10. CARTERTON

CARTERTON PROPOSAL 1 – NORTH EAST CARTERTON DEVELOPMENT AREA


Issues

10.1. There are a large number of objectors to this Proposal and the report would become cumbersome and difficult to follow if I were to list each one beside their specific objection. A large number of objections to the Proposal come from residents of Shilton. Most object on grounds shared and expanded on at the Inquiry by their Parish Council and I will cover these under the umbrella of the Parish Council. For reasons never adequately explained, Shilton Parish Council has 3 objector numbers, 136, 146 and 645. I shall use the Parish Council’s first objection number (218) to cover all their objections to this Proposal. The issues relating to this proposal are:

(a) Whether the development area boundary should expand to the north of the Shilton Road link.

(b) Whether there should be a bar on new development until the highway network and local infrastructure is improved.

(c) The increase in the number of dwellings and other matters.

Conclusions

Issue a

The allocated site

10.2. With the exception of the land to the north of the Shilton Road link, the land allocated for development under the Proposal is carried over from the adopted Local Plan. The only part of that allocation not to be built or have the benefit of planning permission is the land to either side of Swinbrook Road to the south of the proposed link road. I explain in paragraph 5.65 why I consider that those parts of North East Carterton without planning permission should be identified separately from those with permission. In addition, there seems little point in identifying as a proposal any development that has already taken place.

10.3. A number of objectors cite my predecessor’s recommendation (accepted by the Council) in support of their contention that development should not extend the north of the link road. (218) However, the development area is much smaller than that promoted at the last Local Plan Inquiry and I agree with the Council that it could
be developed without harm to the setting of the Shilton Conservation Area. It is some distance from the Conservation Area and is screened by the trees and hedgerows lining Swinbrook Road which would soften the impact on any development on views out of the Conservation Area. (218)

10.4. However, whilst the site is enclosed by existing strong landscape features they would not hide a housing estate. The allotments to the north have the usual collection of greenhouses and sheds and some seem to have been constructed of whatever was on hand at the time. The allotments are an urban influence, nevertheless the buildings are low key and the allotments are open in appearance. In my view, the proposed link road would create a strong boundary between two areas of different character. The introduction of houses would undermine the attractive open, rural character of the area to the north of the link road and comprise an unacceptable intrusion into the countryside. (218)

10.5. In reaching this conclusion I am mindful that the majority of allocations in the plan are greenfield and that Carterton is one of the main service centres in the District. However, I consider the adverse impact on the landscape provides compelling grounds not to expand the allocation to the north of the Shilton Road link. In addition, the Council estimate that the site would accommodate about 30 dwellings and conceded at the Inquiry that it is not a major plank in their housing strategy.

The allotments and Linden House, Kilkenny Lane

10.6. The North East Development Area includes a range of size of houses and I have neither seen nor heard anything to support the Town Council’s assertion that Carterton needs larger houses (123). It is not possible specify that an allocated site only be used for a certain size of house and densities of less than 30 dwellings per hectare would conflict with PPG3.

10.7. Kilkenny Lane is a narrow country lane the character of which is in keeping with its rural surroundings. Although not exclusively so, allotments are usually associated with urban rather than rural environments. Nevertheless, the gardeners’ sheds are ancillary to the larger green spaces they serve and do not undermine the rustic feel of the lane. The football club building is much larger, it too is more akin to an urban setting and the new development taking place at North East Carterton also has an impact. However, these urban influences are not sufficiently strong to override the sense that the allotments and Linden House stand in the countryside on the edge of but not within Carterton (344).

10.8. The lane would form a strong boundary to the north but the link road would provide an equally robust limit to expansion of the town. The introduction of houses here is likely to have an adverse impact on the attractive, rural character of the lane and constitute and unwelcome intrusion into the open countryside.

10.9. Allotments are listed in the Annex to PPG17 as a type of open space which may be of public value. The allotments are well used and the objectors recognise that an alternative site would need to be found. Although I have seen nothing to suggest that there has been an assessment of open space in Carterton, this indicates to me that
the allotments are not surplus to requirements. Development would, therefore, be contrary to the advice in paragraph 10 of PPG17.

10.10. The PPG does make provision for developers to exchange one site for another and I understand that a site may be available to the north of the lane. This may overcome my concerns regarding the loss of the allotments but extending built development, however low key, to the north of Kilkenny Lane is likely to have an adverse impact on the character of the surrounding countryside.

Land to the south of Carterton Football Club (168)

10.11. One objector argues that the development boundary be amended to include land which is contained by the Shilton Road link to the south, Carterton Football Club to the north and Swinbrook Road to the east. Whilst the football club and a few residential properties would lie to the north of the proposed link road, buildings are dispersed and the character of the area will remain largely open and rural. The omission site lies in the countryside outside the built up area of Carterton and would remain so following the construction of the link road.

10.12. This site is closer to Shilton Conservation Area than the land to the east of Swinbrook Road. It would be visible from the Conservation Area but to my mind would not have an adverse impact on its setting. However, as with development to the east of Swinbrook Road, I consider that the proposal would constitute an unacceptable encroachment into the countryside.

10.13. It is not uncommon to find football grounds in residential areas. Nevertheless, Mr Hawkins, the promoter of the site who lives around 200m from the club on Manor Road, admitted at the Inquiry that he was disturbed on match days. The omission site abuts the club and it is likely that prospective residents would face similar problems. In addition, even if aligned correctly, the club’s floodlights are likely to be a nuisance. I do not consider that, on their own, these matters would preclude development but it adds weight to my conclusion that this site should not be allocated.

10.14. Part of the site was used some time ago as a small holding and the objector argues that it will remain largely derelict if it is not developed. I note that part of the site is used for grazing and I am not convinced that an alternative use could not be found. For the reasons given above, I do not consider that the North East Carterton Development Area should expand to the north of the proposed link road.

Issue b

Highway infrastructure

10.15. The Town Council’s request that the completion of the A40 link be brought forward and other objectors’ calls for alternative routes have been overtaken by the opening of the road in 2003. (120 and others) It would be sensible to modify the Proposal and its reasoned justification to reflect this. The County Council have taken over responsibility for the A40 and do not share the Highway Agency’s concerns regarding congestion. (491, 492) Carterton Proposal 4 proposes extending the link from its junction with Minster Road to Witney Road. Whilst I heard that the County
Council have undertaken to build this extension if it is found to be necessary I say in paragraph 4.43 why I do not consider the line should be safeguarded in this plan.

10.16. I heard at the Inquiry that following the completion of the A40 link, traffic levels through Brize Norton have fallen significantly. I have seen no technical evidence to show that the road through the village does not have the capacity to accommodate current or predicted levels of traffic. (83)

10.17. According to one of the County Council’s witnesses at the Inquiry improvements to Shilton Dip have reduced accidents at this once notorious blackspot to the extent that the last recorded personal injury accident occurred in 2001. A scheme to improve Shilton Dip is one of a number of projects in the County Council’s Pool of Retained Schemes but the findings of the Transport Networks Review, Final Report (CD3/56) led officers of the County Council to recommend that the scheme be deleted. The decision has been deferred pending consultation on the Local Transport Plan. Nevertheless, the evidence given to the Inquiry and the findings of the Transport Networks Review severely undermine Shilton Parish Council’s case that no further development should take place and that the completion of the Shilton Road link be delayed until the by pass is constructed. (218) Indeed I say in paragraphs 4.36 to 4.44 why I do not consider that the plan should safeguard land for a bypass.

10.18. I heard that traffic models show that the majority of traffic from Carterton goes east towards Witney and Oxford. I see no reason to question the view of the Highway Authority that there are no problems with regard to the capacity of the road through Shilton village. However, the Highway Authority accept that it would not be appropriate to increase traffic through the village and indicated at the Inquiry that if a problem is identified consideration will be given to the provision of appropriate traffic management measures. (218)

Other infrastructure

10.19. According to the Council’s Employment Topic Paper (CD1/104) there was 10.5ha of land available for employment use in Carterton in April 2004. Added to the existing employment opportunities in the town, these allocations should help create a reasonable balance between housing and employment growth. (1051) The County Council’s objection regarding school places has been overtaken by the construction of a primary school within the North East Carterton Development Area. (1204)

Issue c

10.20. My colleague’s recommendation regarding the number of houses to be built at North East Carterton was made before the publication of the latest revision to PPG3 which seeks to avoid the inefficient use of land. Figure 5.1 reflects this advice. (387)

10.21. Shilton Parish Council ask that the parish should be excluded from any plans for Carterton. However, the only developments proposed in the parish are the Shilton Road link and improvements to Shilton Dip. With the exception of the timing of the link, the Parish Council do not object to either proposal (218).
10.22. Policy BE5 seeks to preserve the special character of conservation areas and development in the gap between Shilton Conservation Area and Carterton would be restricted by Policy NE2. I am satisfied that the plan is sufficiently robust to ensure that development which would not preserve the setting of the Conservation Area would not be permitted (218).

10.23. How the Shilton Road link would be lit is a matter of detail but if it is necessary, it will be for others to balance highway safety against the impact of lighting on the Conservation Area. However, I would expect that as it matures the proposed woodland buffer would reduce the impact of the proposed link road on the setting of the Conservation Area. (218). The line of the Shilton Road link is shown on Inset Map 4. I have no doubt that the Town Council will be consulted once a detailed application is made. (121)

10.24. Amendment no. 216 removed the former quarry off Burford Road from the Country Park on Inset Map 4. (943) The objections from Carterton Town Council regarding the population of the town and access to the Swinbrook Road recreation complex have been dealt with by amendment nos. 211 and 215. (119)

10.25. However, the requirement in paragraph 2.15 that access to the recreation ground off Swinbrook Road be provided through the development area is a statement of policy. It is not, therefore, appropriate to include is as reasoned justification. The recreation area has vehicular access off Swinbrook Road but I can see the benefits of providing access directly to the development area and I shall recommend that the Proposal be modified accordingly. I have seen nothing to support the assertion that the Town Council are proposing the closure of the Swinbrook Road recreation complex. (386)

10.26. The Proposal states that Kilkenny Lane shall be closed as soon as it is practicable following the opening of the A40 link. I understand that the County Council are investigating the closure of the lane although nothing is submitted to indicate when this will happen. (940)

RECOMMENDATIONS

10.27. **R10.1** Modify Inset Map 4, Carterton Proposal 1 and its reasoned justification to reflect the development that has taken place in the North East Carterton Development Area.

10.28. **R10.2** Modify Inset Map 4 by deleting the area allocated for mixed use development to the north of the Shilton Road link.

10.29. **R10.3** Modify Carterton Proposal 1, paragraph 2.8 and Figure 5.1 in Chapter 5 to reflect the deletion of the allocation to the north of the Shilton Road link.

10.30. **R10.4** Delete paragraph 2.10.

10.31. **R10.5** Modify subsection b) of Carterton Proposal 1 to require proposals to develop the land adjoining Swinbrook Road recreation
ground to include provision for access to the recreation complex. Delete the last sentence of paragraph 2.15 (amendment 215). Insert the following at the end of the third sentence of paragraph 2.15 ‘and access should be provided to the recreation complex to enable residents to make best use of the facilities’.

10.32. **R10.6** Make no modification to the plan with regard to the allocation of land to the south of the football club, the allotments off Kilkenny Lane or Linden House.

**CARTERTON PROPOSAL 4 – LOCAL ROAD IMPROVEMENTS**

**Objections** 11/13, 84/119, 146/237, 252/391 & 392, 287/1290, 546/941, 557/1038, 590/1330, 609/1397, 610/1400, 645/1504

**Issue**

Whether the proposed local road improvements are sufficient to meet the needs of Carterton and the surrounding area

**Conclusions**

10.33. The A40 link opened to traffic at the end of 2003, any debate regarding alternative routes is now academic and calls for early completion have been overtaken by events. (13, 119, 941, 1038, 1330, 1397, 1400) It would be sensible to modify the Proposal and the reasoned justification to reflect the completion of the link.

10.34. The County Council’s Transport Networks Review, Final Report (*CD3/56*) proposes that the B4477 (A40 Carterton link Road) be upgraded to ‘A’ road status. At present the Highway Authority have set no timescale for this or consideration of what improvements may be needed to bring the road up to the required standard other than to indicate that the Network Review covers the period up to 2021. To my mind, the impression given in paragraph 2.19 is that the promised improvements to Minster Road will happen sooner rather than later and I recommend that this paragraph be modified to reflect the situation set out above. (13)

10.35. I heard that following the completion of the link, traffic levels have reduced significantly through Brize Norton (see paragraph 10.1.17). In addition, I have seen nothing to indicate that roads through Curbridge or Minster Lovell cannot cope with existing or predicted levels of traffic. (330, 1397, 1400)

10.36. The extension of the link to Witney Road would enable Witney bound traffic to avoid Brize Norton altogether. However, PPG12 advises that highway proposals should only be included in plans where there is a reasonable degree of certainty of them proceeding within the plan period. I heard that the County Council have undertaken to build this extension if it is found to be necessary but there is nothing to indicate that it will be and no funding has been identified. (119)

10.37. I see no reason to doubt the view of the Highway Authority that drivers wishing to travel west along the A40 would not first drive east to a full movement
junction at Minster Lovell. (13) My conclusions regarding the provision of a 4 way junction at North Curbridge are set out at paragraph 9.63.

10.38. A full movement junction at Minster Lovell is suggested as an alternative to the Shilton Dip bypass but, as stated in paragraph 10.17, above the construction of a bypass is in doubt. (13, 391, 392) It does not have funding and subject to the results of consultation on the Local Transport Plan it may be removed from the County Council’s Pool of Retained Schemes. In addition and contrary to the advice in PPG12, there is no indication in the plan of the timescale or the priority given to the proposed improvement.

10.39. I have driven through the ford and up the narrow and tortuous lane to the B4020. It is not as convenient as the main road into the village and I doubt it would be attractive to commuters travelling to destinations to the west of Shilton. Extending the length of the bypass would have a detrimental impact on the surrounding countryside and the setting of the Shilton Conservation Area. (237, 1504) I have dealt with the impact of traffic through the village in paragraph 10.18. (1290)

10.40. The area protected for the construction of a bypass shown on the Proposals Map is indicative only and the actual land take would depend on detailed design. Extending the protected area southwards would not guarantee that any new road would by-pass the lane linking the B4020 to the village via the ford. Indeed, it is highly likely that in order to provide an alternative to using the ford, occupiers of the properties to the east of it would need to retain access to the B4020.

10.41. However, in light of the uncertainty and the advice in PPG12, I shall recommend that the Proposal be modified to delete the reference to improvements to Shilton Dip and the A40 link. (See my recommendations regarding Policy T4).

RECOMMENDATIONS

10.42. **R10.7** Modify Inset Map 4, Carterton Proposal 4 and its reasoned justification to reflect the completion of the A40 link.

10.43. **R10.8** Delete the protected area for road improvements at Shilton Dip and the A40 link as shown on the Proposals Map.

10.44. **R10.9** Delete subsection c) from Carterton Proposal 4 and paragraph 2.23.

10.45. **R10.10** Modify paragraph 2.19 to reflect the situation relating to the proposed improvements of Minster Road as set out in the Transport Networks Review, Final Report (CD3/56).
CARTERTON PROPOSAL 5 – HOUSING (OFF SHILTON ROAD)

The Objections 146/238, 241/364 & 365, 321/531, 545/939, 645/1505, 651/1514

Issue

The visual impact of the development of the Proposal on the setting of Carterton and the Shill Brook valley.

Conclusions

10.46. A proposal to build 50 dwellings on part of the allocated site was dismissed on appeal in 2003 (APP/D3125/A/03/1110662). There is a discrepancy between the number of dwellings proposed in paragraph 2.24 and that set out in Figure 5.1. The Council stated at the Inquiry that the number should be that given in Figure 5.1 but the site measures 1.7ha and to develop at the lower end of a range of 40 to 50 dwellings would not accord with the guidance in PPG3. I see no reason why a scheme could not be devised to meet both PPG3 guidelines and the concerns expressed by my colleague and consider that the site should accommodate at least 50 dwellings.

10.47. The bulk of the site is surrounded by development but the paddock to the north of The Acre is open to views from the footpath running from Alvescot Road to Shilton. However, provided it is done sensitively, I am satisfied that development would not harm the setting of Carterton or the landscape of the Shill Brook valley. The last sentence of paragraph 2.24 seeks to ensure such an approach but a policy objective should not be relegated to the reasoned justification. I shall, therefore, recommend that the policy be modified to reflect the need to protect the landscape setting of the Shill Brook valley.

10.48. Matters relating to privacy, light and access to The Acre can be addressed through detailed design. I see no reason to doubt the Council’s assertion that there are no records of the site being affected by subsidence. (364, 365, 531, 939, 1514)

RECOMMENDATIONS

10.49. R10.11 Modify Carterton Proposal 5 by adding the following sentence: ‘In considering proposals for development particular regard will be given to the relationship between development and the Shill Brook valley’.

10.50. R10.12 Replace ‘could provide some 35-40’ in the penultimate sentence of paragraph 2.24 with ‘should provide at least 50’. Modify 5.1 in Chapter 5 accordingly.
OTHER HOUSING SITES SUBMITTED

LAND WEST OF UPAVON WAY

The Objections  84/124, 295/462

Issues

(a) Whether the omission site is a sustainable location for housing.

(b) Whether Carterton should expand to the west of Upavon Way.

Conclusions

10.51. The site lies on the edge of a key service centre and can be described as a sustainable location. However this only one of a number of factors which need to be considered. (462)

10.52. The omission site is linear in form and stretches northwards along Upavon Way from The Warren to a recreation area known as The Dell. About mid way between the two the site is split by a group of buildings. There are wide gaps between these buildings and development could not be described as infill. (124)

10.53. The omission site sits on the eastern side of the Shill Brook Valley. Viewed from the public footpath linking Alvescot Road to Shilton, the wooded sides of the valley hide much of the development on the eastern side of Upavon Way. Development on the valley slopes would result in the loss of the soft green edge to the town. In addition, the valley sides have a rural character which would be destroyed by the incursion of built development.

10.54. I do not consider that this could be satisfactorily mitigated by landscaping or by the gift of areas of open space between the proposed housing and the brook. (462) As can be seen from paragraph 10.47 above there are significant differences between this site and Carterton Proposal 5.

RECOMMENDATION

10.55. **R10.13 Make no modification to the plan in respect of the allocation of land at Upavon Way.**
SOUTH OF MILESTONE ROAD

The Objections  400/626, 512/799, 523/842.

Issue

Whether the noise generated by aircraft at RAF Brize Norton precludes the allocation of this site for residential development.

Conclusions

10.56. At the Inquiry the Council stated that parts of the site may have been used as small holdings and that as a consequence it may not all be previously developed land as defined in Annex C to PPG3. Nevertheless, the Council do not rule out residential development in the future provided it could be shown that noise levels have reduced to an acceptable level.

10.57. An appeal to develop part of the site was dismissed on noise grounds in August 2003 (APP/D3125/A/03/1111534). Nothing is submitted to show that anything has changed since then and a large part of the omission site is much closer to the base than the appeal site. The VC10s based at RAF Brize Norton are to be phased out but there is no indication of when this will be. In addition, whilst I see no reason to doubt that the VC10 will be replaced by a quieter aircraft, there is nothing to indicate that noise levels within the omission site would fall to an acceptable level. Finally, the uncertainty surrounding the transfer of activity from RAF Lyneham means that there is no indication regarding the extent to which the base would need to accommodate additional air traffic. (626, 799, 842)

10.58. In light of the above it would be difficult if not impossible to predict future noise levels with any degree of certainty. In order to provide the number of houses required by the Structure Plan the Council need to allocate land now. Based on the information available at this time Council have, rightly in my view, chosen not to allocate this site. (799, 842)

10.59. I have seen no evidence of the need for a sixth form college or a fire station in Carterton. Contributions could be sought provided they meet the requirements of Circular 1/97 but it would be wrong to allocate this site for housing at this time given the overriding noise constraints. (626)

RECOMMENDATION

10.60. **R10.14  Make no modification to the plan in respect of the allocation of land at Milestone Road.**
CARTERTON PROPOSAL 6 – TOWN CENTRE

The Objections 68/82, 558/1050

Issues

(a) The impact of the Proposal on the Thursday market.

(b) The impact of the Proposal on highway safety and access to the town centre.

Conclusions

10.61. Carterton Proposal 6 contains a package of measures aimed at improving the town centre and makes a clear statement that provision will be made for a market. (1050) The Council is a member of the Carterton Fast Forward Partnership. The aims of the partnership include making Carterton accessible to all members of the community and fostering links with surrounding villages to encourage shoppers into the town. At the time of the Inquiry the Partnership was working on detailed proposals for the town centre. I have no doubt that this exercise will include consideration of the location and accessibility of town centre car parks. (82)

10.62. As a result of the proposed pedestrianisation, traffic heading for the industrial estate at the bottom of Black Bourton Road would be diverted along Wycombe Way. I see no reason to doubt the Council’s assertion that Wycombe Way was built by the MoD as a distributor road. However, the Council conceded at the Inquiry that in order to accommodate predicted levels of traffic there would need to be some minor improvements to Wycombe Way. This admission goes further than the statement in paragraph 3.3 which states that additional traffic ‘may’ necessitate the provision of a pelican crossing and other improvements. (82) The last sentence in paragraph 3.3 neither justifies nor explains the Proposal and, to my mind, should be included within the Proposal itself.

RECOMMENDATIONS

10.63. R10.15 Modify Carterton Proposal 6 by the addition of the following at the end of the first paragraph: ‘Measures to improve Wycombe Way will be completed prior to the closure of these roads to vehicular traffic.’

10.64. R10.16 Replace the last sentence of paragraph 3.3 with the following: ‘Improvements to Wycombe Way will be necessary to accommodate the additional traffic diverted along this road as a result of the pedestrianisation scheme’.
OMISSION – MINISTRY OF DEFENCE LAND POLICY

Objection 289/445

Issue

Whether the plan should include policies which support the redevelopment of surplus land for civilian purposes and development to meet operational need on Crown land.

Conclusions

10.65. The plan includes policies which seek to make the best use of previously developed land in urban areas and the Council’s strategy relating to development in rural areas generally accords with national guidance. In my view, the Plan includes the necessary tools to deal with most development opportunities. However, I agree with the Council that the implications of the closure of the base at Brize Norton would be so significant that it would be likely to justify a review of the plan (CD1/27).

10.66. The MoD has a duty to obtain best market value when disposing of surplus land but I see no reason why they should be treated differently to anyone else. The operational need for development on Crown land is likely to be one of a number of material considerations the Council would have in mind when commenting on such proposals. There may be occasions where the operational need is so great that it outweighs other considerations. However, it would be wrong, in my view, to include a policy in the plan which sets operational need above other considerations.

10.67. In response to the MoD’s objection the Council inserted paragraph 2.4a into the plan. The paragraph does not provide reasoned justification for nor does it support policies in the Carterton chapter. To my mind this paragraph simply states the obvious and is unnecessary.

RECOMMENDATIONS

10.68. **R10.17** Make no modification to the plan in respect of the addition of policies to support the redevelopment of surplus land for civilian purposes and development to meet operational need on Crown land.

10.69. **R10.18** Delete paragraph 2.4a.

OMISSION – LAND FOR CEMETERY AND CREMATORIUM

Objection 84/122

Issue

Whether the Local Plan should make provision for a cemetery and crematorium in Carterton
Conclusions

10.70. The Town Council’s request for such facilities is not supported by any evidence of need. The summary of a survey carried out by Cluttons lists 8 options and sets out the geology under each site as well as distance to bore holes, watercourses and houses. Whilst these are factors to be borne in mind the analysis is too simple and there will be other considerations. I note that 3 of the options are off Kilkenny Lane, a narrow, single track road with passing places and not suitable for funeral processions. In addition, I understand that every potential site suffered from problems particularly in relation to a high water table and ground water conditions.

10.71. The Town Council do not say which site they would prefer and, in the absence of a thorough analysis of all the relevant factors, it would be wrong to allocate a site for a cemetery or crematorium. I am aware that planning permission has been granted to double the size of the cemetery at Black Bourton which is also used by the parishioners of Carterton. The absence of an allocation would not preclude the development of such a facility if one is needed. Provided technical difficulties could be resolved, Policy NE2 would allow for such development on the fringes of the town.

RECOMMENDATION

10.72. R10.19 Make no modification to the plan in respect to provision of a cemetery or crematorium in Carterton.
ANNEXES TO REPORT

Annex 1 – List of appearances at each sitting of the Inquiry

Annex 2 – List of Core Documents

Annex 3 – Full list of representations and objector/objection references