



# Watlington Parish Council

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## **Appeal by Archstone Projects Ltd and Bloor Homes Ltd**

Reference: APP/Q3115/W/19/3222822

Application reference: P17/S3231/O: Land at Britwell Road, Watlington

### **WATLINGTON PARISH COUNCIL**

#### **Closing Statement:**

1. Watlington Parish Council remains very concerned that, in view of the proximity of the development at Britwell Road to the AQMA, the impact of the traffic associated with the development has not been assessed in accordance with the NPPF. We have taken no reassurance from the evidence presented by the Appellants.
2. The language of NPPF 181 is perfectly clear and we provided the Inquiry with an extract from a Court of Appeal judgement which says that the language in the NPPF should be given its ordinary meaning. In the case before the Inquiry the relevant policy is NPPF 181. This says: 'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.' We think that this clearly indicates that identified, individual sites in the local area, which are likely to have an impact on the Watlington AQMA should have been assessed as a group, in combination with the appeal site to ensure that there would not be an adverse impact on air quality on the Watlington community.
3. It appears to us that, while predicted background growth in South Oxfordshire has been calculated using Temprow software, the sites most likely to have a direct impact on Watlington have not been assessed together. At the very least, the edge road sites should have been assessed in combination.
4. It is interesting that Ms Coats (the Principal S106 Negotiator for OCC) said this morning that, in calculating the portion of costs for the edge road to be borne by the County Council and the developers, costs would be split on a 50% x 50% basis. This has been calculated in view of the level of traffic calculated to be 50% background traffic growth and 50% traffic growth from the development sites (including Site A but excluding the Beechcroft site) This is the first time that the Parish Council has heard evidence from OCC of the proportion of traffic expected to be generated by the sites in combination with a total of 413 new homes.
5. It seems clear to us that neither South Oxfordshire District Council nor Oxfordshire County Council has taken their statutory responsibilities for safeguarding our community from harm from air pollution seriously.

6. SODC has been unable to provide evidence of the sites which were included in the edge road study carried out by Ricardo E and E and appear not to have made a basic check that the data used for the traffic figures were correct. Even so, the conclusion of the report is: 'In 2024, no exceedances are expected. However, despite predicted improvements in vehicle emissions in future years, increases in traffic flow mean that NO<sub>2</sub> concentrations will likely remain within 10% of the No<sub>2</sub> objective' and, finally, 'This study shows that without the proposed edge road, little or no improvement in air quality will occur between now and 2024, and NO<sub>2</sub> concentrations will remain close to or exceeding the annual mean objective set for the protection of human health'. We simply cannot understand how this evidence could have led to the withdrawal of the Council's stated objections to the application that it would cause severe harm.
7. It is clear from the notes of the meetings between the County Council and the Appellants that County Council officers confirmed that the Appellants did not need to assess the traffic impact of their site in combination with any others. There were absolutely no references at all to the possible impact on the AQMA until much later in the series of meetings.
8. We are unable to understand the County Council's decision to withdraw their objections to the application, which were also that it would have a severe impact on Watlington, on the basis of the proposed parking scheme. Unfortunately, Ian Marshall was unable to answer questions on this at the Inquiry. OCC has consistently referred to this scheme as 'mitigation' for the impact of traffic from the development. In that case it should definitely have been assessed in the context of its impact on air quality so that clear evidence of its benefit was provided. This has not happened.
9. What we are left with is a scheme which is intended to smooth the flow of traffic through the AQMA until such times as the edge road is completed and in use but which has not been assessed in terms of its benefit to air quality. This scheme has not been discussed with the parish council at all. It is as though the experience of the people who know Watlington and live and work here is irrelevant. However, we can tell the Inquiry that the scheme has no hope of being effective. Theoretical modelling may be a very useful tool but however sensitive it is it cannot possibly, accurately, replicate what actually happens day in, day out in the town. We have seen that the movement of HDVs through Watlington was difficult to replicate and so the 'oddities' were removed from the VISSIM study. We were assured that this was corrected at later stages of developing the model but we have seen no evidence of that. We are asked to take it on trust. Two days observations of traffic moving through the town does not replace a lifetime's experience.
10. I refer to the email from Mr Davis on 14<sup>th</sup> October 2019, Senior Transport Planner OCC which was made available to the Inquiry yesterday afternoon. It says 'I would have preferred it (the validation model of the VISSIM model) to have used better validation data, but in the time available the County position is that the model is considered to be fit for purpose for its proposed useage.' It goes on to say: 'The main outcome is that they showed in the model that removing some parking bays offers some mitigation for their site in the future year, which I think OCC has accepted as a temporary measure before the relief road is built.' Mr Ormandroyd, for SODC confirmed that the VISSIM study shows that the scheme is adequate but did not fully represent the cumulative impact of all the Watlington sites.)
11. One of the key issues which does not seem to have been addressed at all is how the enforcement of the part time parking restrictions will be done. Clearly, if the scheme is to

work as intended, the parking spaces will have to be vacant during the morning and evening peak periods. It is simply unrealistic to imagine that this will happen.

12. In addition, the safety audit carried out for the parking scheme identified a risk of increased traffic speeds which could result in accidents – there is a zebra crossing ‘in the way’ which is used by children going to and from the schools in Love Lane. The proposed solution is to remove on-street parking which provides a physical chicane to slow traffic down and replace it by speed cushions. We know exactly how speed cushions work in Watlington because there are some in Britwell Road. It is common knowledge that they are totally ineffective for larger cars and all commercial vehicles.
13. We are at a loss to understand how the County Council could have removed its serious objections to the application on the basis of such an unrealistic scheme. Presumably the scheme will have to be consulted on before it is implemented. There will be strong objections to it from the town.
14. As we have made clear, the Parish Council is now working to deliver its Neighbourhood Plan – a Plan which has been recognised as providing an exemplar of good practice as it is based on an integrated scheme for housing and infrastructure. We welcome the scheme proposed by the Appellants and have told the Inquiry that we have been able to work very constructively with them during the planning application process.
15. However, as we have made clear, we cannot support the development going ahead in its entirety before the essential infrastructure is in full use.
16. Mr Kimblin asked us how we could reconcile the numbers of new homes if we insisted on Grampian conditions limiting development on all the edge road sites to about one third, given that that number would not be far from the 183 on the Britwell Road site. The answer, of course, is that, in that case, all the edge road sites would be coming forward together.
17. We know that Grampian conditions are acceptable to Providence Land, the promoter of the other sites along the edge road route. We also know from the notes of the meetings between the Appellants and the County Council that there were several discussions about the possibility of agreeing similar conditions for the Britwell Road site.
18. All we are asking for is a reasonable limit to the Appellant’s development until the edge road is fully in place.
19. If this is agreed, it will be a fair outcome, with both the Watlington community and the developer taking a share of the risk that the edge road may not be delivered within the time scale which we are all hoping for.
20. If the development can proceed without that safeguard, all the other proposed developments along the edge road route will be able to proceed in the same way. There is no doubt about this as it has been confirmed by SODC that, as they have not made any objections to the Britwell Road site on air quality and traffic impact grounds, these will not be put forward on the remaining sites.
21. What we are now faced with is the possibility that the Watlington Neighbourhood Development Plan will be not worth the paper it is written on. That does not just have significance for our Plan but for all Neighbourhood Plans. If they can be set aside so easily

what was the point of giving communities a say in where and how development in their area should be planned.

22. What the Parish Council wants is a successful delivery of its Plan with a continuing constructive relationship with all the developers who are our partners in making that happen.

18.10.19