



Chairman: Mr Roger Faulkner
Clerk: Mrs Fay Friend
Tel: 01993 357851
Email: fayf.fpc@gmail.com
Address: Freeland
Witney OX29 8AN

FAO Joan Desmond
Planning Department
WODC
Elmfield
New Yatt Road
Witney OX28 1PB

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Dear Joan

**Re: 22/03356/FUL – LAND EAST OF WROSLYN ROAD, FREELAND, OXFORDSHIRE.
Development of 80 residential dwellings (Use Class C3), community shop/cafe (Use Class E),
allotments and site access, plus open space, drainage, landscaping and associated engineering
works.**

1. Thank you for allowing our Parish Council extra time to discuss the above planning application and submit our comments. Following scrutiny of the proposal and lengthy discussion, we agreed the following response at our Parish Council meeting on Monday 13 March.
2. Freeland Parish Council **objects** to application 22/03356/FUL for reasons relating to both the principle and detail of the development. The specific grounds for objection are:
 - 2.1. **Inappropriate location:** The proposed development site is in an area of Freeland which is looser-knit, and punctuated by green space and more historic buildings, making it distinct from the more modern and/or built-up areas to the north of the village. The 'housing estate' form and scale of this development in this location would create coalescence between the disparate parts of the village, damaging the overall character and distinctiveness of Freeland.
 - 2.2. **Inappropriate scale:** The addition of 80 houses would add around 13% to the population of the village in one go, placing a burden on the limited village amenities and infrastructure. It would generate an increase in vehicle movements of around a third, harming the tranquil rural character of the village.
 - 2.3. **Detrimental effect on landscape character:** the development involves a high magnitude of change to the existing landscape with little attempt made to use the opportunity to enhance the local setting both in terms of landscape and biodiversity.
 - 2.4. **Poor building design:** The proposed building designs are unimaginative and at odds with the surrounding dwellings in what is the most historic part of Freeland. The result would be far removed from the 'beautiful' developments to which the updated NPPF aspires.

- 2.5. **Lack of information on external building materials:** The level of detail supplied by the Applicants regarding external building materials is insufficient to determine appropriateness or impact. Specific materials, colours, styles, sizes and provenance should have been included in this full planning application as they are critical to assessing the suitability of the proposal.
- 2.6. **Lack of clarity/viability regarding the proposed shop:** The Applicant has made much of the proposed 'community shop' – yet they have not explained its ownership and operational model, which is critical to assessing its potential value and long term viability.

Context

3. We have reviewed a number of policies in the West Oxfordshire Local Plan 2031 to inform our position. These are:
 - 3.1. OS2 – Locating development in the right places, ensuring villages have only “limited development” which respects the village character and local distinctiveness.
 - 3.2. OS4 – High quality design, ensuring new development respects the character of the locality, contributes to local distinctiveness and, where possible, enhances the character and quality of the surroundings. The policy also states that development should conserve or enhance areas, buildings and features of historic, architectural and environmental significance.
 - 3.3. OS5 – Supporting infrastructure, which ensure that new developments deliver or contribute in a timely manner towards essential supporting infrastructure.
 - 3.4. E5 – Local services and community facilities, stating that the development of local services and community facilities to meet local needs and to promote social wellbeing, interests, interaction and healthy inclusive communities will be supported.
 - 3.5. EH2 – Landscape character, meaning development that conserves and enhances the quality, character and distinctiveness of West Oxfordshire’s natural environment, including its landscape, cultural and historic value, tranquillity, geology, countryside, soil and biodiversity. New development should also avoid causing pollution, especially noise and light, which has an adverse impact upon landscape character and should incorporate measures to maintain or improve the existing level of tranquillity and dark-sky quality.
 - 3.6. EH8 – Environmental protection, including safeguarding against artificial light, noise and pollution.
 - 3.7. EH9 – Historic environment, stating that all development proposals should conserve and/ or enhance the special character, appearance and distinctiveness of West Oxfordshire’s historic environment.
 - 3.8. EH11 – Listed buildings, which states that the setting of historic buildings should be respected.
 - 3.9. EH13 – Historic landscape character, in terms of applications that affect the historic character of the landscape including the impact on the pre-existing historic character and the degree to which the form, scale, layout and external appearance of the development conserves or enhances the special character of its surroundings.
 - 3.10. H3 – Affordable housing, where housing mix and tenure will be responsive to identified local needs and site specific opportunities.
4. We have also considered the precedents set by planning appeal decision APP/D3125/W/22/3301202 issued on 18 January 2023 which dismissed a proposed development directly opposite this intended site. The relevance of this appeal decision should be clear, given its very recent nature and the proximity of the two sites.
5. We fully acknowledge the current lack of a 5-year housing land supply (HLS) in West Oxfordshire, and the consequent application of the ‘tilted balance’ of the National Planning Policy Framework (NPPF – paragraph 11d). The tilted balance means relevant policies of the Local Plan are classed

as 'out of date' and can therefore be afforded less weight, with a presumption in favour of permission being granted for sustainable developments except where significant and demonstrable harms outweigh the benefits. However, appeal decision APP/D3125/W/22/3301202 provides useful guidance on the effect this might have on the relevance of the WODC Local Plan 2031 policies referenced in paragraphs 3.1 to 3.10, stating in paragraph 67: *"The out-of-datedness of the most important policies, however, does not alter the statutory primacy of the development plan nor indicate they carry no weight."* Hence, we consider the WODC Local Plan 2031 still provides a relevant framework for our position and the policies referenced in paragraphs 3.1 to 3.10 still carry weight – particularly where they pursue good design and require new development to respect the intrinsic character and quality of an area.

6. Lastly, we reviewed the updated NPPF published on 20 July 2021, which details (throughout Section 12) its aims to 'put beauty at the heart of the planning system'.

Reason 1: Inappropriate location

7. Freeland comprises two distinct parts lying either side of the village 'centre' where the village hall and pub and a number of listed buildings are located. North of this area, the village is typically more built up and includes a number of modern housing developments. South of the village centre there is a looser-knit arrangement of housing, punctuated by green spaces which also act as wildlife corridors.
8. This village character was specifically noted in appeal decision APP/D3125/W/22/3301202 referenced in paragraph 4, where the Inspector stated that the southern area of Freeland was characterised by *"...a verdant punctuation where the instances of built form decrease, and the route is framed by the tree and hedgerow boundaries of undeveloped fields either side."* She contrasted this with the northern part of Freeland where there is a transition to: *"...the main body of the settlement, distinguished by a more regular concentration of built form and a ribbon-like development pattern."* Furthermore, she noted that: *"The discernible separation between the two distinct portions of Freeland is aided by undeveloped areas, numerous impressive trees, intermittent views towards the wider undeveloped countryside. The notable absence of street lighting at night reinforces a sense of tranquillity and rurality, which, together with an overall sense of spaciousness, underpins the form and local character of Freeland as a modestly-sized, distinctively rural village."*
9. The site of this proposed development is currently one of those 'verdant punctuations' that characterise Freeland's distinct settlement pattern. A development of this scale on this site would result in coalescence of the two distinctly separate parts of the village and would therefore conflict with the following policies in the Local Plan: policy OS2 as it fails to respect village character and local distinctiveness; policy EH2 as it does not respect local landscape character comprising the open spaces in this part of the village; and policy EH13 which relates to historic landscape character.
10. There are ten listed buildings in Freeland, all of which are either in the historic core or the southern part of the village, with two directly opposite the proposed development site on Pigeon House Lane. We therefore also have significant concerns that this development in this location would harm the setting of these listed buildings, conflicting with Local Plan policies EH9 and EH11 which require (respectively) the conservation of historic environments and the setting of listed buildings.

Reason 2: Inappropriate scale

11. The addition of 80 houses would lead to an extra 190-200 people living in the village (given the average of 2.4 people per dwelling cited by the Applicant), which is an increase of around 13% in the current population of just over 1,500 (2021 census). In the appeal decision APP/D3125/W/22/3301202 referenced in paragraph 4, the Inspector said the similar increase of around 13% to Freeland's population that would have been produced by that development: *"...cannot sensibly be considered 'limited'"*. This level of increase, therefore, conflicts with Local Plan policy OS2, which enables only limited development in Freeland.
12. The figures supplied in the Applicant's Transport Statement suggest an increase in vehicle movements of between 28% and 35%, which is significant and detrimental to the characteristic tranquillity of the village. Currently, children walk or cycle to school and many adults also walk, cycle, horse ride, and enjoy the peaceful rural environment. This level of increase in traffic movements, therefore, conflicts again with Local Plan policy OS2 in respect of the harmful impact on local character and distinctiveness.

Reason 3: Detrimental effect on landscape character

13. A review of the Applicant's submitted documents, and in particular the Landscape and Visual Appraisal (LVA), leads us to conclude that the Landscape Strategy as set out in paragraphs 6.4 and 6.5 of the LVA is minimal, showing little analysis of the opportunities and constraints of the site. Although we welcome the retention of the wide landscape buffer zones to the edges of the site and maintaining a connection with the wider countryside of the host 'Wooded Estate lands' LCT, the layout itself is inward looking and does not relate to the village context or contribute to its character. The opportunity has been missed to open up a green space at the heart of the village adjacent to the Methodist Church and to remove the unsightly transformer station that blights the corner of Pigeon House Lane. The 'large' central green space indicated for amenity value on the Landscape Strategy plan is hardly any larger than the area of the gardens to the four detached dwellings that front on to it.
14. It is acknowledged in the LVA that there would be a high level of magnitude of change within the site and therefore a moderate adverse impact on the landscape character of the site. This is to be mitigated only by relying on the maturing landscape and weathering of materials with time. The visual impact on the most sensitive receptors in the dwellings along Pigeon House Lane is assessed as a major/moderate adverse effect that mitigation can do little to offset.
15. We therefore do not consider that the proposals respect the character of the locality or take the opportunity to enhance the character or quality of the surroundings, as required by Policy OS2. Nor would they conserve and enhance the landscape character of the area as required by Policy EH2.
16. Due to its scale and density, the layout of the proposed housing estate comprising 80 houses and bungalows allows no opportunity for the maintenance of existing wildlife corridors through the site – any green space is around the perimeter of the site. This loses valuable opportunities to sustain some of the biodiversity which the site already contains and to capitalise on the existing beauty of the natural surroundings and views of nearby landmarks, such as Church Hanborough's church spire and Wytham Woods. The proposed housing layout, therefore, is contrary to Local Plan policies OS2 and EH13.

Reason 4: Poor building design

17. The proposed building designs are disappointingly unimaginative and at odds with the surrounding dwellings. Not only do the designs fail to meaningfully reflect any buildings characteristic of Freeland, they especially fail to reflect or in any way complement the existing buildings in this location around the proposed development site, which forms the most historic part of Freeland. Examples of the poor building designs show exceptionally wide gables, disproportionately small false chimneys, and fake ironwork porches, all of which are completely out of keeping with this location and are therefore in conflict with Local Plan policies OS4 regarding a need for high quality design respecting local character, and EH9 and EH11 relating to historic environments and the setting of listed buildings respectively. The proposed building designs are far from the 'beautiful' developments encouraged in the updated NPPF, referenced in paragraph 6 above.
18. The application site borders an area of Freeland previously identified as worthy of being a conservation area (see Freeland Community Led Plan 2014, p10 recommendation: *"Apply for Conservation Area status for historic core of village and consider other designations in the village to protect key assets and areas."*). While this action is yet to be progressed, it remains an established goal within the village. We therefore have significant concerns that this development would harm Freeland's historic and architectural character in conflict with policy EH13 and, as a result, affect Freeland's ability to apply in the future for conservation area status to cover its historic core and the area of the village to the south.

Reason 5: Lack of information on external building materials

19. Details of the materials to be used in the construction of the proposed development are, again, disappointingly lacking, meaning there is no clear understanding of the final appearance or quality of the proposed buildings. The immediate surrounding area contains a wealth of historic building types, from traditional Cotswold stone cottages to the grander brick-built Edwardian houses along Pigeon House Lane. This is an unacceptable omission given the risk of conflict with policies OS4, EH9, EH11 and EH13. We would have expected details about specific materials, colours, styles, sizes and provenance in a full planning application as they are critical to assessing the suitability of the proposed design.

Reason 5: Lack of clarity/viability regarding the proposed shop

20. While Freeland does have an established need for a village shop and community hub for social and sustainability reasons, the Applicants have failed to clarify the model upon which the facility they intend to provide would operate. However, the Applicants have since clarified that the ownership of the proposed shop would be retained by the current landowner, who would be willing to lease it to a community group. This suggests a commercially-based relationship with the owner seeking profit, which is totally at odds with the 'community facility' suggested in the proposal, that – it has been widely assumed by village residents – would be donated for ownership and operation by the community.
21. According to detailed modelling carried out by Freeland Community Benefit Society, which investigated the viability of obtaining and operating the former Methodist Church as a community shop and café, a commercial model is simply not viable in Freeland, and would undoubtedly fail within a short period of time. The modelling concluded that the only viable operating principle is one where the facility is run on a non-profit basis with volunteer support, consistent with the commonly assumed definition of a 'community shop'.

22. We are therefore extremely concerned that the provision of what is presented as a community shop within the proposal is far from the benefit it might appear, making it both misleading and unsustainable, with no thought as to its viability. This, therefore, conflicts directly with Local Plan policy E5 which supports the provision and retention of local services and community facilities.

Other concerns

23. It is clear this proposed development will have a material impact on both the primary school and local primary care. We anticipate Freeland Primary School and pre-school will both submit a consultee response including a summary of the S106 contributions they will need to manage this impact. We also note the consultee comments from NHS Oxfordshire Clinical Commissioning Group (OCCG), but would urge WODC to seek views from the Eynsham Medical Group as well, as it will be providing the primary care 'on the ground' in the area.
24. While we accept that other statutory consultees will address their specific issues separately, given well-documented constraints on sewage capacity and recent issues around interruptions in power supply within certain parts of the village, we have considerable concern over Freeland's existing creaking infrastructure, especially with the introduction of this scale of development all in one go. We therefore urge WODC to ensure that any development which may be approved on this site or elsewhere in Freeland can deliver effectively against Local Plan policy OS5, particularly in regard to sewage capacity to meet the requirements of policy EH2 which seeks to avoid pollution and preserve local water quality.
25. Associated with the above issue, the location of the sewage pumping station adjacent to the gardens of "Thriftwood" and "Cox's Farm" is ill-considered and potentially detrimental to the residents of those dwellings.
26. We draw attention to the distinctive character of Freeland's dark night skies. In a professional sky quality survey conducted on 24 October 2022 at a location opposite this site and at other locations throughout the village (carried out as part of the appeal referred to in paragraph 4 above), all readings were above 20.5 magnitudes per square arc-second, which is consistent with Environmental Zone classification of E0 (Dark = SQM 20.5+ / Astronomical Observable Skies). This darkest classification requires strict restrictions of artificial illumination. Local Plan policy EH2 says development should avoid causing light pollution. Policy EH8 also states that the need for lighting should be balanced against adverse impact lights might have on the character of the area, the 'night sky', nature conservation or local residents.
27. The Applicant's ecological appraisal submitted belatedly on 22 February says detailed surveys for invertebrates were 'scoped out' of the assessment. We would argue the site is known for being extremely rich in insect and other invertebrate populations, having been farmed organically for the past 17 years. We would like to see a thorough survey of invertebrate populations conducted to ensure the biodiversity impact of the development has not been underestimated.
28. Inappropriate use by cars and especially large vehicles of the extremely narrow and degraded Pigeon House Lane is a material risk currently, and would be even more so with the proposed development. Investment in appropriate traffic calming at both ends of the lane to deter traffic would be an essential S106 condition of any development, but particularly at this location. Furthermore, any development would increase traffic volumes (see 12.), and so investment in traffic calming throughout the village would be crucial to reduce car travel and encourage riding, cycling and walking, particularly among schoolchildren and elderly people. This would ensure compliance with Local Plan policies E5 and OS2.

29. The proposed additional allotments do not have clear vehicular access arrangements – a further access on to Wroslyn Road should be avoided.
30. A children's play area should not be included in any development on the application site, as there is an excellent facility a short walk away in the main village recreational area which should be supported. S106 funding would be expected to enable the existing facility to be improved and to contribute towards its upkeep to comply with Local Plan policy E5.
31. In the interests of promoting the above existing play area, and connectivity with the rest of the village as already described in paragraph 13, should a development ever go ahead on the application site, the interface at the corner opposite the Methodist Church on the northern side of the site should be reconfigured in consultation with the Parish Council. Furthermore, connectivity between the site and the existing recreation area at the other northern corner of the site across Pigeon House Lane should be enabled to ensure compliance with policy E5.
32. While one benefit of the proposed development would be the provision of affordable housing, we would wish to have an input into the design of an affordable housing allocation plan to ensure there are local connections and the needs of families and key workers in the village are put first and, following that, the needs of families and key workers in the local area. This would ensure compliance with policy H3.
33. If the ownership and operation issues with the proposed 'community' shop cannot be satisfactorily resolved, the provision of such a facility through other means must be revisited as part of any substantial development and through S106 funding. The provision of an unsustainable facility under the guise of a 'community shop' should not be acceptable under policies OS5 and E5.
34. Lastly, we would expect S106 contributions towards the continued enhancement of the sustainability of village amenities and the local environment, including funding for the acquisition of the Methodist Church, maintenance costs of the village hall, renewal of outworn toddler play equipment, and local nature recovery – for example to enhance existing biodiversity and connectivity described paragraph 16.

Summary

35. In summary, we (Freeland Parish Council) **object** in the strongest terms to this application. We accept the current shortfall in the HLS, the requirement for a better affordable and commercially-priced housing supply to meet local needs, and the benefits some new families would bring to the pub, garden centre, village school and overall village vitality. However, the scale of this proposal and the sensitivity of its location, alongside the poor building design and site layout, lack of materials specification, and the lack of detail and apparent benefit provided by the proposed shop which appears to be far from the 'community' facility suggested by the Applicants, means the harm significantly outweighs any benefits. For these reasons, we urge WODC to refuse planning permission.

Yours sincerely

Fay Friend
Parish Clerk