

**Minutes of Chilton Parish Council Meeting held on Wednesday 7th October 2015 at
8.00pm in the Village Hall**

Present	Mr C Broad Mr R Beech Mr F Dumbleton Dr S Druce Mr R Girling Mr J Lewis Mr B Morris Mr M Urso-Cale	Chairman
	Mr R Waite	District Councillor
	Mrs M E Morris 12 members of the public	Parish Clerk

1. **Apologies for Absence** were received from Ms J Shelley and Mr S Lilly.
2. **Declarations of Interest** None
3. **Open Forum**
 - (i) Mr Softley complained about the roadworks on the A4185 that are due to start as this is the diversionary route whilst Hagbourne Hill is closed. It was explained that the works have to fit into the budgetary period. There was considerable discussion regarding roadworks, road closures and diversion routes. The Clerk will let Mr Lilly know the concerns of the Meeting.
Mr Softley asked if the floodlights on the northbound slips construction area should be on at night.
 - (ii) Mr Woods noted that there had been a closure of the southbound slips but Highways England had not notified the Parish Council. Clear signage of no access to A34 is needed when the slips are closed.
 - (iii) Mr Woods said he had been to All Saints Churchyard to look at the path work, he asked if planning permission had been applied for as two of the graves were affected. The Clerk explained that a Faculty had been granted by the Diocesan Advisory Committee.
4. **Minutes** of the last meeting were signed as a true record.
5. **District Council Report**

Mr Waite said that :-

 - (i) It is reported that the paddock on Lower Road has been sold but it is possible that the new owner will submit a planning application for houses on the paddock. It was explained to the public at the meeting that there is a due planning process and the Planning Department cannot just refuse an application without going through this process. Mr Waite was asked to record with the Vale the significant concerns of Chilton residents about the planning process that favours developers and particularly the way the Lower Road application is being handled.
 - (ii) The McCloskey yard application is now due to be heard in October.
 - (iii) The application for houses adjacent to Pond Cottage has been withdrawn but is likely to be re-submitted.

- (iv) Mr Waite was asked if he had contacted the Vale's Land Registry to have a Grampian Condition attached to the Manor Close permission. He confirmed that he had.
- (v) There are three Enforcement Investigations ongoing; Warren Piece, and two for Chilton Field.
- (vi) This year the Chairman's Community Awards will be presented at the Beacon in Wantage on Saturday, 28th November starting at 12 noon. Cllr Mike Babcock is seeking nominations for the awards and nominations can be of any age.
- (vii) Starting from 6th October textiles or clothes that are not good enough for charity shops can be put out with the green bins, they need to be in a bag alongside the green bin.
Small electrical items can be collected with the grey bins. They also need to be placed beside the bins.
A one off extra garden waste can be left out with the brown bin; it needs to be in open sacks or re-usable bags.
- (viii) The developers of the Valley Park development in Harwell have applied for an increase in housing from 2,550 to 4,450.

Mr Waite left the meeting at 8.55pm

6. County Council Report

From the written report it was noted that:-

- (i) Work on the 2016/17 Budget is underway.
- (ii) There is to be a full public consultation on the future of children's centres and early intervention centres.
- (iii) The County Council is talking to partner agencies to see what can be done to accept Syrian refugees.
- (iv) The High Sheriff's 2015 Community Integration Award is a special award that is intended to provide support for projects that foster or encourage integration between different groups in Oxfordshire and is now open for applications.

7. Planning

(i) Applications Considered by the Parish Council

Application to construct an all-weather ménage, enclosed with post and rail fencing (22x40 metres) Private use. Middle Paddock, land behind The Paddock Chilton P15/V2054/FUL

Comments

Chilton Parish Council does not object to this application but would like the following conditions attached to any permission.

Irrespective of the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and any subsequent revision, the application site area and development permitted, shall only be used for private recreational equestrian purposes and shall not be used for any other purpose including commercial riding, breeding or training.

Prior to the commencement of development details of surfacing of the ménage shall be submitted to and approved in writing by the Local Planning Authority. No structures shall be taken into use before the surfacing of the ménage has been constructed in accordance with the approved scheme.

The ménage lighting shall only be used between dusk and 19.30 hours Monday to Friday unless otherwise approved by the Local Planning Authority on an application made for that purpose.

Application for two storey rear extension, front porch and internal alterations 12
Severn Road P15/V2237/HH

Comments

No objections

Application for erection of up to 40 dwellings with associated means of access, car parking, new footpath links, amenity space and landscaping. Land off Hagbourne Hill P15/V2199/O

Application in circulation.

Application for 58 dwellings with associated means of access - amended application received 20 August 2015 McCloskey Equipment Ltd Kings Yard upper Farm Road. P14/V24620/O

Comments at end of minutes.

(ii) Applications Determined by the Vale

Withdrawn application - Erection of 7 two storey dwellings, land adjacent to Pond Cottages, P15/V1469/FUL

Permission to extended Cottage at Ridgeway Farm. To provide additional kitchen space and additional bathroom and dressing space. The cottage at Ridgeway Farm. P15/V1836.

Permission to remove existing upvc conservatory and construction of a new replacement oak framed structure to provide dining room and utility space. Additional single storey extension to provide an extended kitchen. Various minor internal alterations. Ridgeway Farm. PV15/1837/HH

Permission for the temporary siting of 4 no. caravans for 12 months commencing 19.02.15 - 19.02.16 Gore Hill Farm Newbury Road P15/V1726/FUL

8. Matters Arising

(i) Horses

The Clerk emailed PCSO Jennings re the loose horse on footpath. Mr Broad also contacted the British Horse Society, horses can be lead along a footpath but should be done in a safe manner.

(ii) Chilton Field

DWH have commenced the adoption of the roads by OCC. Geoff Barrow from DWH is proceeding with the list of work produced by the Parish Council and the Clerk has asked for a meeting on Site fairly soon. The solicitor has received a copy of the transfer deed for the Community Room and Toddler Play Area. The Clerk is checking that the transfer can be carried out separately from the rest of the Public Open Space and whether the equipment needs to be checked by RoSPA. Mr Girling asked for information re the work on the roads so that residents can be informed.

(iii) Chilton Field Equipped Activity Area

Mr Broad reported that four Invitations to Tender had been sent out. The deadline is 9th October, the Working Party will meet after the deadline.

(iv) Lockable Stanchion

A handyman needs to be found to try and repair the stanchion.

(v) Cricket Board

The Clerk is waiting for the piece of wood from Mr Hemsley.

(vi) Neighbourhood Plan

The Neighbourhood Planning Liaison Officer is still to be contacted. A very helpful report from Dr Druce has already been circulated and also a copy of the presentation by the Vale.

- (vii) Play Equipment
Wicksteed to be contacted re the swing chains. Dr Druce agreed to do a weekly check on the play equipment to ensure it had not been stolen or vandalised.

9. Finance

(i) Expenditure

Cheques

67. Came & Co - Insurance renewal	2326.68
68. South and Vale Carers Centre - donation	35.00
70. Mrs Morris - September salary	314.06
71. L.Rees - Chronicle 418	63.86
72. Berinsfield - August grass cutting	325.68
73. Thames Water - allotments	12.17
<u>Total</u>	<u>3094.28</u>

Petty Cash

5 weeks litter clearing 50.00

(ii) Income

Precept 11542.00

Balances

Treasurers Account 500.00

Instant Access 87992.80

Business Account 10179.05

Petty Cash 50.00

- (iii) Prior to the Meeting the Clerk circulated a Budget Report, it was noted that the insurance renewal had come in under budget and also the Election expenses. The remainder of the Budget was on track.
- (iv) A request for a donation has been received from Oxfordshire Association for the Blind, it was agreed to donate £35.00
- (v) Work has started on the church path, it is possible that the contractor will be able to put waste pea gravel on the muddy area outside the back gate. The Clerk is meeting with the contractor and Mr Gibson on Thursday. It was agreed to spend up £250, if it is more Clerk to contact the Chairman first.
- (vi) Mr and Mrs Hillier are giving up renting the Lower Road paddock from the end of October. It was agreed that the paddock will be rented out again and rental prices to be investigated.

10. Village Hall Management Committee Report

Main a/c £1027.93; Instant Access a/c £5000.41; Community Room a/c £166.62.

Mr Morris reported that a snagging list had been compiled with Steve Wolstenholme and the list had been sent to Fennell Blake to work through. A Halloween party has been booked for 30th October similar to last year's.

11. Report of Meetings Attended

Mr Broad and Mr Dumbleton attended the Vale Local Plan Examination in Public. The Examination has been split into two parts, Stage One to look at the total number

of houses, to see if the SHMA is sound. The Examination was considering the main strategic issues in the Vale's Draft Local Plan 2011 – 2031. Stage 2, which will probably be next year, will examine the individual sites if the Inspector considers the Plan is sound and needs to be taken forward. Although Stage 1 was not intended to discuss individual sites there was some discussion regarding the Harwell Campus and the AONB.

If the EiP goes to Stage 2 then Parish Council will need to do a survey of Chilton Field to find out where people work.

12. Play Equipment Inspection

Mr Beech carried out the inspection. Previously Mr Lewis had tried to tighten one of the bolts on the wooden climber, the bolt broke so the rope has been removed. The manufacturer to be contacted. The spring on the toddler area is not working. Next inspection is Mr Broad.

13. Correspondence

From the circulated list it was noted:-

- (i) The Vale is holding a Town and Parish Council Forum on 16th November, Mr Broad and Mr Lewis to attend.
- (ii) A letter had been received from a Chilton Field resident objecting to the proposed application for a Far Field Antenna Test Facility on land adjacent to Upper Farm. The Parish Council will wait until an application has been submitted.
- (iii) An email had been received from Mr Hale asking if the logs on the A34 slips construction site could be delivered to the Village for people to cut up and use. It was agreed that some of the logs would be useful but not all were suitable for log fires. The best place for them to be left would be the Village Hall car park. Mr Beech will liaise with the contractors regarding delivery and which logs are wanted.

The Chairman closed the meeting at 10.05pm

Planning Comment

Amendment No. 2 to Application for 57 dwelling with associated means of access. McCloskey Equipment Yard. Upper Farm Road P14/V2460/O

Comments

Chilton Parish Council maintains its objection to the original application as these have not been in any way addressed by the new documentation. This Council continues to object to the application for the following reasons, which comprise a comprehensive update on its response:

1. Major development in rural AONB area with no exceptional circumstances:

The site is located entirely within the North Wessex Downs AONB boundary in a visually prominent position, outside any settlement. Although the applicant's D & A statement cites the general presumption in favour of development, no reference is made to Paragraph 14 (Footnote 9) of the NPPF, which confirms the "presumption" in favour of sustainable development does not apply in AONBs because of the restrictions applied by paragraphs 115 and 116 of the NPPF. This is because AONBs' special landscape and public enjoyment role make them a safeguardable national asset. The explanatory NPPF Guidance is also clear on the matter (6.10.14), having been specifically amended to state:

"The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies

*include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, **an Area of Outstanding Natural Beauty**, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion.”*

The NPPF Guidance also confirms that “major development” is a matter for the Local Authority to decide on and should be based on local context. In the case of this application, it is considered because of the sensitivities of this nationally protected landscape that this development should be considered to be “major”. Accordingly the NPPF (Paragraph 116) advises the starting point for applications of this nature is that they should be refused.

It should be noted that the legal duty to protect the AONB applies *inter alia* to all local authorities and the protective original enabling legislation for AONBs has been reiterated and reinforced by further regulation and protection in the CRoW Act 2000. Again, the NPPF recognises this, confirming (NPPF para 115) that “great weight” should be given to conserving and enhancing the landscape and character of the AONB which “have the highest status of protection in relation to landscape and scenic beauty”.

There is thus no presumption in favour of sustainable development for a speculative major application like this in an AONB and no exceptional circumstances.

In summary, the amendments proposed do nothing to address this objection in principle to urban development on this site. The proposal would extend the built up area of Chilton into an area of open countryside at the village edge and which forms part of the North Wessex Downs Area of Outstanding Natural Beauty. The proposal would represent a visually intrusive form of development in the Area of Outstanding Natural Beauty that would fail to protect and enhance this valued landscape. No overriding exceptional circumstances have been presented which demonstrate that the development is in the public interest whereas great weight is given to conserving the landscape and scenic beauty of the area. The proposal is contrary to saved policy NE6 of the adopted Vale of White Horse Local Plan (2006) and contrary to paragraphs 109, 115 and 116 of the NPPF.

2. Landscape impacts

Both the North Wessex Downs AONB Unit (WH Landscape Consultancy Ltd March 2014) and the Vale of White Horse District Council’s own retained consultants (Hankinson Duckett Associates July 2014) have confirmed the unsuitability of this location to accommodate new residential development due to the level of landscape impact and change of character on the nationally protected North Wessex Downs AONB, from key receptors including the Ridgeway National Trail and other rights of way in the locality.

The site is outside any settlement boundary and for the reasons described above in objection (1) would not be included in any future settlement boundary.

The site is less than 10% developed, the remaining >90% comprising pasture-arable farmland with associated coppice/hedgerow. The developed part comprises an originally agricultural barn with associated outbuilding and yard, all post-dating the AONB’s establishment in 1971. The barn’s present storage planning category was only been regularised by the issue of a post-facto certificate of lawfulness. New housing development in this location would therefore result in a substantial negative urbanising impact and extend the present relatively contained development beyond into the open countryside.

3. Sustainability & infrastructure problems

a) Waste water disposal and water supply inadequacy

Chilton has a long recent history of wastewater disposal inadequacy so it fully endorses the comments submitted by Thames Water in their 1 September 2015 response.

“*Waste Comments:* Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. **“Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local**

planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed”.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

Water Comments: The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

Supplementary Comments: The receiving foul sewer may not have sufficient spare capacity to accommodate the predicted net foul flow increase from the proposed development. Thames Water request that an impact study be undertaken to ascertain, with a greater degree of certainty, whether the proposed development will lead to overloading of existing infrastructure, and, if required, recommend network upgrades.”

Like all water utilities, Thames Water’s expenditure on infrastructure projects is controlled by its Asset Management Plan as approved by OFWAT in its 5-yearly price control negotiations. The current 5 years term is in its infancy but predates this application so by definition contain no current plans for such wastewater or potable water infrastructure upgrades, the application is made on the basis that this authority cannot presently demonstrate a 5-year land supply. Thames Water has identified the inability of the existing waste water, water supply and receiving sewer infrastructure to accommodate the needs of this application. In the absence of any assessment by the applicant to demonstrate otherwise or that mitigation can be provided in a reasonable time frame. This Council is of the opinion that the development is not deliverable within a 5-year time frame. Consequently the development lacks justification and is considered contrary to policies GS1, H11 and DC8 of the adopted local plan and paragraphs 17 and 70 of the National Planning Policy Framework.

b) Primary School provision inadequacy

Chilton Primary school is beyond full capacity, being unable to cope with a catchment (that now includes Chilton Field) either at present or even when out-of-catchment attendees pass out of the system by 2017. In this respect the Parish Council supports Chilton Primary School’s comment: “Chilton CP School is already full and oversubscribed; pupil numbers have increased significantly since the building of the new Chilton Fields estate. The mix of housing shown on the plans is likely to attract further families to the area which will add to the existing pressure on school places. This may result in children living in Chilton village not being able to obtain a place at the school thereby leading to additional traffic (at peak time) when these children are driven to other schools”.

An additional factor is that as access to the site is poor on narrow roads, additional traffic immediately adjacent to the school is inappropriate. As Chilton School is full, any children at any new dwellings will need to be driven elsewhere to school. Simply widening a short stretch of Upper Farm Road would not address these infrastructural problems. The community is already finding it a challenge to integrate the 80% increase in village population resulting from the Chilton Field development, and further controversy over school places will make the task even greater.

c) Road infrastructure inadequacy

There are significant access problems for this site. The proposed amendments to the main access and addition of a secondary entry/exit road further along the single-lane Upper Farm Road aggravates the access problem rather than resolves it. Access matters are particularly important for

this site because the main pedestrian route for parents and children from Chilton village to Chilton Primary School passes the access point.

The Planning Statement seriously underestimates the additional traffic movements. 58 new dwellings will realistically generate more than 26 additional journeys a.m. and 28 p.m. (Car ownership will probably be at least two per household). The access to the site is poor and both Newbury Road and Downside are not adequate to sustain the additional traffic. At school outmuster Newbury Road, Downside and Chilton Field Way are completely filled with parked cars and even exiting the Garden Centre is difficult. The junction of Chilton Field Way and the A4185 is already causing problems, which can only get worse after the A34 northbound slips are in operation.

d) Community facility inadequacies

In the absence of a S.106 agreement relating to the provision of affordable housing and financial contributions towards sport and recreation facilities, open space provision and maintenance, footpath improvements, education, street naming and waste collections, the proposal would place increased pressure on these facilities and fail to provide the social, recreational, and cultural facilities and services the community needs. This is considered contrary to policies DC8 and DC 17 of the adopted Local Plan, policies CP7 and CP24 of the emerging Local Plan 20131 - Pat 1 and paragraphs 17 and 70 of the National Planning Policy Framework. A comprehensive S106 agreement is a required condition.

4. Site-specific comments

- (i) The design and access Statement correctly refers to Chilton as a small village, which under both the Local Plan 2011 and the emerging Local Plan 2031 would exclude it for major development. The site falls outside the existing settlement boundary neither is it adjacent to any other housing development in the village
- (ii) There is an attempt to show this development as an improvement compared with the existing site e.g. the removal of existing storage buildings on <10% of the site; this is not a material consideration. Similarly, historic field boundary loss (a result of the applicants' own previous subdivision) is referenced but it is not a consideration as this application would anyway seek to remove it entirely from an agricultural use.
- (iii) The planning Statement fails to address AONB issues, having the appearance of a document crafted only to satisfy strategic planning matters at VWHDC level whilst skipping over the actual planning constraints for this site. A 5-year housing supply shortfall should not be the determining factor and stressing this ignores the wider implications arising from the fact that this site does not conform to the strategic allocation sites described in the emerging Local Plan.
- (iv) The references to the new Chilton Field development are irrelevant and purposely misleading as this Harwell-Oxford campus development is substantially located on land previously used for housing plus a remediated formerly-contaminated brownfield site within an industrial/science complex that pre-dated the AONB legislation and its establishment in this area.

Summary

In summary, the Council considers that there are significant material considerations for refusing this application for a major housing development in the North Wessex Downs AONB outside existing settlement boundaries in a visually sensitive setting. We see no exceptional circumstances in its mitigation and consider it should be **refused**.

Appendix: Additional comments on application support documents reports:

Environmental Desk Study and Preliminary Risk Assessment Report

We endorse the comment submitted by Andrew Wells of the AONB that the recently submitted Environmental Desk Study completely fails to even identify the recently completed Chilton Field estate, stating that there has been little change up to 2014! The report also fails to identify the formerly contaminated Southern Storage Area, which now forms the public open space to the

north-west of that site. Nor does the Environmental Desk Study identify the effects of groundwater pollution from the Western Storage Area. It appears that the authors of the Environmental Desk Study may not have understood its context in relation to the former uses of what is now Harwell Innovation Centre and the potential for further pollution.

Of particular concern to the Council is possible near-surface and subsurface contamination of the buildings and yard area of the proposed site that have a storage and distribution land use approval but which in reality have been used by the tenants industrially for heavy road construction machinery commissioning, servicing, repair and cleaning. This use is quite accurately described and illustrated in Section 3.1 of the report and the resultant pollution risk assessment using an industry-standard source-pathway-receptor algorithm and assessment matrix is described in Section 10.

The assessment's conclusions indicate medium risk in more than half of the 7 source-pathway classes for construction phase activities and medium to high risk in more than half of the 13 source-pathway classes for future permanent occupation/occupants of the site.

It is probably for this reason that the entire area of the present buildings and yard are proposed public open-space or (garden-free) apartment block in the proposed outline plan. The Council is not satisfied that merely a pollution risk assessment desk study is sufficient safeguard for either the public use or the residential use of this part of the site and is of the opinion that a contaminant site investigation is a logical and necessary further step to safeguard any future residential use of the site.

This should be a condition imposed at the current stage of the planning application.

Landscape and Visual Appraisal document

Paragraph 2.16 states:

2.16 *It should be noted that there is a precedent of recent major development inside the AONB immediately adjacent to the site at Chilton with the recent granting of planning permission for large scale residential development 'Chestnut Fields' (Planning Applications Refs: P11/V1557/RM and P11/V1643/RM) which is currently being built out by David Wilson Homes. There are also a number of other strategic allocations adjacent to the site which the council intends to bring forward through the new Local Plan.*

The Chilton Field development (also known as Chestnut Fields) has a long planning history of which the authors of the report may be ignorant. It was granted planning permission because there was an existing housing allocation dating back to the development of prefabs close to the Chilton Field site in the 1940s. These were vacated in the 1970s and 1980s, and the site designated for 275 houses in the early 1990s. However, with the development of the Diamond synchrotron early in the 2000s it was agreed that the former prefab site was too close to the synchrotron, as housing on the site might be a constraint on the future development of Big Science.

Consequently the Chilton Field housing allocation was moved to a brownfield site at the edge of the UKAEA site, known as the Bomb Dump. Part of resultant housing site had been used, during the Second World War for storage of munitions and subsequently for the dumping of hazardous chemicals and some low-level radioactive materials. It was extensively remediated between 1995-2005. When the planning application for Chilton Field was being negotiated the VWHDC planning officer, Geraldine LeCointe, expressed the opinion to Chilton Parish Council that the development in the AONB would not have been permitted, but for the historic housing allocation on the former prefab site which occupied a part of the new development.

Therefore it is not a precedent for agreeing the current application.

Plan EDP 3: Findings of Visual Appraisal

This refers to :

Broad panoramic view which includes Didcot (sic) Power Station, Harwell Research Centre, A34 and surrounding settlements.

The cooling towers, chimney and turbine hall of Didcot Power station are visually intrusive and scheduled to be demolished by 2016. Reference to them suggests the compilers of the appraisal lack local knowledge, making their conclusions suspect.

Photo viewpoint EDP 2 View from POS looking south

The POS referred to here is not a POS, but private land owned by UKAEA. This is another case where the compilers of the appraisal have betrayed their ignorance of local factors.

Photo viewpoint EDP C View from POS off Newbury Road, looking south

McCloskey's yard is clearly a visual detractor which does not provide positive contribution to the AONB.

This comment is breathtakingly arrogant, because it points to the containers which have been placed there without planning permission, and which VWHDC has failed to enforce removal of, despite Chilton Parish Council making complaints about them.