



Long Wittenham Parish Council

Stephen Brown Chair
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SODC Planning Department
Application P16/S1124/O Land Adjacent Fieldside
For the attention Amanda Rendell

Dear Amanda

I am writing on behalf of Long Wittenham Parish Council. The Council met last Thursday evening and discussed the latest amendments to this application and we are grateful for the opportunity to comment. The PC has asked me to respond on their behalf.

Firstly I should like to re-iterate all our previous concerns. We don't believe the latest amendments make this proposed development any more acceptable to the village and do nothing to offset the balance of serious harm that would be caused by the proposals. Additionally there are several points the PC wish to cover in more detail.

Neighbourhood Development Plan

As you know the PC has been developing an NDP for over 2 years. We have had ongoing advice from SODC regarding the drafting of the NDP and on the advice of officers went to consultation on the draft plan last Summer. Two weeks after the close of that consultation Planning Policy Officers seriously criticised the robustness of the policies which had previously been vetted by other colleagues. This has forced a significant change in strategy and a serious redraft of the NDP delaying it some 6 months. We now have a second draft plan that has undergone checking by both SODC and AECOM (the Government provided advisors on NDP) and, with SODC's support, is now out to a second round of consultation which will finish in mid February. It is the PC's intention to have the final NDP formally submitted by the end of February.

Due to the advanced state of the new NDP we believe it has gained very significant weight in planning terms. We have taken Counsel's Opinion on this and have been advised the current Kler application, which is completely contrary to the aims of the NDP, should be considered "**premature**". This is further reinforced by Government advice issued last July where Local Planning Authorities are having to consider proposals that are contrary to an emerging NDP.

<http://researchbriefings.files.parliament.uk/documents/SN05838/SN05838.pdf>

This document explains the weight that should be given to an emerging NDP and also explains the Minister's powers to call in (recover) decisions from LPAs.

Furthermore the PC consider that if the LPA were to approve this proposal it would be in breach of its statutory duty to support Parishes that are drafting NDPs. The LPA has a duty to offer all help and support possible to Parishes to draft plans and which initially, we believe, fell short of expectations. This support has now improved with an increase in staffing in planning policy. However there would be a significant conflict with that statutory duty if this development were to be approved as it would undermine our NDP. Planning Policy have advised and supported our latest NDP and this application is contrary to and could undermine the current version of the NDP.

Sustainability

The current version of the NDP demonstrates that the village is "unsustainable" and, as such, cannot accommodate any significant development without that development addressing the issues of poor community facilities, infrastructure and transport. This situation of "unsustainability" has been checked and verified by AECOM and our own professional planning consultants and extensive information on this has already been provided to senior planning officers. (Peter Rose/Paula Fox correspondence)

The Kler proposal does nothing to address the shortfall in community facilities or infrastructure and offers absolutely minimal support for public transport. Applying the CIL figures the maximum contribution to transport would be approx £28000 and this one-off contribution would be well below the figure needed to support even very occasional buses through the village (and there is no obligation on OCC to actually spend that money in our immediate area).

Conservation Area

The Kler proposal is immediately adjacent to the Conservation Area and is overlooked by several Grade 2 Listed Buildings. We are very concerned about the impact on the setting of the Conservation Area (CA) of a new development of this scale and type so close to it. The development as planned would completely change the view of the village as it is approached from the Didcot direction. It would also obscure views to and from the AoNB/SSSI at the Clumps from the CA and the listed buildings.

We are very concerned that your conservation officer has looked at these proposals and has judged only "modest" impact on the CA. This appears to be in direct conflict with a recent Planning Inspectors comments on the application for a single dwelling immediately adjacent to this site.

That, having regard to the design, scale and proportions of the proposed new dwelling in relation to the scale and design of Challis Farm and other properties along Fieldside, the proposed development would fail to preserve or enhance the character and appearance of the Long Wittenham conservation area or the surrounding village character of Long Wittenham contrary to policies CSQ3 and CSEN3 of the South Oxfordshire Core Strategy and policies H4, D1 and Con 7 of the South Oxfordshire Local Plan.

We have significant difficulty resolving the Inspector's views on a single dwelling versus your conservation officer's advice on a development of up to 36 dwellings?

Highways and Access

This application is for outline consent for up to 36 dwellings but it includes full consent for the means of access.

The PC therefore consider it most important to get "access" right at this stage as it need not be re-visited at reserved matters stage of the planning process.

We are pleased to see that the latest amendments include a concession that a safe means of crossing Didcot Road is essential if the development were to proceed. However we have significant concerns about the proposed location of the zebra crossing.

Your own design guide calls for developers to consider and address desire lines for pedestrians and cyclists. The proposed site for the crossing would enable safe crossing of the road but takes residents further away from other village facilities that they will need to access.

This means they will either have to walk along the east side of Didcot Road where there is no footway (ie in the road) to get to Fieldside (which is proposed to be upgraded in the medium term via the NDP) or they have to cross to the west side and then cross back again much nearer the dangerous blind bend. If the zebra were moved towards Fieldside it would better address desire lines but would require a short section of ditch to be culverted and a footway constructed. This would improve pedestrian and cycle safety for all residents significantly. This would also require a revision to the current internal footway layout of the development.

Regarding vehicular access The PC has been looking carefully at the proposed junction layout and location.

The Highway Authority (HA) require minimum visibility standards at all new junctions. We are pleased to see that the Applicant's consultants have accepted the appropriate standard is a visibility splay of 2.4m by 90m. This concurs with the PC's opinion based on a comprehensive speed survey undertaken by the PC two years ago. This speed data has already been provided to OCC.

However the HA require that this splay should either be over land that is in the control of the applicant and can therefore be dedicated as highway, or is already highway.

We have substantial evidence that the visibility splays in both directions encroach on land that is neither in the Applicants control nor existing highway. We have appended a summary of this technical issue to this letter and **would request a meeting at an early stage** to be able to discuss this complex evidence with planning officers. You have also received an objection letter from the land agents of the adjoining land setting out that he a) considers the vision splay encroaches on his land and b) that he would be unwilling to give consent for this. This landowner has entered into a signed agreement with the PC to support the NDP proposals.

Our view is based on correspondence and a copy of the highway records provided by OCC (and which we assume under due diligence the Kler highways consultants would also have obtained) that the limit of the highway is the front edge of the ditch.

This is clearly shown on the highway records (plan below) and concurs with a judgement by Lord Denning Master of the Rolls that roadside ditches are not part of the Highway.

The Applicants topographical survey shows the ditch less than 1m from the road edge which we agree having checked on site. However their independent Road Safety Audit (RSA) "assumes" the extent of the highway is the centre of the hedge which is some 2m plus behind the ditch. The RSA, based on this assumption, states that the vision splays

can be achieved but this is **not** the case because they encroach on land in 3rd party ownership. This is explained by reference to both the OCC Highway records and the Land Registry plans attached below.

Further we have an assessment by another highway engineer:-

Sorry I have been so long replying to this, but I have just looked critically at your (Kler's) plans, and one over-riding comment I would make – for an S278 adoption, the full extent of the vision splay will need to be within adopted land, which means that if the highway plans are correct, vision from 2.4m back will struggle to get 20m + to the left from (ie towards Didcot) the proposed new access without taking some adjoining land.

Regards

(I am happy to provide the full original of this advice when we meet to discuss Highway concerns)

On this basis it is not possible to achieve safe vehicular access to and from the site.

As access need not be revisited by the eventual developer of this site it is essential that it is safe at this stage. This cannot be achieved.

Car Parking

Set out above is the current “unsustainability” of the Village. We lost our very limited bus service last Summer and so residents have to rely on cars to get to all the important facilities outside the village.

We have done a survey of existing car ownership on similar scale development in the village and this averages over 2.2 vehicles per property (excluding ancillary vehicles like boats, caravans etc).

Applying this, the parking requirements are at least 80 spaces plus some allowance for ancillary and visitors parking and delivery vehicles.

Applying OCC standards only achieves about 74 spaces. This means excess parking, visitors and deliveries will have nowhere to safely park within the development. They will be tempted to park on footways causing a danger to pedestrians and users of mobility scooters or to park off site (on Didcot Road causing further congestion and nuisance for other residents as well as potentially conflicting with the southerly visibility splay

This is contrary to Para 35 of NPPF which says:

developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport

For all these reasons the Parish Council considers this Planning Application must be rejected.

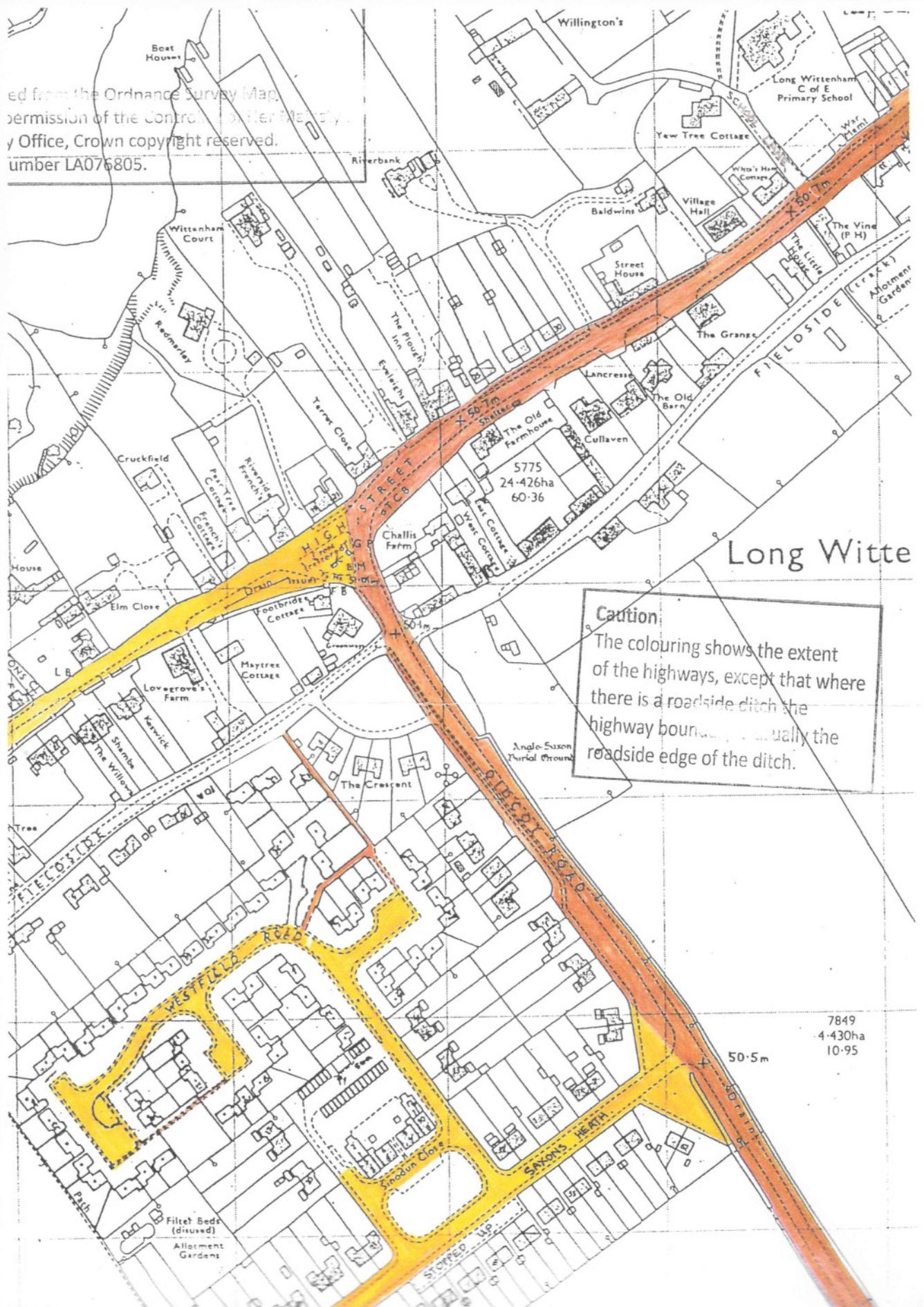
Signed:

Stephen Brown BSc. C.ENG. MICE.

Chair Long Wittenham Parish Council

15th January 2017

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Highway Records Plan showing ditch is not part of the Highway

H. M. LAND REGISTRY

BERKSHIRE SHEET X 16

Scale 1/1250

Enlarged from 1/2500

