



By Email

21<sup>st</sup> January 2016

Cathie Scotting  
Major Applications Officer (pt)

Dear Cathie,

**Re: Planning Application P15/S3228/O**

Thank you for your letter dated 18<sup>th</sup> January 2016 regarding the above application. Please find following our comments relating to the revised plans.

**GENERAL COMMENTS**

To be frank, the only rational response to the new plans is bemusement.

Bemusement not as to **what** the Applicant has submitted (there's time enough for that) but **why** they have done it.

Indeed, this bemusement is increased by the Applicant's multiple references to 'Reserved Matters' throughout the Addendum Design Access and Landscape statement. In one sense, they are correct. The speculator is telling us that these changes are not relevant to a consideration of the principle of development, which is the issue for discussion at outline stage.

This view is reflected in your letter to dated 7<sup>th</sup> January. In it you state that: *"The purpose of the amendment is not to provide or maintain 'a green gap' as ( I am sure you will agree) this can only be achieved with little or no housing. The purpose of the amendment is to provide an enhanced multi-functional space for amenity, play , SUDs, tree protection, biodiversity alongside the existing footpath. When I speak of enhanced I specifically mean in relation to the proposal and not the existing situation."*

Which brings us to the question as to why propose these changes at all? If it is an attempt to divert attention away from, or blind us to the serial, fundamental and fatal flaws in the overall application, then it fails.

These remain. Lest we forget here is a snap shot of the clear policy conflicts that remain unresolved:

**South Oxfordshire Core Strategy policies:**

CS1 - Presumption in favour of sustainable development  
CSS1 - The Overall Strategy  
CSEN1 - Landscape protection  
CSH2 - Density  
CSH3 - Affordable Housing  
CSH4 - Meeting Housing Needs  
CSI1 - Infrastructure provision  
CSM1 - Transport  
CSM2 - Transport Assessments and Travel Plans  
CSR1 - Housing in villages  
CSQ3 - Design

**South Oxfordshire Local Plan 2011 policies;**

C4 - Landscape setting of settlements  
EP3 - Light pollution  
G2 - Protect district from adverse development  
G4 - Protection of Countryside  
T1 - Safe, convenient and adequate highway network for all users

**NPPF**

In terms of the NPPF the Application still fails to make a case to be considered to be a sustainable development. There are numerous specific conflicts. These are detailed below, with the most severe in bold.

**15, 17, 28, 29, 30, 32, 34, 35, 37, 38, 47, 50, 66, 72, 73, 74, 75, 95, 100, 109, 110, 112, 115, 123, 124, 125, 143, 150, 176, 177, 204**

Details of the conflicts can be found in our earlier objection statements.

Perhaps then given the challenges the applications faces, the intent is to curry favour with the LPA? This would be a rational conclusion. After all, the Applicant's Agent (Savills) specifically selects six comments made by consultees to the Application. It turns out that these are all from Officers. In so doing the Applicant has specifically chosen to ignore over 450 consultee comments made by residents of Didcot and East Hagbourne.

Cynics tell us that Planning Inspectors at Appeal ignore comments made by residents. We are not cynics. And, of course, we are not at Appeal. Therefore we can only be driven by policy. And policy is clear and unequivocal on the matter. The National Planning Policy Framework states:

*"66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."*

The killer phrase is to work closely **"with those directly affected by the proposals"**. The Applicant has deliberately chosen to work closely only with those he considers to most likely to approve his proposals. We have, at exhaustive length,

demonstrated elsewhere the inadequate pre application engagement undertaken by the Applicant. This resulted in the same plan being shown at their exhibition for community comment and being submitted as part of the planning application.

In the Application document itself the Applicant states that he is committed to working closely with the community “*as the development progresses*”. This, as Savills letter confirms, they have failed to do.

Cynics tell us that none of this matters. But it should matter to a Council voted in by local people and / or paid for by the local people of South Oxfordshire. And it does matter enough to Ed Vaziey MP to meet with the Chair of the Applicant, Baroness Ford to express his disappointment at their lack of engagement with the community. Despite getting reassurances from Baroness Ford at the meeting, it is our understanding that he has now written to her about these new proposals asking for her comments on the clear gap between Grainger’s words and their manifest deeds.

We maintain that it is not possible for the LPA to make a recommendation on the application without this proper and promised consultation taking place. Nor can we fathom why the LPA would wish to.

The LPA, rightly, is holding a second consultation this time on the revised plan – albeit against a curious and prejudicial timeline. However, to ask the same question and expect a different response is the very definition of madness.

As the changes proposed by Grainger are not material to a consideration of the application and over 400 consultees will obviously feel that their comments first time round have not been listened to, let alone addressed, the original comments will continue to stand as material objections.

## **SPECIFIC COMMENTS ON ADDENDUM DA & L STATEMENT.**

### **Summary of landscape officer consultee response**

#### **01**

The Landscape Officer comment reads: “*Largely agree with the findings of the LVIA and feel that development could potentially be accommodated on this site without significantly affecting the amenity of the surrounding landscape.*”

However, in an sleight of hand, the Applicant willfully misrepresents the Landscape Officer’s comment. The Applicant’s response is that: “*The landscape officer is in agreement with the results of the LVIA and so no further comment.*”

For the avoidance of doubt let’s detail what they are in agreement about. The Applicant’s LVIA states that his proposals produce “beneficial” impact on only two of the two viewpoints around his site. Even these views are caveated; they become beneficial only 15 years after the completion of the site.

It turns out that the two “beneficial” views are actually across land owned not by Grainger, but across land being actively promoted by Nurton Developments. The chances of future residents of Grainger-ville, Didcot or East Hagbourne enjoying these views in 15 years hence should the planning permission to Grainger be granted, are, rounded up the nearest whole number, zero.

The consequence is inescapable. There is a clear, demonstrable and absolute harm

created by these proposals. No mitigation is attempted or presented in any of the new materials and it is arguable whether it is actually possible to do so.

## 02 & 03

We reserve comment on these two paragraphs as the proposed changes are cosmetic and non-material to a resolution of the application. There is a lot of talk about “amenity”. However, the Applicant has undertaken no analysis to determine the likely amenity needs of his residents. All of the amenity provision is defined not by their needs but by the manifest requirement to deal with the significant levels of run off. OCC has estimated that the estate will have 107 school age residents. They deserve more ‘amenity’ than a few tree stumps to jump on, an informal (i.e. token) kick about area across swales (n.b. goals not provided) and a drainage ditch (aka pond).

## 04

It is here the Landscape Officer make a crucial observation. She states that: ***“The existing frontage trees make a significant contribution to the special character of New Road.”*** The special character being, of course, the green gap to which you referred in your letter.

The Applicant’s response extends no further than to use weasel words. He states that *“many of the existing New Road frontage trees will be retained”*, or to put it another way as made clear in the revised access drawings, many will be destroyed. Whilst the result, a *“welcoming entrance to the site and street scene”* claimed by the Applicant is absolutely a matter for debate, what is not up for debate that is the *“special character”* of New Road has been irrevocably harmed.

Over and above the local policies with which this proposal conflicts, it is instructive to refer the NPPF. Paragraph 109 states that: *“the planning system should contribute to and enhance the natural and local environment.”* It specifically calls out the importance of *“valued”* or *“special”* landscapes or character. This proposal does not do this. End of.

## 05

At this point the Applicant addresses the officers comment that: *“the layout should be revised to increase the usability of the open space in order to comply with - Policy D1 Good design and local distinctiveness.”* The clear direction being that it fails to do so currently.

Here is the entire response from the Applicant:

*“The illustrative masterplan has been revised to include a large, multi functional green infrastructure link, and is presented on page 08/09 of this document. The revisions have taken account of the landscape and green infrastructure changes detailed above.”*

However, if this is the Applicant’s best effort, it falls woefully short and continues to fail the policy. Let’s make sure we understand what policy D1 requires of applicants and then let’s evaluate the application:

*“The principles of good design and the protection and reinforcement of local distinctiveness should be taken into account in all new development through:”*

POLICY REQUIREMENT	EVALUATION OF APPLICATION
(i) the provision of a clear structure of spaces;	<b>Pass.</b> (At least at a literal level.) We now have a clear structure: a mass of high-density development to the South and a bit of green to the North. Whether this is “good design” is a moot point. It is certainly contrary to the principles of “good design” advocated by the Applicant in his first submission.
(ii) respecting existing settlement patterns;	<b>Severe fail.</b> This proposal extends the existing settlement boundaries. Neither Fleet Meadow nor East Hagbourne has settlement patterns remotely near the level of density proposed by the Applicant. Indeed, the Applicant tells us he matches the density at Great Western Park. GWP is some miles away and is hardly an existing settlement pattern as the estate is still under construction.
(iii) providing for a choice of routes and transport modes to, from and within the development;	<b>Pass.</b> This is true. However, it ignores the overwhelming realities of the site that ‘choice’ is severely constrained by the fact that the location is unsustainable from a walking perspective and the design provides for bus stops for a non-existent service following the cuts announced by OCC.
(iv) providing a development that users find easy to understand through the use of landmarks, vistas and focal points;	<b>Severe fail.</b> The Applicant went into some lengths in the initial submission to “sell the vision” of the scheme. Works like “landmarks”, “vistas” and “focal points” were dropped in liberally. The Applicant seemed to have sacrificed his vision and principles in order to maintain the ability to secure the maximum profit from the creation of a 170 dwelling estate. The Applicant has chosen to “steal” most, if not all, of the green space that underpinned his original scheme and lump it all to the north of the site. Whilst the macro effect is easy to understand: a mass of houses here, a little bit of green there; at a living level, within the housing area it is certainly now not clear that “users” will find the development “easy to understand” with the loss of the previous focal points etc.
(v) providing landscape structure as a framework for new development;	<b>Case unproven.</b> To be fair, we are unclear what this policy means in practice.
(vi) respecting the character of the existing landscape;	<b>Severe fail.</b> The Landscape Officer has commented on the “special” character

	of the site. This proposal does nothing to respect the existing landscape.
(vii) respecting distinctive settlement types and their character;	<b>Severe fail.</b> As SODC's Planning Officer points out the proposal does not <i>"maintain 'a green gap' as ( I am sure you will agree) this can only be achieved with little or no housing"</i> . The consequence is coalescence between Didcot and East Hagbourne, which respects the distinctive settlement type and character of neither.
(viii) providing good quality site and building design and appropriate materials;	<b>Case unproven.</b> The Applicant fails to provide any additional information on this matter to that with his first application. At that time we highlighted the information was insufficient to assessment of the application on this criteria. It still is.
(ix) providing well-designed external areas.	<b>Moderate Fail.</b> The Applicant tells us his designs are indicative and that areas provide opportunities for interpretation so there is precious little substantive evidence that as to the design – well designed or otherwise – of external areas.

All of which raises the question as how we have arrived at this unpretty pass. The answer is principle. The driving principle behind the proposal is profit. The proposal therefore is an ugly compromise attempt to satisfy the Landscape Officer's comments, whilst seeking to continue to stuff the site with 170 dwellings.

If the driving principle had been "good design" or what the NPPF calls *"high quality design"* in paragraph 17, Core Planning Principles, the proposal would have been quite different in character.

**Consequently, this application is in fundamental conflict with both local policy (D1) as well as the NPPF.**

As the purpose of the outline planning application is to determine whether development on a site is possible, in principle, the only reasonable conclusion having studied both the original and revised proposals, is no, it is not. Ultimately the speculative principle of the application means it is forever destined to fail the principle of good design.

### **Summary of urban design officer consultee response**

In this instance the Officer has been very thorough. Therefore the comments in the main relate to details of such matters as external storage and car parking courts. We are confident that it might be possible to mitigate such issues, even if the Applicant has not done so in the revised submission.

However, over-arching the detail is a fundamental planning issue. This is called out in 5 (recommendation) where the officer is quoted as stating that the detailed

amendment are required in order to “*determine whether the number of dwellings proposed for the scheme can be accommodated to an appropriate standard of design.*”

The Applicant responds as follows: “*the revised masterplan retains 4.95 ha. net residential development area, 170 units would require an average net density of 34 dwellings per hectare (DPH). We therefore believe the number of dwellings proposed for the scheme (up to 170) can be accommodated to an appropriate standard of design that is reflective of the local character and context.*”

This response misses or chooses to miss the basic and fundamental requirement. Whilst the Applicant does the math to demonstrate that 170 dwellings can be fitted on to (“*be accommodated*”) the site, he merely asserts that an “*appropriate standard of design*” can be achieved. He offers no detail that would permit this assertion to be tested or “*determined*”.

However, the Applicant then makes his problem much worse for himself. He goes on to promise the Urban Design Officer more than they asked for. The Applicant promises to deliver dwellings of “*appropriate quality*” **and** to deliver a design that “*is reflective of local character and context.*” This is, put plainly, an empty promise. The primary motivation of the speculator is to achieve 170 dwellings. This drives his density (34 dph). This places him in total conflict to the “*local character and context*” which does not have densities at this level.

The only conclusion is that the Applicant has not been able to meet the Officer’s recommendation and therefore is in breach of policy of good design.

So what is the Urban Design Officer getting at regarding densities? This is, of course, covered in policy CSH2 (Density). This states “*the minimum density of 25 dwellings per hectare is designed to give more flexibility in sensitive locations such as village locations. Higher densities can be justified where there is access to frequent public transport services and a wide range of services and facilities, but it should not compromise living standards.*” At Grainger’s site there will be no public transport let alone frequent services. Likewise as demonstrated by Grainger’s own, if flawed walk isochrones, there are no walkable, let alone wide range of services and facilities. Therefore the only rational conclusion is that densities pitched at this high level compromise living standards.

At this point we’d like to make a comment about a matter of great import whilst acknowledging that it has limited impact on the specific application. The Applicant quotes the following remark from the Officer: “*In particular connecting the eastern end of the main vehicle route to form a loop along the southern boundary would be a big benefit to the scheme. While reinforcing the field boundary to the south of the site is a positive feature the scheme should also allow for potential connections to any development that may come forward in the future to the south or east of the site.*” And, of course, the Applicant is happy to oblige with the changes.

The Officer is being utterly disingenuous. It is well known to SODC that “development” **will** come forward to the south **and** east. It is being actively promoted by Nurton Developments. It is equally well known that Nurton currently has no access to New Road. Documents submitted to SODC on behalf of Nurton state that their access will be provided in “*collaboration*” with Grainger. There is no benefit big or otherwise to the scheme, the “*big benefit*” is to the owners of the scheme, Grainger PLC. Suddenly Grainger’s land uplift is made even more



significant by the Officer as Grainger can now provide access to their fellow speculator, Nurton (at the right price of course).

Let us be clear, a ring road absolutely does not “reinforce the field boundary”. The ring of houses and the measures requested to improve the design of the hedges reinforce the field boundary. It is also a blatant contradiction for the Officer to state that the ring road reinforces a boundary and permit connection between two sites at the same time. It can only do one, or the other, never both.

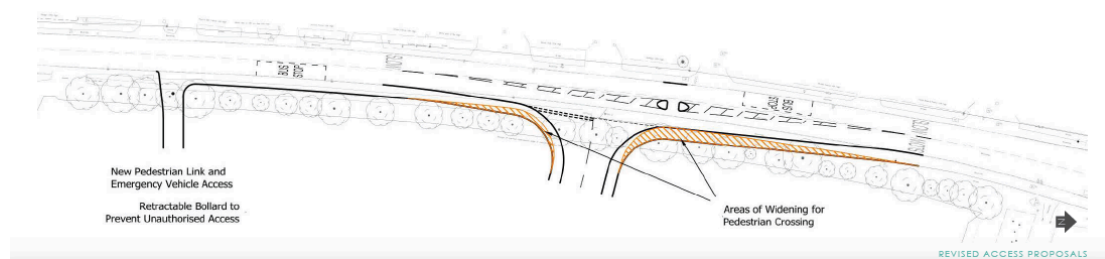
Unlike Great Western Park this is not stage one of a multi stage build out. **Neither** Grainger’s nor Nurton’s site is in the local plan. There is no policy to suggest that either should be allocated for housing. And thus there is absolutely no mandate in existence for an officer to facilitate or make such an eventuality more likely.

Whilst one Officer’s recommendation actively brings forward the likelihood of development on the site, SODC’s Planning Officer informs us that she is not permitted to consider the cumulative impact of both developments unless and until they are submitted. This is contradictory, prejudicial and completely unacceptable.

### Revised access plans

Given that the Applicant is seeking permission for access and not wishing for it to be considered as a reserved matter, we are disappointed that the information provided is so sketchy and apparently provisional.

One of the major issues for us is the harm to the “special” character of the New Road frontage. The various drawings and reports provided by the Applicant are difficult to reconcile with each other. The drawing included on page 18 of the Addendum certainly demonstrates that many more trees will be impacted that the Applicant then goes on to claim. This is an issue because the Applicant is obliged to increase the width of the New Road in order to ensure the correct visibility splays, include an island and provide for footpaths. Space is at a premium. So, however, are the trees.



Here is a provisional list of issues that the revised access plan raises that requires further review.

- The drawing provides insufficient technical detail for it to be accessed in any reasonable manner.
- No technical information is provided to demonstrate that the Emergency Vehicle Access is fit for purpose.
- The drawing indicates two bus stops for non-existent buses. Given the cuts that OCC has announced, no buses will be running along this road. As I am sure you know Thames Travel has confirmed that the service will be “reduced” from April 2016 and withdrawn from June 2016. Given the already



unsustainable walking isochrones, this will cause you to confirm the site is unsustainable from a transportation perspective.

- We are concerned about where the “island” is situated. Placing a crossing on top of a primary junction is a safety hazard. Particularly as OCC has now acknowledged that the Applicant’s TA has underestimated traffic volume that the site would be generated by 60%.
- A lightning scheme is required to accompany such major works: the Applicant has offered none. Any such lighting scheme would serve to create a major change to the character of the area and would, by definition, generate significant light pollution.
- Still, no road safety assessment has been undertaken by the Applicant.

A major consideration is that, stated above, the revised access plans trigger the requirement for a new LVIA.

We are shocked and disappointed that the Applicant has chosen to ignore the Landscape Officer’s pre application advice issued by SODC in a letter to Savills dated 20<sup>th</sup> July 2015.

“Highway works: Some development on greenfield sites end up requiring a lot of highway works to accommodate the new access points. This can have a significant impact on the character of the receiving street, particularly if it includes new road markings, signage, vegetation removal, new kerbing etc. If it transpires highways works will be required for this development then **this will need to be considered in a revised LVIA.** If significant numbers of frontage trees had to be removed for instance, this could cause a problem in landscape impact terms.”

The new access proposal absolutely demands and requires a new LVIA and this has yet to be provided by the Applicant.

One of the fault lines running catastrophically through the Application is that any attempt to mitigate one issue simply exposes an issue elsewhere. So here, an attempt to suggest the character of the area is preserved results in access arrangements that are unacceptable. However, an attempt to provide for acceptable access arrangements results in unacceptable changes to the character of the area.

### Character and appearance

The Applicant presents two lovely pictures of ‘the New Road frontage and pond.’ Who wouldn’t want to live in a place that looks like that? Sadly, they won’t be able to anywhere in East Hagbourne.

Decision makers should take note that there is a very material difference between an artist’s “impression” which visualizes a planned intention and an artist’s “invention” which imagines something that simply isn’t there.

Based on the revised masterplan, neither of the viewpoints of the artist impression exists. So whatever they are depicting it is not their application. Like so much else, it is willfully misleading.

### SUMMARY

Your letter of the 7<sup>th</sup> January tells us that the intent of the changes was – to “enhance” the proposal. You clarified this by adding, *“I specifically mean in relation to the proposal and not the existing situation.”*

Unarguably, any scheme will not be an enhancement on the existing situation (i.e. the Green Gap”). The harm significantly outweighs any benefits.

However, in order to assess whether the changes represent improvements in relation to the proposal, it is vital to also consider what is lost in making these changes.

Firstly, the applicant claimed initially that his plans maintained a “perceived” gap between East Hagbourne and Didcot. This pretense has apparently been dropped. The importance of this should not be underestimated. As the Landscape Officer stated, *“in order to avoid coalescence between the two settlements, it is important to maintain a recognizable gap between Didcot and East Hagbourne.”* So there we have it. It’s official. We now have coalescence.

The Applicant also stated in his initial proposals that *“Wide verges along New Road are a key feature and this should be continued along the frontage of the new development.”* This fiction is only now perpetuated in the artist’s impression but certainly not in the plans that have been submitted.

That leaves the question as to whether the Applicant has “enhanced” his own proposal. The debate can only be about fine margins and not about the necessary orders of magnitude required to make the proposal remotely acceptable. That leaves any possible “enhancement” to be so minor as to be immaterial.

Yours sincerely,

Nick Wright, [Mindthegreengap.org](http://Mindthegreengap.org)