in the local plan, the loss of this site to housing should have no unreasonable impact on the surrounding landscape. Notwithstanding, the site forms the eastern approach to the village of Kingston Bagpuize and is highly visible from the A415. The Site Development Template of policy CP8a requires mass and scale of built form to avoid being visually intrusive to sensitive views from the surrounding countryside.
- 5.23 A Landscape and Visual Appraisal (LVIA) as part of the ES and an addendum has been submitted in support of the application and the landscape architect considers these to be an appropriate assessment. The LVIA concludes that any adverse effects of the proposed development on the landscape and visual appearance would be localised and can be mitigated for by proposed Green Infrastructure.
- 5.24 Officers agree with the LVIA conclusions. As such the proposed development would not cause unacceptable landscape and visual harm to result in a conflict with policy CP44.
- 5.25 The proposed heights shown on the amended parameter plan DE214-30G include up to 12.5m three storey dwellings on the northern boundary, up to 9.5m high 2 and 2.5 storey dwellings on the eastern boundary and up to 9 and 10.5m high two storey dwellings on the southern residential edge. These heights are acceptable. Officers are satisfied that through detailed design, the development can be integrated into the landscape without material harm, and through the development of appropriate landscape proposals at Reserved Matters stage (as set out in the parameter plans) a development to comply with policy CP44 of LPP1 can be achieved. Detailed matters requested by the

landscape architect and urban design officer can also be addressed at Reserved Matters stage.

5.26 Flood Risk and drainage

Core Policy 42 of LLP1 seeks to ensure that development provides appropriate measures for the management of surface water as an essential element of reducing future flood risk to both the site and its surroundings.

5.27 The Flood Risk Assessment (FRA) submitted with the application confirms that the site lies within Flood Zone 1 and is at a low risk of flooding from rivers or sea as well as from other potential sources of flood risk. The drainage strategy for the site (SUDs with attenuation and infiltration basins, swales and permeable paving) accounts for flood risk considerations to ensure surface water management and potential flooding is appropriately managed.

5.28 The council's drainage team raise no objection subject to conditions requiring groundwater monitoring and a fully detailed scheme based on the FRA to be submitted and approved. A sustainable drainage scheme can therefore be agreed to accord with policy CP42 in respect of flood risk and surface water management.

5.29 Foul water and water supply

Local concern has been raised regarding foul sewer network capacity. Thames Water has identified a capacity issue where upgrades to the foul water network are required. Furthermore, the Environment Agency object to the proposed development as they consider it poses an unacceptable risk to the water quality of Bagpuize Brook through increased discharged loading from the Kingston Bagpuize sewage treatment works that has been identified as being non-compliant with its permit in terms of discharge to the brook.

5.30 In response to the Environment Agency objection, Thames Water confirm that there is a Water Industry National Environmental Programme scheme currently underway to upgrade Kinston Bagpuize sewage treatment works that will accommodate future growth and address discharge issues to the brook. The deadline for the scheme to be completed in December 2024. Officers therefore do not consider a refusal of permission on lack of capacity could be successfully defended on such grounds.

5.31 Thames Water do however request an appropriately worded Grampian condition to be attached to any approval to ensure development doesn't outpace the delivery of essential infrastructure for both foul water and water supply. They advise the development should not be occupied until all water network upgrades required are completed. Officers consider such a condition would be acceptable.

5.32 Traffic and highway safety

Policy CP33 of LPP1 actively seeks to ensure that the impacts of new development on the strategic and local road network are minimised, to ensure that developments are designed in a way to promote sustainable transport access and to promote and support improvements to the network that increase

safety and improve air quality. Policy CP35 of LPP1 promotes public transport, cycling and walking and together with policy DP17 of LPP2 requires proposals for major developments to be supported by a Transport Assessment in accordance with OCC guidance. Policy DP16 of LPP2 requires evidence to demonstrate that acceptable off-site improvements to highway infrastructure can be secured where these are not adequate to service the development.

5.33 Much local concern has been raised on traffic generation and during the Local Plan Examination process, modifications to LPP2 were made by the Inspector which restrict the occupation of dwellings on this site until the completion of the upgrade to Frilford Junction unless an alternative phasing plan is agreed with the county council. This was due to concerns over the traffic levels generated by the development. Unless an alternative plan is agreed with the county council, then the occupation of dwellings should not be permitted until the upgrade to Frilford Junction is completed.

5.34 The adopted site development template in policy CP8a of LPP2 sets out the following for the site relating to access and highways:

- The occupation of dwellings on the site will not begin prior to (1) the completion of the upgrade to Frilford Junction unless an alternative phasing plan is agreed with the County Council and (2) satisfactory air quality mitigation for Marcham.
- Access to be provided from A420 and the A415 via two new developer delivered roundabouts and a new link road through this site, provided to a standard acceptable to Oxfordshire County Council. The A415 roundabout will link with the business park.
- Contribute towards infrastructure improvements on the A420, A415 (including Frilford Junction) and any necessary mitigation measures identified through the site Transport Assessment.
- Contribute towards increasing the frequency of bus services.
- Provide for buses to travel through the site and provide bus stop infrastructure.
- Provide measures to alleviate current traffic flows through the centre of Kingston Bagpuize with Southmoor.
- Provide high quality pedestrian and cycle links including pedestrian crossings where necessary.
- Replace existing A420 laybys if surveys indicate a need.

5.35 The application is supported with a Transport Assessment and addendum reports which have been assessed and accepted by the Highway Authority, including all supporting baseline evidence, trip rates and distribution.

5.36 Access

Access into the site is acceptable and required visibility can be achieved. The full element of the application provides the access from the A420 and the A415 via two new developer delivered roundabouts and a new link road and is designed to a standard acceptable to Oxfordshire County Council (OCC). The A415 roundabout will also link with the business park and the road design provides for bus service access and associated infrastructure.

- 5.37 The indicative movement plan shows pedestrian and cycle links for the development and village traffic calming measures along with the closure of A420 laybys to accord with site template requirements. These are all acceptable in principle and can be secured through a S106 legal agreement along with upgrade works to Old Oxford Road to accommodate horse riders, pedestrians, and cyclists. The application is also supported with a framework Travel Plan which is acceptable and further detailed plans for both residential and commercial uses can be secured by planning condition.
- 5.38 *Offsite highway junction improvement works*
There are numerous locations on the highway network that require improvement schemes to mitigate traffic impact from this development, key locations being the Frilford Junction and the A34 interchange at Marcham (with the A415) where peak hour traffic congestion is already severe. The proposal will add to peak hour traffic queues increasing the severity of congestion. At the time of the previous application in February 2021 the extent and cost of the required works for these locations was unknown, leading to refusal of the application.
- 5.39 Following the refusal of the previous scheme, the applicant has since acquired land alongside Frilford Junction and subsequently submitted a separate planning application, P22/V1757/FUL, for proposed mitigation to offset the impact of the proposal. The works include a widening of the northbound A338 on the western side, south of the junction with the A415, near Abingdon School. It is also proposed to widen the A415 on the southern edge (opposite the school) to increase capacity. The design includes a cycleway on the western edge and south edge of the proposed junction improvements, together with new landscaping to mitigate the loss of an existing hedgerow.
- 5.40 Application P22/V1757/FUL was considered by Planning Committee on 25 January 2023 where it was resolved to be approved. This mitigation can be secured in a S106 legal agreement either for the developer to direct deliver or as a financial contribution that OCC can pool towards wider improvements at Frilford junction, together with any required land in the applicant's control. In addition, OCC are satisfied with improvement proposals for Marcham Interchange as detailed on submitted drawings. On this basis, the proposal can mitigate its highway impact and is therefore acceptable and accords with the site development template and highway related planning policies in the local plan.
- 5.41 *Public transport*
Contributions are sought for public transport services and infrastructure. These can be secured through a S106 legal agreement and would address local concern on lack of access to alternative modes of transport. Stagecoach who operates bus services within the vicinity of the site are in support of this application.
- 5.42 Based on the above, officers consider the proposal is acceptable in terms of traffic generation and highway safety.

5.43 Air Quality

Policy DP26 of LPP2 confirms that development proposals that are likely to have an impact on local air quality, including those within relative proximity to existing air quality management areas (AQMA) will need to demonstrate measures / mitigation to minimise any impacts associated with air quality. Paragraph 181 of the NPPF states decisions should ensure that any new development in AQMA is consistent with the local air quality action plan.

5.44 The A415 through Marcham is subject to an AQMA. Declared in 2015, it concerns the whole of the area adjacent to the A415 as it passes through the built-up area. There have been regular exceedances of nitrogen dioxide (NO₂) levels exacerbated by the narrow constriction of the A415 as it passes through the village and the proximity of housing to this road and the high impact of HGVs which frequently hold up other traffic.

5.45 Parish councils and residents raise concern that the proposal will exacerbate poor air quality. During the LPP2 examination process modifications were made by the Inspector which restrict the occupation of dwellings on this site until there is satisfactory air quality mitigation for Marcham, in part due to upgrade work at Frilford junction and the resultant increase in traffic through Marcham. This is reflected in the adopted site template of policy CP8a of LPP2.

5.46 In February 2021, it was considered overall that no viable options for satisfactory air quality mitigation for Marcham had been demonstrated leading to refusal of the application.

5.46 The applicant has since provided an updated assessment of air quality as part of the ES along with addendums in support of the current application. Baseline conditions of air pollution in Marcham show a decrease between 2016 and 2019 and are predicted to fall further in future years without development. Traffic surveys demonstrate instances of queuing occur 17 times in the morning peak and eight times in the evening peak in Marcham village, with an average of between two and four vehicles in each direction and cleared within seven to 11 seconds. With the inclusion of the proposed development, the impact on air quality is calculated to be negligible (resulting in the addition of between one and three vehicles to the queues) with residual effects judged to be not significant and well below national air quality objectives, whereby mitigation is not required.

5.48 The documents have been assessed by the council's air quality officer who raises no objection to the proposal. In addition, and as requested by Fyfield and Tubney Parish Council, officers have also sought further independent advice from Atkins which considered whether the applicant's assessment was robust and carried out in accordance with relevant guidance. The review also assessed detailed comments submitted by the parish council's air quality assessor.

5.49 Atkins confirm the applicant's methodology is appropriate and in line with good practice. The review noted some points for clarification but confirmed these

would not affect the conclusion of the applicant's assessment. The review also highlights Government projections show an expectation that NO₂ concentrations continue to reduce by some degree in the future, such that by the time this development is complete, concentrations should not exceed the NO₂ national air quality strategy objective without development and given the estimated magnitude of change with the development, should not affect the achievement of the objectives currently set in regulations.

- 5.50 Based on the above, officers consider there is no longer a requirement for this development to provide air quality mitigation in Marcham and the proposal complies with policy DP26.

5.51 **Historic Environment**

Policies CP39 of LPP1 and DP36 of LPP2 state that proposals for new development that may affect heritage assets must demonstrate that they conserve and enhance the special interest or significance of the heritage asset and its setting.

- 5.52 There are no designated assets within the application site. However, the site shares a boundary with Kingston Bagpuize Conservation Area, within which is the Grade II* listed Kingston Bagpuize House and many listed buildings and structures associated with the country house estate.

5.53 *Conservation areas*

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Policy DP37 of LPP2 states development within or affecting the setting of a conservation area must demonstrate that it will conserve or enhance its special interest, character, setting and appearance. Considerable importance and weight are therefore given to the desirability of protecting or enhancing the character or appearance of the conservation area.

- 5.54 Objections were received to the original proposal from both Historic England and the conservation officer, as the original scheme was considered to adversely impact the Kingston Bagpuize conservation area. The existing approach to the conservation area is made quite distinct by the openness along this part of the A415 and the green and verdant corridor that then frames the edge of Kingston Bagpuize House, separating the estate from the rest of the village. Residential development in this part of the village is also sparse and the presence of a new residential edge immediately along this approach could alter its character considerably.

- 5.55 Following negotiation, development areas have been removed from the southern and south-western corner of the application site to better preserve this character. As such, officers are confident development could proceed in such a way as not to cause unacceptable harm to the character and appearance of the conservation area to accord with policy DP37, with further design detail secured by condition (south green edge design brief).

5.56 *Listed buildings*

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.

5.57 DP38 of LPP2 states that development within the setting of a Listed Building must demonstrate that it will preserve or enhance its special architectural or historic interest and significance.

5.58 The application site is considered to sit within the setting of the Grade II* listed Kingston Bagpuize House. The house is architecturally designed to look across its designed parkland, through an avenue of trees and across the open countryside. The conservation officer advises the significance of the house is not only its architectural frontage, but also the command it has over this edge of the settlement.

5.59 The proposal retains a development free corridor that extends from the tree lined avenue to open countryside beyond. Both Historic England and the conservation officer are satisfied the proposal responds appropriately to the setting of Kingston Bagpuize House, whereby a scheme for development could be suitably implemented in heritage terms to accord with policy DP38.

5.60 *Archaeology*

DP39 of LPP2 states that development will be permitted where it can be shown that it would not be detrimental to the site or setting of Scheduled Monuments or nationally important designated or non-designated archaeological remains.

5.61 Archaeological investigation comprising of geophysical survey and evaluation have revealed two areas of archaeological significance. A Bronze Age barrow with a possible associated enclosure has been revealed within the central field and in the northern field, several large ditches, pits and a hearth. Pottery assemblage suggests middle Iron Age.

5.62 The county archaeologist has confirmed neither are demonstrably of such significance as to preclude the principle of development, but further investigation of those areas will be required in advance of development. Further investigation can be achieved through appropriate conditions should consent be granted to accord with policy CP39.

5.63 **Biodiversity**

Policy CP46 of LPP1 requires development to avoid losses in biodiversity and actively seeks net gains. The site is not covered by statutory or non-statutory designations and comprises arable land under cultivation.

5.64 The site has been subject to a series of ecological surveys covering habitats and protected species surveys for breeding birds, bats, reptiles, great crested newts, badgers, and dormouse. The main habitat on site is intensive arable fields which are of low ecological value. The most significant impact on habitats

relate to the loss of the hedgerows along either side of the old Oxford Road and along the boundary with the A420.

- 5.65 The countryside officer advises a population of great crested newts (GCN) found in the pond on the Millennium Green are unlikely to make any significant use of the habitats within the application site. A small population of grass snakes is also present on the southern site boundary. Mitigation measures are available to ensure that there are no impacts on either species.
- 5.66 Badger surveys revealed the presence of a main badger sett nearby. The proposal indicates a buffer area adjacent to the badger sett which should protect it both during construction and once the development is complete. The population of breeding birds on site is typical of similar arable habitats across Oxfordshire and impacts would not be significant. No bat roosting sites are present on site although habitats on the periphery are used for commuting and feeding. Most peripheral habitats would be retained in the proposed scheme.
- 5.67 The countryside officer raises no objection to the application, subject to conditions for biodiversity construction environmental management and enhancement. In addition, sustainable drainage can be designed to maintain greenfield rates of surface runoff and infiltration to mitigate any groundwater impact on Frilford Heath, Ponds and Fens SSSI. Overall, officers consider the proposal can achieve compliance with CP46, subject to careful design at Reserved Matters stage (layout and landscaping).

5.68 **Other considerations**

Loss of agricultural land

Concern has been raised on the loss of good quality agricultural land. The land and soils have been surveyed and assessed to be land predominantly Grade 2 with a small area of Grade 3a at the southern end of the site. The ES identifies the impact of the development as one of moderate adverse significance, which is significant in EIA terms. Whilst there are no effective measures available to mitigate the direct loss of agricultural land through the development of this site, the site is a strategic allocation for housing development in the local plan, where the loss of agricultural land to housing has previously been found to be acceptable.

5.69 *Climate Change*

Concern has been raised on climate change and that the proposal conflicts with the council's published Climate Action Plan. Officers consider there is no conflict with the stated action points in the plan. Even if conflict was identified within the identified themes, the action plan is not part of the adopted development plan and thus carries limited weight in planning decision making. The primacy of assessment is through the adopted local plan as set out in paragraph 5.2.

- 5.70 Notwithstanding, policy CP40 of LPP1 encourages developers to incorporate climate change adaptation and design measures to combat the effects of changing weather patterns in all new development. The proposal should therefore be sustainable and resilient to climate change taking account of

layout, building, orientation, massing, and landscaping to minimise energy consumption and mitigate water run-off to demonstrate compliance with policy CP40. The development will also be required to reduce water consumption and be designed to a water efficiency standard of 110 Litres / head / day for all new homes. These are matters that can be addressed at Reserved Matters stage to ensure compliance with policy CP40.

5.71 *Education*

One of the key infrastructure aspects of this scheme is the provision of a new primary school on the site. OCC, as Education Authority, is clear this development would trigger the need for the construction of a new primary school as the existing primary school (John Blandy) would not be able to expand sufficiently to accommodate new pupils from this development. The new school would be 1 form entry, with a total capacity of 210 primary places and a 60-place nursery. This is slightly larger than the expected pupil generation from the proposed development (179 pupils and 38 nursery) but is the smallest viable size of new school. Land allocated within the development will also enable future expansion to 2 form entry.

- 5.72 For secondary education, the proposed development lies in the designated area of Matthew Arnold School in Cumnor and adjoins the designated area of Faringdon Community College. Financial contributions are sought for the further expansion of Matthew Arnold School to mitigate for the increased number of pupils this school will need to accommodate. Contributions to expand special school provision are also required.

5.73 *Health and wellbeing*

The application is supported by a Health Impact Assessment which confirms the scheme is arranged to encourage walking and cycling and will provide facilities to meet day to day needs for all ages. The layout will be determined at Reserved Matters stage to ensure an appropriate buffer from sources of noise and air pollution along with a mix of housing responding to local needs. Offsite facilities and public transport can be supported by contributions and electric vehicle infrastructure and superfast broadband can be achieved on site. Officers are satisfied the proposal could create a healthy and sustainable community.

- 5.74 Local concern has been raised in relation to existing health provision and the need for expanded facilities to support new residents. A request has also been received from the local Primary Care network (White Horse Botley PCN) for contributions towards expansion of health care facilities. To accommodate this, the applicant and the local NHS integrated care board are exploring the option of providing accommodation within the new local centre on site, for consulting rooms and a pharmacy (a similar project is taking place at Heyford Park, Bicester) and this can be secured through a S106 legal agreement in lieu of a financial contribution.

5.75 *Retail use*

The Site Development Template requires the site to provide a new local centre adjacent to the primary school, located and designed to meet the needs of the

expanded village. DP14 of LPP2 confirms proposals for the development of village or other local shops with less than 500sq.m floorspace, designed to meet the day to day needs of the local population will be permitted. The detail of the precise commercial uses within the scheme are unknown at this stage, but in principle a convenience store / retail use is acceptable to your officers. Such uses are unlikely to undermine the vitality and viability of existing retail facilities nearby. A restriction to ensure compliance with policy DP14 on floorspace can be secured through a condition or a S106 legal agreement.

5.76 *Contaminated land*

Policy DP27 of LPP2 requires proposals for the development, redevelopment or re-use of land known, or suspected, to be contaminated, to submit a Contaminated Land Preliminary Risk Consultant Report.

- 5.77 The applicant has provided a Geo-Environmental assessment with addendums to support the proposal. Historically the site has been used as agricultural farmland. A limestone quarry was located at the western boundary and infilled with another infilled quarry located nearby. The reports find there is no evidence of contamination being present on site that could prevent development, but the latest addendum recommends gas and ground monitoring to characterise and establish any risk to the development from former quarries and the potential infill. The contaminated land officer has confirmed this can be managed by a planning condition to accord with policy DP27.

5.78 *Community Employment Plan*

Policy DP11 of LPP2 states all new development should demonstrate how opportunities for local employment, apprenticeships and training can be created. A Community Employment Plan is required and can be secured by condition to accord with policy DP11.

5.79 *Public art*

Policy DP20 of LPP2 requires proposals for all major development to provide public art that makes a significant contribution towards the appearance of the scheme or character of the area, or which benefits the local community. Officers are confident the site can successfully accommodate public art to accord with policy DP20, and further detail can be determined at Reserved Matters stage and through a S106 legal agreement.

5.80 *Local plan delivery*

Officers are mindful of the impact this site may have on housing supply and delivery of the local plan and requirements of policies CP47 of LPP1 and CP47a of LPP2. The trajectory for this site has been forecast to deliver dwellings from 2025. A total of 165 units from this site have been included in the current 5year monitoring period.

5.81 *Parish boundary review*

Local concern has been raised that until a parish boundary change between Kingston Baquize and Fyfield and Tubney is made, this development should not proceed. Officers understand a boundary review may take place in the

future, but this is yet to be confirmed. Such a review is not a material planning consideration.

5.82 **Financial contribution requests**

Paragraph 56 of the NPPF advises that planning obligations should only be sought where they meet all of the following tests:

- I. Necessary to make the development acceptable in planning terms;
- II. Directly related to the development; and
- III. Fairly and reasonably related in scale and kind to the development.

5.83 Policy CP7 of LPP1 provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured.

5.84 *Community Infrastructure Levy*

The Community Infrastructure Levy (CIL) was adopted in September 2017 and implemented in November 2017. CIL is a levy charged on new development in the district; the money raised will be used to fund infrastructure and support growth. The site is not CIL liable.

5.85 *S106 Legal Agreement*

In accordance with the Developers Contributions SPD if permission were to be granted, a s106 legal agreement would be required to secure affordable housing including the amount (35%), tenure, mix, size, being indistinguishable from the market housing and clustering (no more than 16 per cluster), on site play and sports provision and financial contributions towards traffic and air quality impact mitigation, public transport, travel plan monitoring, public art, street naming, waste bin provision, education and the management of public open spaces, sport and play areas.

5.86 Should planning permission be granted this authority would expect the following on-site infrastructure and contributions (all indexed linked) to be secured which are considered fair and proportionate to mitigate the impact of this development:

District Council	Amount (£)	Trigger	Towards (details)	CIL tests compliance
Public art	£306 per dwelling	1 st Occupation	On site or in vicinity	Yes
Waste bins	£186 per dwelling	Commencement	On site wheelie bin provision	Yes
Street naming	£268 per 10 houses	Commencement	On site street naming	Yes
Public Open space	15% of site area	60% occupation of phase to which it relates	On site POS / direct delivery	Yes

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Public Open space maintenance	£1,728,000	Transfer	Payable if going to parish council	Yes
Play equipment	As per play area drawing	60% occupation of phase to which it relates	On site play areas / direct delivery	Yes
Play maintenance	4.9% per annum / 25yr	Transfer	Payable if going to parish council	Yes
Youth provision	£118,273	60% occupation of phase to which it relates	On site / direct delivery	Yes
Youth Maintenance	4.9% per annum / 25yr	Transfer	Payable if going to parish council	Yes
Cricket pitch	£308,782	60% occupation of phase to which it relates	On site / direct delivery	Yes
Cricket pitch sinking fund	4.9% per annum / 25yr	Transfer	Payable if going to parish council / set aside for sports club	Yes
Cricket pitch maintenance	15.3% per annum / 25yr	Transfer	Payable if going to parish council / set aside for sports club	Yes
Cricket pavilion	£720,492	60% occupation of phase to which it relates	4 team changing room and club room – traditional construction On site / direct delivery	Yes
Cricket pavilion sinking fund	0.5% per annum / 25yr	Transfer	Payable if going to parish council / set aside for sports club	Yes
Cricket pavilion maintenance	0.8% per annum / 25yr	Transfer	Payable if going to parish council / set aside for sports club	Yes
Cricket nets	£75,840	60% occupation of phase to which it relates	2 caged nets On site / direct delivery	Yes
Cricket nets maintenance	0.8% per annum / 25yr	Transfer	Payable if going to parish council / set aside for sports club	Yes

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Cricket machinery store	TBC	60% occupation of phase to which it relates	To provide secure and dry storage on site	Yes
Cricket machinery store maintenance	0.8% per annum / 25yr	Transfer	Payable if going to parish council / set aside for sports club	Yes
Agronomist	TBC	Commencement	To pay for inspection during construction of cricket pitch	Yes
Pavilion QS	TBC	Commencement	To pay for independent QS during construction of pavilion	Yes
Affordable housing	35%	Commencement	25% First 56% Rented 19% Shared ownership	Yes
Health care provision	£608,040	Commencement	Direct delivery or financial contribution	Yes
County Council	Amount (£)	Trigger	Towards (details)	CIL tests compliance
Transport				
Highway works	TBC	TBC	Direct delivery or financial contributions towards the Frilford lights junction, and Marcham A34 interchange works.	Yes
Public transport services	£827,090	TBC	Towards bus services in the vicinity of the site.	Yes
Public transport infrastructure	£56,136	TBC	Towards 6 RTI display boards for each of the bus stops.	Yes
Traffic Regulation Order	£5,000	TBC	Towards a TRO to implement a 20mph across the site.	Yes
Travel Plan Monitoring	£8,242	TBC	Monitoring of Travel Plans	Yes

			for a period of 5 years	
Education				
Primary and nursery education including 2.22Ha of land for new school	£7,746,000	If no direct delivery instalment starting 1 st occupation. If DD – 349 th completion, 350 th Transfer	A new 1 form entry primary school with nursery, within the development	Yes
Secondary (including sixth form)	£3,664,872	Instalment starting 1 st occupation	Expansion of secondary school capacity serving the development	Yes
SEN	£412,809	Instalment starting 1 st occupation	Oxfordshire's strategic expansion of special school capacity.	Yes
Waste management				
Household waste recycling centres	£62,014	1 st occupation	Towards expansion of household waste recycling centre	Yes
MONITORING				
Vale	£18,092	Payable on completion of S106	To fund monitoring of the agreement	Yes
OCC	£TBC	Payable on completion of S106	To fund monitoring of the agreement	Yes

6.0 CONCLUSION

- 6.1 The application has been assessed on its merits, against the requirements of the adopted Local Plan 2031 Part 1 and Part 2 and the National Planning Policy Framework. All relevant consultations have been undertaken and all responses received have been fully considered.
- 6.2 The application site is a strategic housing allocation in the council's adopted Local Plan to contribute towards the sustainable planned growth of the district. The application could support an economic and social objective through construction employment, increased investment in the local economy and providing additional market and affordable housing. The application could also make contributions towards local infrastructure.

- 6.3 The scheme is of an acceptable design with no unreasonable impacts on existing residents. Pedestrian connections are proposed and considered safe. Suitable vehicular access can be provided without detriment to highway safety or severe impacts on the road network.
- 6.4 The site is in flood zone 1 which is the preferred location for housing development in terms of fluvial flooding. An appropriate drainage scheme can be delivered on the site.
- 6.5 Impacts of the development including those at the Frilford Junction can be mitigated through off site improvement works or financial contributions. Contributions can also be sought for education, bus service infrastructure and waste provision.
- 6.6 In conclusion, subject to the recommended conditions and completion of a S106 legal agreement for infrastructure and highways improvements, education and affordable housing, the proposal is considered to accord with the development plan and should be approved.

The following have been taken account of in assessing this application:

Vale of White Horse Local Plan 2031, Part 1 policies:

- CP01 - Presumption in Favour of Sustainable Development
- CP02 - Cooperation on Unmet Housing Need for Oxfordshire
- CP03 - Settlement Hierarchy
- CP04 - Meeting Our Housing Needs
- CP06 - Meeting Business and Employment Needs
- CP07 - Providing Supporting Infrastructure and Services
- CP08 - Spatial Strategy for Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP12 - Safeguarding of Land for Strategic Highway Improvements within the Abingdon-on-Thames and Oxford Fringe Sub-Area
- CP22 - Housing Mix
- CP23 - Housing Density
- CP24 - Affordable Housing
- CP26 - Accommodating Current and Future Needs of the Ageing Population
- CP32 - Retail Development and other Main Town Centre Uses
- CP33 - Promoting Sustainable Transport and Accessibility
- CP34 - A34 Strategy
- CP35 - Promoting Public Transport, Cycling and Walking
- CP36 - Electronic communications
- CP37 - Design and Local Distinctiveness
- CP38 - Design Strategies for Strategic and Major Development Sites
- CP39 - The Historic Environment
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP45 - Green Infrastructure

CP46 - Conservation and Improvement of Biodiversity

CP47 - Delivery and Contingency

Vale of White Horse Local Plan 2031, Part 2 policies:

CP04A - Meeting our Housing Needs

CP08A - Additional Site Allocations for Abingdon-on-Thames and Oxford

Fringe Sub-Area

CP12A - Safeguarding of Land for Strategic Highway Improvements within the Abingdon-on-Thames and Oxford Fringe Sub-Area

CP47A - Delivery and Contingency

DP01 - Self and Custom Build

DP02 - Space Standards

DP08 - Community Services and Facilities

DP11 - Community Employment Plans

DP14 - Village and Local Shops

DP16 - Access

DP17 - Transport Assessments and Travel Plans

DP20 - Public Art

DP21 - External Lighting

DP23 - Impact of Development on Amenity

DP24 - Effect of Neighbouring or Previous Uses on New Developments

DP25 - Noise Pollution

DP26 - Air Quality

DP27 - Land Affected by Contamination

DP28 - Waste Collection and Recycling

DP30 - Watercourses

DP31 - Protection of Public Rights of Way, National Trails and Open Access Areas

DP33 - Open Space

DP34 - Leisure and Sports Facilities

DP36 - Heritage Assets

DP37 - Conservation Areas

DP38 - Listed Buildings

DP39 - Archaeology and Scheduled Monuments

Neighbourhood Plan

There is currently no neighbourhood plan for Fyfield and Tubney.

Adopted guidance

Joint Design Guide SPD 2022: The Joint Design Guide sets out design principles to guide future development and encourage a design-led approach to development.

Developer Contributions – Delivering Infrastructure to Support Development SPD 2017: The Developer Contributions SPD was adopted on 30 June 2017 and provides guidance on how planning obligations will work alongside CIL to deliver the infrastructure needed to support development in the Vale.

National Planning Policy Framework (NPPF)

Planning Practice Guidance (NPPG)

Other Relevant Legislation

- Planning (Listed Buildings and Conservation Areas Act) 1990
- Community & Infrastructure Levy Legislation
- Section 149 of the Equality Act 2010
- Provisions of the Human Rights Act 1998
- Section 17 of the Crime and Disorder Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act (including New Homes Bonus)
- Countryside and Rights of Way Act 2000
- Environment Act 1995
- Air Quality (England) Regulations 2000
- Air Quality (England) Amendment Regulations 2002
- Air Quality Standards (England) Regulations 2010
- Air Quality Standards (England) Amendment Regulations 2016

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