

Long Wittenham Parish Council

Response to Independent Examiner's Clarification Note 2: representations made to the plan.

Observations by the Parish Council

1. 34 responses were received of which 24 were supportive of the Plan. Respondents are listed in the table below.
2. This note will discuss each respondent (or group of respondents) individually and will provide additional clarification for the benefit of the Examiner.

Representation name (no)	Support	Object
Jeremy Croxson (1)		
Clifford Bosley (2)		
Dominic Jarman (3)		Size of hub site in addition to Fieldside leads to substantial increase in size of village
Hugh Lloyd-Jukes (4)		
Peter Rose(5)		
Steve Brown (6)		
Catherine Harrison (7)		
Sally Duff (8)		
Martin Elliff (9)		
Ann Tomline (10)		
Caroline Churchill (11)		
Keith Tucker (12)		
Sean Newman (13)		
Matthew Harrison (14)		
Shio-yun Kan and Anna Merton (15)		
Lynda Atkins (16)		
Elizabeth Yuille (17)		
Lisa Cumming (18)		
Janette Stephens (19)		
Janet Haylett (20)		
Julian Gitsham (21)		
Mark Pritchard (22)		
Isabel Henderson (23)		
Ian Penberth (24)		
Bill Symonds (25)		
Highways England (26)		No comments
National Grid (27)		Info on grid connections
Thames Water (28)		Suggest an additional paragraph is added as information
South Oxfordshire District Council (29)		Substantive comments
J B Henderson (30)		
Reading University (31)		Substantive comments
Oxfordshire County Council (32)		Substantive comments
Historic England (33)		Substantive comments
Natural England (34)		Substantive comments

LETTERS OF SUPPORT

3. The Parish Council is pleased to see that there were many letters of support from the Long Wittenham community. These are called to the Examiner's attention because they demonstrate that the proposals in the plan are welcomed and fulfil a local need.

DOMINIC JARMAN

4. The respondent is concerned that the proposal site has grown since originally mooted and is concerned that land that is not identified for development (i.e. playing field land) will eventually become development land.

Response:

5. The expansion in the site is due to the demands from the Education Authority that the playing field was required to be larger to accommodate growth in school to a one form entry, should this become necessary. All the "extra" land to the East will be playing fields and will be covenanted to ensure that this land use is retained should the school close. In addition, once the land is identified as "playing field" it will have additional protection. We have supplied a sketch to show the position of the built area and land allocated to playing fields/open land on the site of LW1. Of note is the adjustment of the eastern boundary: land not needed for the development remains as farmland, as recently agreed with the landowner, and is excluded from LW1. In addition, the built area does not extend as far East as the LW3, Fieldside development.

THAMES WATER

6. Thames Water has suggested that additional wording is added to the Plan:

"Developers need to consider the net increase in water and waste water demand to serve their developments and also any impact the development may have off site further down the network, if no/low water pressure and internal/external sewage flooding of property is to be avoided. Thames Water encourages developers to use our free pre-planning service <https://www.thameswater.co.uk/preplanning>).

Response:

7. It is recommended that a useful way to add this information to the Plan would be to insert it as a separate paragraph immediately following para. 84 of the NDP (that para starts with "The policies below seek to accommodate...")

SOUTH OXFORDSHIRE DISTRICT COUNCIL (SODC)

8. As stated in the response, SODC have offered significant support during the preparation of the NDP for which the Parish Council were grateful. The joint working between the planning authority and the neighbourhood planning group has led to a robust and defensible approach.
9. The SODC response is set out in numbered paragraphs. In the interest of brevity, this note will refer to the paragraph numbers and provides a response.

Ref. no.	Parish Council comment
1	Reference to NPPF 2018 has been made in para 4. The additional text suggested by SODC will only be relevant for a very short period after which the transition arrangements will have lapsed. It is suggested that this clarification is not necessary and that the text should be left as it is. The parish agrees to the additional clarification in yellow highlighting regarding the emerging policies.
2	The Parish Council obtained this map from Parish Online
3	Accepted

4	The Parish Council obtained this map from National Library of Scotland
5	The Parish Council obtained this map from National Library of Scotland
6	Accepted
7	Accepted
8	Accepted
9	Accepted
10	Accepted
11	The Parish Council obtained this map from Parish Online
12	The Parish Council accepts that SODC have suggested this change to the wording, but the original wording reflects the true situation. This configuration for the hub and housing was chosen because there was no public money available to improve the community's infrastructure. The Examiner may wish to identify suitable wording.
13	Point A a– accepted Point Ae – accepted Point Ba – the evidence papers are intended to function as appendices and are intended to accompany the NDP as part of the evidence base and for future reference. If this is somehow unclear, the Parish is willing to have the Evidence Papers renamed as Appendices. Point Bb – accepted Point D – accepted Point E – This point is NOT accepted. LW1 seeks to allocate the land ONLY for housing in support of the hub development. The current wording prevents any other use of the site for housing and the existing wording should be retained.
15	The paragraph may be confusing. It was included to make the point that the village hall and school site allocations are part of the hub scheme (as are the houses in LW1). Should the hub scheme fail, the most effective use of the land might not be for housing but for another land use such as a café or community hub. SODC was concerned that the safeguarding policy was the incorrect approach and suggested that the village hall and school sites should be housing allocations. However, it is not necessary to allocate further housing since it has been proven that Long Wittenham's housing need has been met under the Fieldside allocation. This paragraph is meant to explain why LW2 is a safeguarding policy and not a housing site allocation. Suggested alternative wording: Since the housing land allocations in this NDP are sufficient to ensure that Long Wittenham's housing requirement has been met, it is not necessary during this review of the NDP to allocate further housing sites. LW2 safeguards two sites for the purposes of delivering the hub: should the hub proceed in LW1, then the sites in LW2 will be required for housing. However, should LW1 not be delivered, it may be that a non-housing use is required on the village and school sites, should either become available. A safeguarding approach ensures that the sites are most effectively used whatever the outcome.
16	No comment
17	Agreed
18	The Parish Council obtained this map from Parish Online
19	Please note that these comments accept that the Examiner may wish to rephrase this policy to be restrictive, as set out in Clarification Note 1. The comments below address the comments made by SODC. The purpose of this policy is to restrict further development in the countryside. There are two main categories of evidence: that relating to Didcot Garden Town which seeks to introduce a Green Gap; other planning and development constraints. The policy was split into A and B to reflect this.

	<p>When preparing this policy and the supporting evidence, it became clear that most of the land in the area designated as “green gap” had significant development constraints and would probably not be suitable for large-scale development (though it might be suitable for agricultural/tourism development) and this, taken alongside the Didcot Garden Town aspirations is considered to be justification for the split between green gap, and all countryside. It is a matter of semantics, and the Examiner has undoubtedly already formed a view how this policy should be resolved.</p> <p>With regard to the evidence, substantial evidence in support of the policy has been provided in the Evidence Paper.</p> <p>Point Ba – accepted Point Bc – accepted Point Bd – accepted Point Bf - accepted</p>
19	The evidence for this policy was obtained from the Community Survey. If the Examiner believes that this is not sufficient in support of the policy, the Parish Council accepts that the wording should be moved to the supporting text.
20	This started as a policy but was changed to an objective at the request of SODC. The Parish is neutral how this is resolved.
21	The Parish Council obtained this map from Parish Online
22	Accepted
23	<p>Change to title – accepted Point A – accepted</p> <p>View from Wittenham Clumps – the SODC point is well made, the start of the view is outside the Parish Boundaries. However, any development that would harm the view would be within the Parish Boundary and therefore subject to the policies in the NDP. The Parish Council’s opinion is that this view and policy wording should be retained.</p>
24	Accepted
25	Accepted
26	Accepted

READING UNIVERSITY

10. The response by Reading University is very similar to that submitted to the Regulation 14 version. The policy and supporting evidence was significantly reworked in response to that representation.

Policy LW4

11. The concern is raised that:

- a. Part A is overly restrictive;
- b. The notional Green Gap area is more extensive than envisaged by the Didcot Garden Town documents;
- c. The Garden Town documents do not refer to “Green Gaps”
- d. The NDP evidence does not use the recommended methodology to assess Green Gaps
- e. The Didcot Garden Town Delivery Plan is not adopted planning policy

- f. The policy is not supported by any assessment of character and function of the landscape between Didcot and Long Wittenham
- g. There is no fall-back position should the community hub scheme fail
- h. Sire's Hill view is not supported with an LVIA and should be removed from the policy

Response:

- a. The evidence paper has provided extensive evidence why the Green Gap is justified, and this will not be repeated here. The SODC response supports the Green Gap (though not necessarily the wording of the policy) and has suggested appropriate land uses in this area. The evidence paper has demonstrated that development in the Green Gap would be difficult in any event because there are many significant development constraints.
- b. The Didcot Garden Town documents viewed the land from the perspective of Didcot. The NDP considers the land between the settlements from the perspective of Long Wittenham village. Taken together, it is rational and justified to take Plan's approach. The NDP allows development in the green gap but NOT major development. This is justified because of the identified constraints and because housing requirement has been met. In addition, the extent of the green gap (which is a term used by the Garden Town masterplan) was not specified and it was left to NDPs to define them.
- c. This is incorrect.
- d. It is beyond the scope of an NDP prepared by a tiny Parish to commission specialist landscape studies. Planning Evidence should be proportionate. Landscape evidence was prepared in support of the Garden Town and this was discussed extensively in the Evidence Paper. In addition, evidence was gathered by the community why the views are important to them. Since there is no need to allocate further housing land, the evidence is sufficient to make the case presented.
- e. It is correct that the Didcot Garden Town Masterplan is not adopted policy, but it provides material guidance on future development in Long Wittenham Parish and the supporting evidence is relevant to the NDP. It is well researched and considered in its approach. It has not been used as the only justification for policy LW4 but it raises issues that the policy should address.
- f. The resources of the NDP steering group are very limited. The onus of proving the value of the countryside is placed upon developers in LW8B which requires that a LVIA is prepared where development has the potential to cause harm to a protected view.
- g. As acknowledged by the respondent, the NDP does not contain a fall-back position because it has taken many years to reach this solution. Should the hub scheme fail, it would not be possible to revert to another site: the scheme would need to be planned from scratch. It would not be possible to anticipate what might be involved in another site. Therefore, the decision was made that there would be no fall-back position. If the scheme failed, the identified sites would revert to their current status and the scheme would be planned again and new agreements made between the parties (if this were even possible).
- h. Please see response to F above.

OXFORDSHIRE COUNTY COUNCIL (OCC)

12. The Parish Council is very unhappy and concerned that the County Council has introduced substantial objections post-submission that were not raised in their response to the Regulation 14 Consultation. This makes it very difficult for the Parish Council to respond appropriately.

13. It is furthermore pointed out to the Examiner that the County Council is a signatory to the hub scheme. It has provided written confirmation to the Parish Council of its support for the project. Similarly, the Diocese, has also stated in writing its support. It is most concerning that the County Council is now raising objections to its own agreement.
14. Parts of the OCC response are supportive of the NDP and these will not be discussed here but are left for the Examiner to note. This response will address the significant new matters raised:
 - a. Archaeology
 - b. Minerals
 - c. Transport
 - d. Changed wording

Response:

Archaeology

15. The existing policy wording was an amalgam of rewording at the request of OCC, SODC, and English Heritage with advice from AECOM who produced the Environmental Statement. The Parish Council does not object to this rewording but advises the Examiner that if he chooses to accept this rewording that it is checked with SODC and EH.

Minerals

16. The response states that the policy M8 of the Minerals Local Plan was misunderstood and that the site should only have been allocated on the basis that it had been assessed in terms of its status as a minerals safeguarded area. The response states that the NDP evidence is “an incorrect interpretation of the policy.”
17. The policy is reproduced below:

4.66 Policy M8: Safeguarding mineral resources

Mineral resources in the Mineral Safeguarding Areas shown on the Policies Map are safeguarded for possible future use. Development that would prevent or otherwise hinder the possible future working of the mineral will not be permitted unless it can be shown that:

- The site has been allocated for development in an adopted local plan or neighbourhood plan; or
- The need for the development outweighs the economic and sustainability considerations relating to the mineral resource; or
- The mineral will be extracted prior to the development taking place.

Mineral Consultation Areas, based on the Mineral Safeguarding Areas, are shown on the Policies Map. Within these areas the District Councils will consult the County Council on planning applications for non-mineral development.

18. The policy clearly states that sites allocated in neighbourhood plans are not subject to the policy. The policy does NOT say that sites must first be assessed by any tests before they may be allocated in a neighbourhood plan. Therefore, the wording of the policy has been met by the evidence and substance of the NDP.
19. However, despite the imprecision of the policy wording of M8, other policies in the Minerals and Waste Local Plan (ONWLP Core Strategy) would indicate that working minerals on the site allocated in LW1 would not be sustainable development.
20. It would appear from Figure 3 of the ONWLP Core Strategy that the village and allocated sites lie within River terrace deposits relating to the River Thames.

21. Policy M3 identifies and extensive principle location for working sharp sand and gravel which is much wider than the Parish of Long Wittenham.
22. Policy M4 does not allocate any sites in the parish of Long Wittenham and Part 2 of the Core Strategy (site allocation) is still progressing (it completed issues and options stage consultation in October 2018). It does not put forward any sites in Long Wittenham Parish for consideration.
23. Policy M5 stated that prior to adoptions of Part 2, permission for working minerals will be permitted providing that policies C1-C12 are met. Permission will not be granted for the working of minerals outside the allocated sites. Since no sites have been proposed in the consultation in Long Wittenham, it is safe to assume that no sites will be allocated and as a general principle, permission will not be granted for mineral working in Long Wittenham.
24. Policy C3 seeks to ensure that minerals development will not exacerbate flooding issues. For the restoration of sand and gravel workings, it suggests that pits should be restored as flood storage areas. The site in policy LW1 is near to areas vulnerable to flooding and it can be assumed that the water table is high (though no information is available and this would require a special hydrogeological survey to determine). The policy suggests that the site, if/when worked, will become a large lake. This would be wholly inappropriate adjacent to a village, a conservation area, and housing at Fieldside. A gravel pit would of necessity have steep sides, and when filled, would be a hazard to the unwary (such as children and dogs). The lake would require fencing to ensure nobody and nothing fell into the deep water. This would have an impact upon the views protected in LW8 and the character of the Conservation area as set out in LW7.
25. Policy C5 sets out the development principles for minerals working and such proposals shall demonstrate that they will not have an unacceptable adverse impact on the local environment, human health and safety, residential amenity and the local economy. The site in LW1 is adjacent to residential development (Fieldside) and near to the Long Wittenham Conservation Area. There is also a public footpath running through the site. It would not be acceptable under policy C5 to work minerals so close to these sensitive receptors. Nor would it be in the village's economic interest to postpone the development of the community hub for the 20 years it would take to work the minerals, assuming the unlikely scenario that the development would NOT be restored to a water body, as is suggested under policy C3. Minerals working on this site would cause noise from heavy plant, reversing beepers, and the sound of aggregate being moved; it would give rise to dust that would be difficult to manage so near to housing; it would be visually damaging to the views identified in LW8; light pollution in the winter months would damage the amenity of local residents and there is a risk of mud on the roads. It is inconceivable that it would be appropriate and acceptable to work minerals on this site.
26. Policy C8 ensures that minerals development does not cause harm to AONBs. Where they might cause a negative impact, developments should include adequate measures to mitigate adverse impacts on landscape, including careful siting, design and landscaping. The site in question is relatively small for a minerals site and is L-shaped. It is difficult to conceive how siting or landscaping within the site boundaries would allow enough space for the actual minerals working. It would certainly not be a commercially attractive proposition for a minerals company.
27. Policy C9 protects the historic environment. As stated above, the site is very near a conservation area and views from the conservation area would be over the potential minerals working. Working this site would cause harm to the setting of the conservation area and is therefore contrary to this policy.
28. This brief assessment of policies in the OMWLP Core Strategy Part 1 show that though the site may be within a very large minerals safeguarding area, it is not in any way an acceptable location for minerals working. Overall, in the planning balance, the value of a community hub, school and housing far outweighs the value of minerals that could conceivably be worked in this small site.

Transport

29. OCC is currently opposing applications for development in the area around Long Wittenham for reasons of sustainability (no bus service) and due to lack of certainty over the Didcot-Culham River Crossing and Clifton

Hampden bypass. OCC does not consider that a development of 40-45 houses could proceed in advance of certainty on new strategic infrastructure because the effects on the transport network are likely to be severe. On that basis, OCC objects to LW1 unless new wording is added which would prevent the housing from progressing until the Didcot-Culham River Crossing is commissioned.

30. The OCC Capital Board , its senior decision making body, on 30th August , gave its full and **unconditional** support to the proposals for the land swap and construction of a new school on this site as set out in LW1. The Diocese also offered its full support saying this is a “no brainer”.
31. The suggested wording would cause a delay to the proposals that would take at least 10 years to be resolved, if indeed it could be resolved. The land offer which is crucial to the viability of these proposals is time limited. The Parish’s development partner has, at his own risk, put enormous sums into preparing draft plans and legal agreements to secure the Hub as the village wants and the legal agreement has a cut-off date.
32. The development partner is almost certainly going to walk away from any deal which is open ended and relies on the possibility of a new river crossing at some indeterminate date in the future.
33. In the meantime, the school is in a terrible state of disrepair. Only last week the Head complained to a parish councillor that classrooms are leaking again, and books and work is being spoilt by water leaking through the roof.
34. Accepting the wording suggested by OCC would put the delivery of LW1 at severe risk of failure.
35. OCC did not put similarly strongly worded objections to the Inspector when he considered the Fieldside proposal (LW3) and the conditions upon delivery of this scheme were not contingent upon delivery of strategic infrastructure. It was deemed that on balance, it was in the public interest to allow the appeal which constituted sustainable development.
36. The Parish Council strongly objects to the wording suggested by OCC because it would undermine the entire NDP and is based on assumptions that infrastructure will be supplied when there is no evidence that this is the case. OCC is only applying for funding at this stage. There is no certainty what would happen if that funding were not forthcoming. In the meantime, Long Wittenham would remain with an inadequate school that the education authority could not afford to replace and a Village Hall that is not fit for purpose. The opportunity to build new and necessary housing would also be lost.
37. The key issue at every public meeting is the congestion and road rage caused at peak times in the High Street. Parking at drop off times is a very considerable problem. The relocation of the school and pre-school to a new location away from through traffic will total remove these problems. We have two traffic surveys carried out over the last 5 years. Approximately 2500 vehicles go through the village every day. Our development will add some 70 movements per day. If half go towards Didcot and half towards Clifton Hampden the impact on the bridge will be an additional 40 vehicles in the morning 2 hour peak. Such a small number will have no impact on delays. The balance of benefit far outweighs the potential minor harm.

Changed wording

38. LW1Bd – accepted
39. LW2 – It is not clear why this policy requires a legal agreement. This is a land use policy.
40. LW3c -the appeal decision lists archaeological conditions and it is questioned why this would then need to be readdressed in a reserved matters application.
41. Fig 8 P34: The site was referred to in the Evidence paper but was excluded in the NDP because it fell outside the NDP boundary. There is no objection to including it.

42. Para. 54 Traffic survey: The traffic survey was undertaken by Simone Surveys Ltd on behalf of LW Parish Council in March 2014 and October 2017 (referred to in para. 54).

Historic England (HE)

43. Historic England has raised these concerns throughout the preparation of the NDP and every attempt has been made to accommodate EH's views in an appropriate way within the Parish Council's resources.
44. As the Examiner is aware, CC have suggested alternative wording for LW1C and HE have now suggested another. The Development Plan and emerging local plan also address archaeology. It is beyond the capacity of the Parish Council to resolve these differences and the Examiner is invited to work with relevant parties to determine an acceptable form of words.
45. Suggested changes to LW3 are accepted.
46. With regard to the extension of the site beyond what was originally put forward in the first NDP, the extended area referred to by HE will be for playing field development that will have only a minor impact upon nearby residents and the conservation area and views of Wittenham Clumps.
47. With regard to the use of the school site, it is essential for viability that it contributes to the overall cost of the H3sub. Most of the site is not historic and the original building is in a poor state of repair and in any case is not listed. When that site is redeveloped, it will be fully considered in individual development proposals and applications according to the policies in the Development Plan and the concerns raised by HE will be addressed at that time.

Natural England (NE)

48. It is clear from the response that the writer did not read the NDP. Specific provision is made for a protected species in LW11, and GI is discussed extensively in most policies, particularly in LW2 which creates a new village green. The NDP creates and improves footpath and cycle routes to create better connectivity in several policies. A SEA was prepared.