

# Wheatley Neighbourhood Plan - publicity period

## Response 1

### Respondent Details

Information	
<b>Respondent Number:</b> 1	<b>Respondent ID:</b> 126813338
<b>Date Started:</b> 11/09/2019 11:27:52	<b>Date Ended:</b> 11/09/2019 11:39:09
<b>Time Taken:</b> 11 mins, 17 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> Unknown

Q1. Are you completing this form as an:
Individual

### Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	
<b>Name</b>	H J Palmer
<b>Job title (if relevant)</b>	
<b>Organisation (if relevant)</b>	
<b>Organisation representing (if relevant)</b>	Horspath Parish Council
<b>Address line 1</b>	
<b>Address line 2</b>	
<b>Address line 3</b>	
<b>Postal town</b>	
<b>Postcode</b>	
<b>Telephone number</b>	
<b>Email address</b>	

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?
Yes I would like to be notified

# Response 2

## Respondent Details

Information	
<b>Respondent Number:</b> 2	<b>Respondent ID:</b> 126815779
<b>Date Started:</b> 11/09/2019 11:45:48	<b>Date Ended:</b> 11/09/2019 11:53:52
<b>Time Taken:</b> 8 mins, 4 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> Unknown

Q1. Are you completing this form as an:
Individual

## Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Wheatley Neighbourhood Plan:
Don't know

## Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.	
<b>Title</b>	
<b>Name</b>	H J Palmer
<b>Job title (if relevant)</b>	
<b>Organisation (if relevant)</b>	
<b>Organisation representing (if relevant)</b>	
<b>Address line 1</b>	
<b>Address line 2</b>	
<b>Address line 3</b>	
<b>Postal town</b>	
<b>Postcode</b>	
<b>Telephone number</b>	
<b>Email address</b>	

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?
Yes I would like to be notified

# Response 3

## Respondent Details

Information	
<b>Respondent Number:</b> 3	<b>Respondent ID:</b> 127265239
<b>Date Started:</b> 17/09/2019 09:34:12	<b>Date Ended:</b> 17/09/2019 09:38:06
<b>Time Taken:</b> 3 mins, 54 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Thank you for inviting Highways England to comment on Wheatley Neighbourhood Plan.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</p> <p>We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in this case the A34 and M40.</p> <p>We have reviewed the above consultation and have 'No Comments'.</p>

## Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	Mrs Ginn
<b>Name</b>	Beata
<b>Job title (if relevant)</b>	Assistant Spatial Planning Manager (Area 3)
<b>Organisation (if relevant)</b>	Highways England
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	Bridge House
<b>Address line 2</b>	1 Walnut Tree Close
<b>Address line 3</b>	-
<b>Postal town</b>	Guildford
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<b>Telephone number</b>	-
<b>Email address</b>	Beata.Ginn@highwaysengland.co.uk

# Response 4

## Respondent Details

Information	
<b>Respondent Number:</b> 4	<b>Respondent ID:</b> 129002712
<b>Date Started:</b> 13/10/2019 15:05:24	<b>Date Ended:</b> 13/10/2019 16:13:21
<b>Time Taken:</b> 1 hr, 7 mins, 57 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> Unknown

Q1. Are you completing this form as an:
Individual

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>Having lived in Wheatley for over 30 years I have been aware of what seems like the piecemeal and random development of houses, business premises and light industry sites to the detriment of village infrastructure. The W.N.P. brings a breath of fresh air to the future development of Wheatley with rigorously researched plans and proposals.</p> <p>Wheatley needs more homes to be built. Affordable housing would especially help its young people to be able to stay locally to live and work and so create a continuation of a stable community consisting of people of all ages. An active, working village, NOT a place full of dormitory houses and homes for the elderly, is what is needed.</p> <p>The W.N.P. offers a most interesting integrated enhancement proposal for Littleworth and London Road at Ms Tomb's Field and The Bungalows, which supports the need for such houses and offers structure for the development of businesses and light industry.</p> <p>The W.N.P. does not have a remit for developing Traffic/Pedestrian infrastructure but hopefully the committee, which has gained knowledge and understanding of relevant issues arising when drawing up the plan, will be consulted.</p> <p>With regards to the O.B.U. campus at Holton I am pleased that the WNP supports the limit of approximately 300 houses [S.O.D.C.] if needed to be built on the site with protection for remaining undeveloped land around.</p>

## Your details and future contact preferences

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**Title** Mrs

**Name** Fielding

**Job title (if relevant)**

**Organisation (if relevant)**

**Organisation representing (if relevant)**

**Address line 1**

**Address line 2**

**Address line 3**

**Postal town**

**Postcode**

**Telephone number**

**Email address**

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes I would like to be notified

# Response 5

## Respondent Details

Information	
<b>Respondent Number:</b> 5	<b>Respondent ID:</b> 129250513
<b>Date Started:</b> 17/10/2019 15:22:29	<b>Date Ended:</b> 17/10/2019 15:29:19
<b>Time Taken:</b> 6 mins, 50 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Please see attached response.</p>

<p>Q3. You can upload supporting evidence here.</p>
<ul style="list-style-type: none"><li>• File: 2019-10-17 Wheatley Reg 16 Comments.pdf - <a href="#">Download</a></li></ul>

<p>Q4. If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Please see attached response.</p>

## Your details and future contact preferences

Planning services

**HEAD OF SERVICE: ADRIAN DUFFIELD**



Listening Learning Leading

**Contact officer: Robyn Tobutt**

Robyn.tobutt@southandvale.gov.uk

Tel: 01235 422600

17 October 2019

**Wheatley Neighbourhood Development Plan – Comments under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (As Amended)**

South Oxfordshire District Council has worked to support Wheatley Parish Council in the preparation of their neighbourhood plan and compliments them on a very thoughtful and ambitious plan.

In order to fulfil our duty to guide and assist, required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the council commented on the emerging Wheatley Neighbourhood Development Plan (NDP) during the pre-submission consultation. We note that the qualifying body has taken the council's advice on board and addressed a number of the concerns previously raised.

We are committed to helping this plan succeed. To achieve this, we offer constructive comments on issues that are considered to require further consideration. To communicate these in a simple and positive manner; we produced a table containing an identification number for each comment, a description of the relevant section/policy of the NDP, our comments and, where possible, a recommendation.

Our comments at this stage are merely a constructive contribution to the process and should not be interpreted as the Council's formal view on whether the draft plan meets the basic conditions.

*Robyn Tobutt*

Robyn Tobutt  
**Planning Policy Officer (Neighbourhood)**

Ref.	Section/Policy	Comment/Recommendation
1	Whole Document	Please note that the Secretary of State wrote to South Oxfordshire District Council on 9 <sup>th</sup> October 2019 and imposed a Holding Direction on the Council which means we are unable to take any steps in connection with the adoption of our emerging Local Plan 2034 (link <a href="#">here</a> ). The Holding Direction means the emerging Local Plan 2034 has no effect while the direction is in force (Housing and Planning Act 2016 (145) (5)(2)).
2	Front Cover	We recommend that the plan period is on the front cover, '2019-2034'.
3	Page 5 – Paragraph 1.1	To accurately reflect the situation 'the emerging version of the Neighbourhood Development Plan', should be replaced with ' <i>the submission version of the Neighbourhood Development Plan</i> '.
4	Page 5 – Paragraph 1.2	We recommend ' <i>as amended</i> ' is inserted after 'Neighbourhood Planning (General) Regulations (2012)'.
5	Page 5 – Paragraph 1.3	We recommend replacing 'Any neighbourhood plan may provide more than the number of houses and amount of retail and leisure floor space set out in the strategic policies in the development plan, but there is no provision for neighbourhood plans to provide for less than the proposed amount of development', with ' <i>neighbourhood plans may provide more than the number of houses and amount of retail, business and leisure floor space set out in the strategic policies in the development plan, provided this is supported by appropriate evidence. Neighbourhood plans should not provide for less than the proposed amount of development set out in the development plan.</i> ' This is to reflect the basic conditions requirement that neighbourhood plans are to be 'in general conformity with the strategic policies contained in the development plan for the area of the authority'.
6	Page 7 – Figure 2.1	It might better reflect the process if a stage reflecting the gathering of the evidence was inserted into this diagram, as currently it jumps straight from 'Development Land Use Strategy & Priorities' to 'Develop General Policies' and 'Develop Site Policies'.

Ref.	Section/Policy	Comment/Recommendation
7	Page 8 – Paragraph 4.1 - 4 <sup>th</sup> , 5 <sup>th</sup> , and 6 <sup>th</sup> sentence.	<p>We recommend that paragraph 4.1 is amended to accurately reflect the position of Wheatley in the settlement hierarchy. It is also necessary to make it clear that the village of Holton is not within the neighbourhood plan area. We suggest the following wording:</p> <p><i>‘It is identified as a larger village in the development plan, serving surrounding villages in retail, light industry, education, Post Office services and medical practice. With the village of Holton, which is outside the neighbourhood plan area, both of these villages host a complete school system for children aged 5 to 18 years, including secondary and special education schools serving Oxford City and the surrounding villages.’</i></p>
8	Page 9 – Paragraph 4.3	<p>We recommend ‘exploitation of’ is removed from this paragraph as it could be interpreted negatively and infill development within the built-up area can be acceptable, subject to other policies. We recommend it reads as follows:</p> <p><i>‘This is in part due to Green Belt constraints on housing development, although there has been some infill sites (notably the former railway land).’</i></p>
9	Page 10 – Paragraph 4.9	<p>The lack of green spaces within the village might not just be a limitation for the elderly, it might also affect young families and other members of the community. To take this into account we recommend the following wording:</p> <p><i>‘...limit the recreational opportunities for members of the community, especially for the elderly.’</i></p>
10	Page 20 – Figure 4.15	<p>For clarity and to help understand the map we recommend that a key is inserted on the map.</p>
11	Page 24 – Objective HL102	<p>For clarity we recommend ‘in line with the policy of the South Oxfordshire Local Plan’, is replaced with <i>‘in line with national policy and guidance’</i>.</p>
12	Page 24 – Objective HL106	<p>It is not clear where this objective is achieved in the neighbourhood plan. We recommend that this objective is deleted from the plan.</p>
13	Page 25 – Objective HLO5	<p>The neighbourhood plan does not set aside land for burial, we suggest the wording is amended to more closely reflect the</p>

Ref.	Section/Policy	Comment/Recommendation
		neighbourhood plan. It also sets out that the cemetery will be closed for new burials at the end of the first quarter 2019, which has now passed. We suggest the text is updated to reflect if the cemetery has closed.
14	Page 31 – Policy H1: Design and Character Principles	<p>Replace '<i>conservation areas and their settings</i>', with '<i>conservation area and its setting</i>'. The designated neighbourhood area only contains one conservation area, therefore the policy should reflect this.</p> <p>The principles need to be presented in a list format, we suggest semi-colons and '<i>and</i>' is inserted on the penultimate point, so that all the principles have to be considered.</p> <p>j. This point effectively repeats the text at the start of the policy 'Development proposals will be supported, provided they complement, enhance and reinforce the local distinctiveness of the village...' To avoid duplication we recommend that this point is deleted.</p>
15	Page 32 – Policy H2: Landscape Character	It might not be possible for all forms of development to make a positive contribution, we recommend 'make a positive contribution to' is replaced with ' <i>in keeping with</i> '.
16	Page 34 – Policy H3: Mix and Size of New Housing	The NPPG sets out that policies should be precise and concise. Criteria c is effectively duplicating criteria point a. We recommend that only one of these is included in the policy to avoid repetition.
17	Page 35 – Policy P1: Parking Provision	<p>We recommend 'in accordance with' is replaced with 'with <i>regard to</i>'. The documents referred to do not form part of the development plan and have not been examined, therefore proposals can only be expected to have regard to them.</p> <p>Criteria 1 and 2 could potentially be in conflict with one another. To try and avoid this we recommend '<i>where possible</i>' is inserted on point 1.</p>
18	Page 35 – Policy T1: Impact of Development on the Road Network	<p>We recommend that 'will' is replaced with '<i>should</i>' to be consistent with paragraph 111 of the NPPF.</p> <p>We recommend '<i>in accordance with</i>' is replaced with '<i>taking into account</i>'. The guidance does not form part of the development plan and has</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>not been examined, therefore the policy should only have regard to it.</p> <p>We recommend that the policy refers to '<i>relevant guidance</i>', to ensure that policy continues to refer to the most up to date guidance.</p> <p>The final sentence of the policy addresses a separate issue in the policy, we suggest it is made into a separate point, detached from the current paragraph.</p>
19	Page 37 – Policy SCI1: Community Assets	For clarity we recommend that the policy title is ' <i>Safeguarding Community Facilities</i> '.
20	Page 37 – Policy SC12: Improvement to Community Assets	<p>For clarity we recommend that the policy title is '<i>Improvements to Community Facilities</i>'.</p> <p>We suggest replacing '<i>other policies in this Plan</i>' with '<i>other development plan policies</i>'.</p>
21	Page 38 – Paragraph 8.17	The text in this paragraph relating to the closure of the burial ground will need updated, as it states that it will close ' <i>sometime in the first half of 2019</i> ', the first half of 2019 has now passed.
22	Page 38 – Policy E1: Supporting Wheatley's Economy	<p>For clarity we recommend 'forging of commercial initiatives' is removed from the policy. We recommend the following wording used:</p> <p><i>'Where appropriate the development of new and existing businesses within the built-up area of Wheatley will be encouraged and supported.'</i></p>
23	Page 42 – Policy DSQ1: Individual and Community Energy Projects	The South Oxfordshire Design Guide and Chilterns Building Design Guide are guidance documents, therefore it is overly restrictive for development to conform to these documents. We recommend 'conform' is replaced with ' <i>have regard to</i> '.
24	Page 43 – Paragraph 9.3	A full stop is needed on the final sentence of the paragraph.
25	Page 46 – Policy SPOBU – WHE25	<p>Delete the 's' on 'maximises'.</p> <p>b. iv. Replace '<i>be in accordance with</i>' with '<i>have regard to</i>'. The guidance does not form part of the development plan and has not been examined, therefore the policy should only have regard to it.</p>
26	Page 52 – Figure 11.2	Correct ' <i>SSI</i> ' to ' <i>SSSI</i> '.

Ref.	Section/Policy	Comment/Recommendation
27	Page 53 – Policy SPES1: WHE16	<p>This policy should be presented so that all the criteria have to be considered. This can be done by introducing semi-colons and ‘and’ on the penultimate criterion.</p> <p>Replace ‘would’ with ‘<i>should</i>’.</p> <p>b. For clarity we suggest that this criterion is reworded as follows:</p> <p><i>‘The public realm within the site is enhanced through design and landscape measures, public open space and/or financial contributions, subject to viability;’.</i></p> <p>c. For clarity we recommend ‘<i>Ensures that</i>’ is deleted. We also recommend ‘greater’ is replaced with ‘adverse’.</p> <p>d. For clarity replace ‘<i>Ensures that</i>’ with ‘<i>There is</i>’.</p> <p>e. For clarity we recommend ‘<i>Ensures that</i>’ is deleted.</p> <p>f. For clarity we suggest that this criterion is reworded as follows:</p> <p><i>‘Sufficient parking for the development is provided with regard to the adopted standards; and’.</i></p> <p>g. As we understand it the Parish Council wish to formalise the existing parking situation on this site. We support the aspirations of the Parish Council however it is not clear if the policy as worded would achieves this. The examiner may wish to amend the policy to ensure the allocation of part of the site to accommodate parking provision is clear.</p>
28	Page 54 – Paragraph 11.9, point b.	<p>The final part of the sentence ‘<i>and the change of use from employment use will not lower the employment capacity within South Oxfordshire District</i>’ should be deleted. If an employment</p>

Ref.	Section/Policy	Comment/Recommendation
		site is not viable and has been appropriately marketed with no success, then it should not also be subject to a further test that the change of use will not lower the employment capacity since this will lead to prolonged vacancy and a failure to make the best use of land.
29	Page 54 – Figure 11.4	Correct ‘SSI’ to ‘SSSI’.
30	Page 55 – Policy SPES2: WHE22	<p>This policy should be presented so that all the criteria have to be considered. This can be done by introducing semi-colons and ‘and’ on the penultimate criterion.</p> <p>Replace ‘will’ with ‘<i>should</i>’.</p> <p>2. The final part of the sentence ‘<i>and the change of use from employment use will not lower the employment capacity within South Oxfordshire District</i>’ should be deleted. If an employment site is not viable and has been appropriately marketed with no success, then it should not also be subject to a further test that the change of use will not lower the employment capacity since this will lead to prolonged vacancy and a failure to make the best use of land.</p> <p>a. For clarity we suggest that this criterion is reworded as follows:  <i>‘The public realm within the site is enhanced through design and landscape measures, public open space and/or financial contributions, subject to viability;’.</i></p> <p>b. For clarity we recommend ‘<i>Ensures that</i>’ is deleted.</p> <p>c. For clarity and to avoid conflict with national and local policy we suggest that this criterion is reworded as follows:  <i>‘The maximum height of the dwellings should be 2 storeys...’.</i></p>

Ref.	Section/Policy	Comment/Recommendation
		<p>The second sentence is addressing a new point and we recommend it is separated into its own criterion.</p> <p>d. For clarity we suggest that the criterion is reworded as follows: <i>'The existing access is retained...'</i></p> <p>e. For clarity insert <i>'It'</i> at the start of the criterion.</p> <p>f. For clarity we suggest that the criterion is reworded as follows: <i>'An area adjoining the road is retained as an open green space/village green and a footpath is provided that links with the main footpath to Coopers Close;'</i></p> <p>g. For clarity we suggest that the criterion is reworded as follows: <i>'An area of approximately 0.05HA adjoining the road is retained for resident parking for use by designated terrace houses and flats neighbouring the development on the north side of Littleworth Road;'</i></p> <p>i. We recommend 'in the eastern part of the site' is deleted from the policy, as all development within the Green Belt must comply with national and local Green Belt policy.</p> <p>Removal of '.</p>
31	Page 57 – Policy SPES3: WHE15	<p>This policy should be presented so that all the criteria have to be considered. This can be done by introducing semi-colons and 'and' on the penultimate criterion.</p> <p>Replace 'would' with <i>'should'</i>.</p> <p>a. For clarity insert <i>'is'</i> between '1,7HA' and 'available'.</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>b. For clarity we suggest that the criterion is reworded as follows:</p> <p><i>'An area of approximately 1.7HA is available for appropriate residential accommodation for 55 homes. The maximum height of the dwellings should be two storey – in keeping with the style of the adjacent dwellings (e.g. in The Avenue);'</i></p> <p>c. It is not clear what standards are being referred to in this criterion. Development cannot be expected to conform to standards if they do not exist. We therefore suggest that the criterion is reworded as follows:</p> <p><i>'The housing development should have regard to appropriate guidance relating to pylons/power cables;'</i></p> <p>d. It is not clear why the wildlife corridor has to be at least 20m wide. Further evidence/justification should be provided.</p> <p>e. For clarity insert <i>'There is'</i> before <i>'with good'</i>.</p> <p>f. For clarity replace <i>'allocated'</i> with <i>'provided'</i>.</p> <p>g. For clarity we suggest that this criterion is reworded as follows:</p> <p><i>'The public realm within the site is enhanced through design and landscape measures, public open space and/or financial contributions, subject to viability;'</i></p> <p>h. For clarity replace <i>'Incorporates'</i> with <i>'There is'</i>. Limiting access only from London Road could reduce the potential permeability of the site and it is not clear if this limitation is supported by evidence. For this reason the Examiner might</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>think that it is appropriate to differentiate between vehicular and pedestrian access</p> <p>i. For clarity we suggest that this criterion is reworded as follows:</p> <p><i>'The Green Route is surfaced appropriately for use by pedestrians and cyclists in all weather. It should be designed to accommodate both pedestrians and cyclists and incorporate appropriate lighting.'</i></p>
32	Page 58 – Policy SPES4: WHE17	<p>This policy should be presented so that all the criteria have to be considered. This can be done by introducing semi-colons and 'and' on the penultimate criterion.</p> <p>Replace 'will' with '<i>should</i>'.</p> <p>c. For clarity we recommend that '<i>Ensures that</i>' is deleted.</p> <p>d. For clarity we suggest that this criterion is reworded as follows:</p> <p><i>'There is appropriate access from the adjacent commercial site to ensure that the development is serviced adequately and well-integrated;'</i></p> <p>e. For clarity we suggest that this criterion is reworded as follows:</p> <p><i>'Proposals should be designed to ensure that they will not result in significant adverse impacts on human health, the natural environment and the amenity of neighbouring uses.'</i></p>
33	Page 59 – Policy SPGR: Green Route	<p>Figures 11.1 and 11.2 do not clearly identify a Green Route as described in the supporting text. We recommend that a new map, showing the Green Route only is created and referred to in the policy.</p> <p>We note that the second part of the policy follows the same approach as Policy ZP4B of the Stroud Town Centre Neighbourhood Plan, if the examiner is not satisfied with this approach,</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>they may wish to explore a different approach which focuses on the location of development.</p> <p>We would suggest the following wording:</p> <p><i>'Any development which is located adjacent to the proposed Green Route will be expected to contribute towards its provision, subject to need and viability'.</i></p>

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Robyn Tobutt
<b>Job title (if relevant)</b>	Planning Policy Officer (Neighbourhood)
<b>Organisation (if relevant)</b>	South Oxfordshire District Council
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	135 Eastern Avenue
<b>Address line 2</b>	Milton Park
<b>Address line 3</b>	-
<b>Postal town</b>	-
<b>Postcode</b>	OX14 4SB
<b>Telephone number</b>	-
<b>Email address</b>	robyn.tobutt@southandvale.gov.uk

# Response 6

## Respondent Details

Information	
<b>Respondent Number:</b> 6	<b>Respondent ID:</b> 129319280
<b>Date Started:</b> 18/10/2019 15:42:44	<b>Date Ended:</b> 18/10/2019 16:23:48
<b>Time Taken:</b> 41 mins, 4 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Individual

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>I think the plan is good in terms of identifying parcels of land for development but I would like higher attention paid to green spaces, biodiversity and environmental issues. Water is a big issue here with old pipes and potential for flooding. This must be considered in planning.</p> <p>I think AH is crucial if we are to attract a younger demographic.</p> <p>Agree that we don't want any developments to feel like a housing estate.</p>

## Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Wheatley Neighbourhood Plan:
No, I do not request a public examination

## Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

**Title** Mr  
**Name** Mosd  
**Job title (if relevant)**  
**Organisation (if relevant)**  
**Organisation representing (if relevant)**  
**Address line 1**  
**Address line 2**  
**Address line 3**  
**Postal town**  
**Postcode**  
**Telephone number**  
**Email address**

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes I would like to be notified

# Response 7

## Respondent Details

Information	
<b>Respondent Number:</b> 7	<b>Respondent ID:</b> 129319685
<b>Date Started:</b> 18/10/2019 16:24:18	<b>Date Ended:</b> 18/10/2019 16:33:36
<b>Time Taken:</b> 9 mins, 18 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> Unknown

Q1. Are you completing this form as an:
Individual

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

### Comments on Wheatley Neighbourhood Plan

The Wheatley Neighbourhood Plan (WNP) contains a number of well-thought-out proposals intended to deliver the housing allocation derived from the local plan. However, we feel that the whole process has been dominated by the potential impact of development of the Oxford Brookes University (OBU) site.

We need to re-iterate that there is no justification for classifying the Oxford Brookes University (OBU) site as a Strategic Site (SODC Policy Strat 14) because the definition of a Strategic Site is one with a capacity for 500 or more homes. This conflicts with the SODC view that the Brookes site (if used for housing) should be for around 300 homes. This has been reinforced by the decision of the SODC planning committee in November 2018 where a proposal to build 500 houses on this site was overwhelmingly rejected.

There is no justification for removing the whole OBU site - the built area and the playing fields and the ancient monument from the Green Belt. There are no exceptional circumstances which would justify taking away any Green Belt protection afforded to the unbuilt part of the site.

As far as the WNP is concerned, based on the allocation made (305 houses) and the number already built or proposed in Wheatley (230 houses), it can be seen that the number of houses on OBU site needs to be no more than 75 to support the WNP.

Furthermore, there should be no automatic assumption made that the OBU site will be used for housing (or only housing). If an alternative use emerges for this site (e.g. education or business) the requirement for these 75 houses would need to be met within Wheatley Parish.

It needs to be clear that any development of the OBU site should be confined to the existing "built up" area of the Brookes site. We have heard terms such as "brown-field" site used in this context which has included a larger area (for example up to the site boundaries such as south to the A40). These terms should not be confused – it is only the existing "built up" part that should be built on.

SODC have also stated that there is "limited potential for primary school provision to be extended at present". If this is the case, how can SODC even consider a strategic site for "at least 300 new homes" without any sensible plan for this key aspect? The same applies to other areas of local infrastructure (e.g. the local road network - where a significant increase in the local population would exacerbate an already overburdened situation).

There is very considerable disquiet locally regarding the above issues which are bound to overshadow the very positive aspects of the WNP. In many people's eyes it is unfortunate that the OBU situation has been allowed to dominate in this way.

Chris & Eileen Roerig  
Paul & Marni Barnard  
Jenny Gooch  
Robbie & Tina Wraith  
Fred & Liz Dike Rosewood

## Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Wheatley Neighbourhood Plan:

Yes, I request a public examination

## Public examination

Q7. Please state your specific reasons for requesting a public hearing below:

The uncertainty over the status of the Oxford Brooks University site and the conflicting positions about its future - e.g. "strategic site" versus planning decision not to allow the number of houses that would be associated with this.

The position regarding the number of houses on this site to support WNP (75) versus the much larger numbers under discussion elsewhere.

The dominance of the OBU site is overwhelming the positive aspects of the WNP.

## Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	Dr
<b>Name</b>	Chris Roerig
<b>Job title (if relevant)</b>	
<b>Organisation (if relevant)</b>	
<b>Organisation representing (if relevant)</b>	
<b>Address line 1</b>	
<b>Address line 2</b>	
<b>Address line 3</b>	
<b>Postal town</b>	
<b>Postcode</b>	
<b>Telephone number</b>	
<b>Email address</b>	

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes I would like to be notified



# Response 8

## Respondent Details

Information	
<b>Respondent Number:</b> 8	<b>Respondent ID:</b> 129394819
<b>Date Started:</b> 21/10/2019 08:34:52	<b>Date Ended:</b> 21/10/2019 09:51:01
<b>Time Taken:</b> 1 hr, 16 mins, 9 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Thank you for your consultation on the above dated 06 September 2019.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where our interests would be affected by the proposals made.</p>

Q4. If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

In our review of the Wheatley Neighbourhood Plan we have a few comments to make:

Policies – We recommend the inclusion of the below into the current Environmental chapter of the Neighbourhood Plan. We have provided a list of suggestions to include and have linked them to the relevant legislation for ease of reference:

o Net gain of biodiversity: Please ensure that any development policy in your plan includes wording to ensure “all development results in a biodiversity net gain for the neighbourhood plan area”. All development proposals should maintain and enhance existing on-site biodiversity assets, and provide for wildlife needs on site, where possible. Where appropriate, on-site enhancements such as new roosting features for bats or nesting features for birds should be incorporated into the fabric of development. Policies around Biodiversity Net Gain should propose the use of a biodiversity measure for development proposals. Examples of calculations are included in Annex A. For further reference, please see paragraphs 170 and 174 of the NPPF and Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC Act).

o Green infrastructure (GI): Elements of GI such as open green space, wild green space, allotments and green walls and roofs can all be used create connected habitats suitable for species adaptation to climate change. Green infrastructure also provides multiple benefits for people including recreation, health and wellbeing, access to nature, opportunities for food growing and resilience to climate change. Annex A provides examples of GI. Development proposals required to provide onsite green infrastructure must provide Green Infrastructure Management Plans, with proposals including funding for the long term management of the assets. For further reference, please see paragraph 171 of the NPPF.

o Connectivity: Proposals for development should provide wildlife corridors that allow wildlife to move from one area of habitat to another. Where ecologically relevant, fences and walls are encouraged to incorporate features that allow dispersal of wildlife through areas of green space and gardens. We recommend keeping green space within villages and across developments in order to maintain connectivity of wider ecological networks. Green spaces in built up areas also help the health and wellbeing of residents. For further reference, please see paragraphs 117 and 174 of the NPPF.

o Brownfield land: We recommend mentioning favouring developing on brownfield sites over greenfield sites, provided the brownfield land is not of high environmental value. Removal of green space in favour of development may have serious impacts on biodiversity and connected habitat and therefore species ability to adapt to climate change. For further reference, please see paragraphs 110 and 117 of the NPPF.

o Priority habitats and species: Planning policies should promote the preservation, restoration and recreation of priority habitats, and promote the recovery of priority species populations. Please consult Annex A for guidance on how to find priority species and habitats in this neighbourhood area. For further reference, please see paragraph 117 of the NPPF.

We would like to remind you of the mitigation hierarchy (avoidance, mitigation, compensation). When considering development proposals, you are encouraged to think first how the harm to the environment can be avoided, followed by mitigation to minimise harm. Compensation, or off-setting, should be used as a last resort.

The recently produced Neighbourhood Plan for Benson, in South Oxfordshire provides an excellent example. We would recommend you considering this document, when reviewing yours.

Annex A attached provides information on the natural environment and issues and opportunities for your Neighbourhood planning.

Q5. You can upload supporting evidence here.

- File: Natural England Response 294246 - Wheatley Neighbourhood Plan - REG 16.pdf - [Download](#)

## Your details and future contact preferences

Date: 09 October 2019  
Our ref: 294246



South Oxfordshire District Council

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Robyn Tobutt,

### **Planning Consultation: Wheatley Neighbourhood Plan Regulation 16**

Thank you for your consultation on the above dated 06 September 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where our interests would be affected by the proposals made.

In our review of the Wheatley Neighbourhood Plan we have a few comments to make:

- **Policies** – We recommend the inclusion of the below into the current Environmental chapter of the Neighbourhood Plan. We have provided a list of suggestions to include and have linked them to the relevant legislation for ease of reference:
  - **Net gain of biodiversity:** Please ensure that any development policy in your plan includes wording to ensure “all development results in a biodiversity net gain for the neighbourhood plan area”. All development proposals should maintain and enhance existing on-site biodiversity assets, and provide for wildlife needs on site, where possible. Where appropriate, on-site enhancements such as new roosting features for bats or nesting features for birds should be incorporated into the fabric of development. Policies around Biodiversity Net Gain should propose the use of a biodiversity measure for development proposals. Examples of calculations are included in Annex A. For further reference, please see paragraphs 170 and 174 of the NPPF and Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC Act).
  - **Green infrastructure (GI):** Elements of GI such as open green space, wild green space, allotments and green walls and roofs can all be used create connected habitats suitable for species adaptation to climate change. Green infrastructure also provides multiple benefits for people included recreation, health and wellbeing, access to nature, opportunities for food growing and resilience to climate change. Annex A provides examples of GI. Development proposals required to provide onsite green infrastructure must provide Green Infrastructure Management Plans, with proposals including funding for the long term management of the assets. For further reference, please see paragraph 171 of the NPPF.
  - **Connectivity:** Proposals for development should provide wildlife corridors that allow wildlife to move from one area of habitat to another. Where ecologically relevant, fences and walls are encouraged to incorporate features that allow dispersal of wildlife through

areas of green space and gardens. We recommend keeping green space within villages and across developments in order to maintain connectivity of wider ecological networks. Green spaces in built up areas also help the health and wellbeing of residents. For further reference, please see paragraphs 117 and 174 of the NPPF.

- **Brownfield land:** We recommend mentioning favouring developing on brownfield sites over greenfield sites, provided the brownfield land is not of high environmental value. Removal of green space in favour of development may have serious impacts on biodiversity and connected habitat and therefore species ability to adapt to climate change. For further reference, please see paragraphs 110 and 117 of the NPPF.
- **Priority habitats and species:** Planning policies should promote the preservation, restoration and recreation of priority habitats, and promote the recovery of priority species populations. Please consult Annex A for guidance on how to find priority species and habitats in this neighbourhood area. For further reference, please see paragraph 117 of the NPPF.
- We would like to remind you of the mitigation hierarchy (avoidance, mitigation, compensation). When considering development proposals, you are encouraged to think first how the harm to the environment can be avoided, followed by mitigation to minimise harm. Compensation, or off-setting, should be used as a last resort.

The recently produced [Neighbourhood Plan for Benson](#), in South Oxfordshire provides an excellent example. We would recommend you considering this document, when reviewing yours.

Annex A provides information on the natural environment and issues and opportunities for your Neighbourhood planning.

Yours sincerely,

Lauren Schofield  
Adviser  
Sustainable Development  
Thames Team

# Annex A - Neighbourhood planning and the natural environment: information, issues and opportunities

## Natural Environment Information Sources

The [Magic](http://magic.defra.gov.uk/)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)<sup>5</sup> website and also from the [LandIS website](http://www.landis.org.uk/)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural Environment Issues to Consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)<sup>8</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan on the natural environment and the need for any environmental assessments.

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Landscape

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. Your plan may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species and habitat

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

## Ancient woodland and veteran trees-link to standing advice

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forest Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances

## Biodiversity net gain

Under section 40 of the Natural Environment and Rural Communities Act 2006 Local Planning Authorities are required to conserve biodiversity. The NPPF section 109 states "*the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity wherever possible*". Suitable methods for calculating biodiversity net gain can include the Defra biodiversity offsetting metric<sup>13</sup> and the environment bank biodiversity impact calculator<sup>14</sup>. Natural England would expect a policy within the Neighbourhood Plan to include wording to ensure that net biodiversity gain is achieved.

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<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup> <https://www.gov.uk/government/collections/biodiversity-offsetting#guidance-for-offset-providers-developers-and-local-authorities-in-the-pilot-areas> Note; the 'Guidance for developers' and 'Guidance for offset providers' documents provide a calculation method.

<sup>14</sup> <http://www.environmentbank.com/impact-calculator.php> , and [http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0ahUKEwi7vcbI0aDQAhVMDcAKHb8IDEUQFggsMAI&url=http%3A%2F%2Fconsult.welhat.gov.uk%2Ffile%2F4184236&usq=AFQjCNFfkbJJQ\\_UN0044Qe6rmiLffxckg](http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0ahUKEwi7vcbI0aDQAhVMDcAKHb8IDEUQFggsMAI&url=http%3A%2F%2Fconsult.welhat.gov.uk%2Ffile%2F4184236&usq=AFQjCNFfkbJJQ_UN0044Qe6rmiLffxckg)

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>15</sup>.

## **Green Infrastructure, Improving Your Natural Environment.**

Inclusion of Green Infrastructure (GI) in to development plans can provide multifunctional benefits to the area. These can include opportunities for recreation, health and wellbeing and access to nature as well as providing connected habitats for wildlife.

Your plan or order can offer exciting opportunities to enhance your local environment through inclusion of GI. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained, connected, enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath with landscaping through the new development to link into existing rights of way or other green spaces.
- Restoring a neglected hedgerow or creating new ones.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Considering how lighting can be best managed to encourage wildlife.
- Adding a green roof or walls to new or existing buildings.

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#)<sup>16</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

---

<sup>15</sup> <http://publications.naturalengland.org.uk/publication/35012>

<sup>16</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

### Green Roofs

Natural England is supportive of the inclusion of living roofs in all appropriate development. Research indicates that the benefits of green roofs include reducing run-off and thereby the risk of surface water flooding; reducing the requirement for heating and air-conditioning; and providing habitat for wildlife.

We would advise your council that some living roofs, such as sedum matting, can have limited biodiversity value in terms of the range of species that grow on them and habitats they provide. Natural England would encourage you to consider the use of bespoke solutions based on the needs of the wildlife specific to the site and adjacent area. I would refer you to <http://livingroofs.org/> for a range of innovative solutions.

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Lauren Schofield
<b>Job title (if relevant)</b>	Adviser
<b>Organisation (if relevant)</b>	Natural England
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	Hornbeam House
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<b>Postal town</b>	Cheshire
<b>Postcode</b>	CW1 6GJ
<b>Telephone number</b>	03000603900
<b>Email address</b>	Lauren.Schofield@naturalengland.org.uk

# Response 9

## Respondent Details

Information	
<b>Respondent Number:</b> 9	<b>Respondent ID:</b> 129399848
<b>Date Started:</b> 21/10/2019 09:57:25	<b>Date Ended:</b> 21/10/2019 10:01:40
<b>Time Taken:</b> 4 mins, 15 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:

Organisation

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Response attached below.

Q3. You can upload supporting evidence here.

- File: Wheatley NP Oxfordshire County Council response October 2019.pdf - [Download](#)

## Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Wheatley Neighbourhood Plan:

Yes, I request a public examination

## Public examination

Q7. Please state your specific reasons for requesting a public hearing below:

We are generally supportive of the neighbourhood plan and appreciate that changes have been made to address a range of issues we raised. However, we request that there be a public hearing as part of the examination on this neighbourhood plan and seek that Oxfordshire County Council is heard. Please see our comments attached.

## Your details and future contact preferences



County Hall  
New Road  
Oxford  
OX1 1ND

Director for Planning and Place  
– Susan Halliwell

18 October 2019

South Oxfordshire District Council  
By email: [Planning.Policy@southoxon.gov.uk](mailto:Planning.Policy@southoxon.gov.uk)

Copy: [responseswnp@gmail.com](mailto:responseswnp@gmail.com)

Dear Sir/Madam

**Wheatley – Submission Neighbourhood Plan – Comments close 18/10/19  
Comments to be forwarded to independent Examiner**

Our comments follow those provided at the second pre-submission draft stage on 21 June 2019, comments on the first draft on 30 June 2017 and a letter of 9 October 2018. We also made relevant comments on the Pre-Submission South Oxfordshire Local Plan in February 2019.

The proposed allocations are as follows:

- Policy SPES2 - redevelopment within the village (WHE22) for 25 houses.
- Policy SPES1 - development of up to 10 houses on WHE16.
- Policy SPES3 - a mixed development including approx 55 houses on WHE15.
- Policy SPES4 - commercial use on WHE17.

Policy SPOBU relates to part of the Wheatley Campus site and is not an allocation of this neighbourhood plan.

We are generally supportive of the neighbourhood plan and appreciate that changes have been made to address a range of issues we raised. However, we request that there be a public hearing as part of the examination on this neighbourhood plan and seek that Oxfordshire County Council is heard. Please see our comments attached.

Yours sincerely

*L Hughes*

Lynette Hughes  
**Senior Planner**

Email: [PlanningInOxfordshire@oxfordshire.gov.uk](mailto:PlanningInOxfordshire@oxfordshire.gov.uk)

**District:** South Oxfordshire

**Consultation:** Submission Wheatley Neighbourhood Plan 2019 – 2034

**Team:** Strategic Planning

**Officer's Name:** Lynette Hughes

**Officer's Title:** Senior Planner

**Date:** 10 October 2019

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## **Strategic Comments**

This is a well-researched and prepared plan. However, there is considerable uncertainty over the Local Plan and a key site at the time of writing and we therefore consider a public hearing is required. The uncertainty involves:

- At the time of preparing this response the Secretary of State has issued a holding direction on the South Oxfordshire Local Plan under S21A of the Planning and Compulsory Purchase Act 2004.
- At the time of preparing this response a public inquiry is due to commence on 22<sup>nd</sup> October in respect of an appeal on the refused application P17/S4254/O relating to the Oxford Brookes University Wheatley Campus site.
- At the time of preparing this response there have been relatively recent changes to the CIL regulations (1<sup>st</sup> September 2019) which mean that previous assessments of viability may now be out of date.

Policies SPES1, SPES3 and SPES4 propose to allocate three parcels of land for development of up to 65 houses together with some commercial uses, subject to the Green Belt being changed. Policy GBBA1 proposes to amend the boundary of the Green Belt but relies on a strategic policy in an adopted Local Plan to do so. At the time that the neighbourhood plan was submitted, the South Oxfordshire Local Plan was submitted, including Policy STRAT6 which allows for additional land to be taken out of the Green Belt at Wheatley. At the time of writing, the Secretary of State has a holding direction on the Local Plan.

Policy SPES2 provides for redevelopment of land within the village for 25 houses. No change to the Green Belt boundary is required as this is in the area inset from the Green Belt. The policy provides for redevelopment on the basis that the industrial activities will move to land allocated through the policies above, and therefore is also dependent on the Local Plan progressing.

Policy SPOBU relates to part of the Wheatley Campus site. In December 2018 South Oxfordshire District Council refused application P17/S4254/O. That decision was appealed and the public inquiry is (at the time of writing) due to start on 22<sup>nd</sup> October 2019. The County Council has prepared Transport evidence for the appeal and has worked on a possible S106 agreement. We recommend that the Examiner seeks an update on the situation with the public inquiry for examining this neighbourhood plan.

The County Council's principal concern stated throughout our comments on the neighbourhood plan has been in respect of the total number of houses being provided for in respect of primary school capacity. We have noted that the amount of development does not make it viable to extend the primary school but could nevertheless result in capacity issues. Our latest advice is contained in the Education

comments attached. It is our understanding that the primary school currently has more capacity than might be expected for the size of the village due to many parents sending children to primary schools outside the village. At present, there is spare capacity in some primary schools nearby. We therefore are not objecting to the submission neighbourhood plan on the grounds of Education capacity, even though from a strategic point of view it would be desirable if all residents could access the local primary school if they wished to. We could provide any update on this situation at a public hearing on this neighbourhood plan.

The County Council made comments on the Pre-Submission Local Plan in February 2019 in relation to the Wheatley Campus proposed allocation. We have no objection to the principle of redeveloping this brownfield site, our concerns being specifically related to transport and education and the required contributions. In respect of the number of homes the allocation should provide for, we stated that the number should not be 'at least 300' but instead an approximate number identified in conjunction with the developer and other interested parties. We note that the neighbourhood plan includes new paragraphs 10.3, 10.4, 11.17, 11.18 and 11.19 compared to the pre-submission draft. Figure 11.6 shows the estimate of increase in number of homes to be 537 of which 131 are completions or commitments to date, and 300 is the number accorded to the Wheatley Campus site. We maintain our view that the appropriate number of houses needs to be identified in conjunction with interested parties.

**District:** South Oxfordshire

**Consultation:** Submission Wheatley Neighbourhood Plan 2019 – 2034

**Team:** Education

**Officer's Name:** Joanne Booker

**Officer's Title:** School Organisation Officer

**Date:** 10 October 2019

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## **Education Comments**

The Neighbourhood Plan states that 'Wheatley Primary Academy has accommodation for further pupils', but, as noted in the county's previous responses, the school's capacity numbers are not specified. The school is a 2-form entry school (capacity 420), with 255 pupils on roll at the time of the May 2019 pupil census. As noted in the county council's letter on 9 October 2018 in response to questions from the Neighbourhood Plan Committee, as well as the response to the pre-submission draft Neighbourhood Plan in June 2019, while the school is likely to have capacity to accommodate development of less than 500 homes in the Wheatley area, any additional housing significantly above this number may create capacity issues. However, the exact level of spare capacity will inevitably fluctuate from year to year.

These concerns are noted in Paragraph 10.6 of the Neighbourhood Plan. Figure 11.6 gives an estimated total of 537 dwellings to be built in Wheatley (with 16 of these for over 50s only), giving a total of 521 homes that could potentially be expected to generate school age pupils. However, it is noted that Paragraph 11.19 states that 'the actual number of homes that can be built will be limited by the capacity of Primary School Education available in Wheatley and Holton.' The county council supports this clarification and will carefully consider the capacity of Wheatley Primary School when responding to future planning applications for development in the Wheatley area.

Paragraph 8.33 refers to the potential of a photovoltaic project being carried out by Wheatley schools. As previously advised, discussions should be held with the county council's Property team about any such proposal.

The Neighbourhood Plan does not make reference to the capacity of secondary education provision in the Wheatley area at Wheatley Park School. As previously advised, the school has a current capacity of 1350 pupils. Pupil census figures from May 2019 show that 1068 pupils were on roll at this time, meaning that there would be additional capacity for 282 additional pupils across the age range. It must be noted, however, that the school serves a wide "catchment" area and will also need to accommodate growth pressures from other villages.

As advised in the county council's previous responses, it is currently expected that Wheatley Park School would be able to accommodate the suggested levels of growth in the village, if its full capacity were to be utilised.

**District:** South Oxfordshire  
**Consultation:** Submission Wheatley Neighbourhood Plan 2019 – 2034  
**Team:** South & Vale Locality  
**Officer's Name:** Will Pedley  
**Officer's Title:** Senior Transport Planner  
**Date:** 10 October 2019

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## **Transport Comments**

In the list of references (pp.64-66) the following links need to be updated:

40. Transport Assessment and Travel Plans:

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/transport-policies-and-plans/transport-new-developments/travel-plans-advice>

46. Walking Standards:

<https://www.oxfordshire.gov.uk/sites/default/files/file//walkingstandards.pdf>

47. Cycling Standards:

<https://www.oxfordshire.gov.uk/sites/default/files/file//cyclingstandards.pdf>

We are content that amendments have been made where appropriate to the transport-related issues that were raised in our previous comments.

Transport evidence has been prepared for the current Wheatley Oxford Brookes Campus site appeal.

**District:** South Oxfordshire

**Consultation:** Submission Wheatley Parish Neighbourhood Plan 2019 - 2034

**Team:** Waste Management

**Officer's Name:** Rachel Burns

**Officer's Title:** Waste Strategy Manager

**Date:** 25/9/19

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## **Waste Strategy Comments**

Waste reuse, reduction and recycling appear to have not been considered within the neighbourhood plan.

Oxfordshire councils have ambitious targets to reduce the amount of waste generated and increase the amount recycled as demonstrated in our Joint Municipal Waste Management Strategy 2018-2023.

Enabling the residents of new dwellings to fully participate in district council waste and recycling collections, for example through providing sufficient and convenient storage space for bins both inside properties and externally, will allow Oxfordshire's high recycling rates to be maintained and minimise an increase in residual waste.

Bin store provision which can accommodate the correct number of mixed recycling, refuse and food recycling bins, are safe and easy to use for both residents and waste collection crews and meets the requirements of the waste collection authority are required.

Community spaces can be used to help reduce waste and build community cohesion through assets such as community fridges, space for the sharing economy (library of things), refill stations, space for local food growing etc.

It is appreciated that these comments were not made at the earlier Draft neighbourhood plan stage and the Examiner will only now make changes if they are necessary to meet the Basic Conditions. These comments are made on that basis.

**District:** South Oxfordshire

**Consultation:** Submission Wheatley Parish Neighbourhood Plan 2019 - 2034

**Team:** Mineral and Waste Planning Policy Team

**Officer's Name:** Anna Herriman

**Officer's Title:** Mineral and Waste Policy Planning Officer

**Date:** 8<sup>th</sup> October 2019

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## **Minerals and Waste Comments**

The area covered by the neighbourhood is not in a Strategic Resource Area and is also not in a Minerals safeguarding area. There are also no permitted Mineral and Waste sites within the area. Therefore, from a Mineral and Waste planning policy perspective, we have no comments to make.

**District:** South Oxfordshire

**Consultation:** Wheatley Parish Neighbourhood Plan 2019 - 2034 (Submission Document)

**Team:** Archaeology

**Officer's Name:** Richard Oram

**Officer's Title:** Planning Archaeologist

**Date:** 20/9/19

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## **Archaeology Comments**

In our comments of June 2019, we asked for inclusion of a heritage policy. Our request has been addressed as a new policy has been added reference Policy HE1 together with paragraph 8.30 introducing the policy.

We support the inclusion of the policy and text.

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Lynette Hughes
<b>Job title (if relevant)</b>	Senior Planner
<b>Organisation (if relevant)</b>	Oxfordshire County Council
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	County Hall
<b>Address line 2</b>	New Road
<b>Address line 3</b>	-
<b>Postal town</b>	Oxford
<b>Postcode</b>	OX1 1ND
<b>Telephone number</b>	-
<b>Email address</b>	Lynette.Hughes@Oxfordshire.gov.uk

# Response 10

## Respondent Details

Information	
<b>Respondent Number:</b> 10	<b>Respondent ID:</b> 129400327
<b>Date Started:</b> 21/10/2019 10:03:34	<b>Date Ended:</b> 21/10/2019 10:17:34
<b>Time Taken:</b> 14 mins, 0 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
Response attached.

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Wheatley NP REP 18.10.19.pdf - <a href="#">Download</a></li></ul>

## Your details and future contact preferences

SODC's office  
135 Eastern Avenue  
Milton Park  
Milton  
OX14 4SB

Lucy Bartley  
Consultant Town Planner

Tel: 01926 439116  
[n.grid@woodplc.com](mailto:n.grid@woodplc.com)

Sent by email to:  
[planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

18 October 2019

Dear Sir / Madam

**Wheatley Neighbourhood Plan Consultation  
SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

**About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales and National Grid Electricity System Operator (NGESO) operates the electricity transmission network across the UK. The energy is then distributed to the eight electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid previously owned part of the gas distribution system known as 'National Grid Gas Distribution limited (NGDDL). Since May 2018, NGDDL is now a separate entity called 'Cadent Gas'.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect National Grid's assets.

**Assets in your area**

National Grid has identified the following high voltage overhead powerline as falling within the Neighbourhood area boundary:



- **4YH Route** - 400kV two circuit route from East Claydon substation in Aylesbury Vale to Cowley substation in South Oxfordshire

From the consultation information provided, the above overhead powerline interacts with the following sites: WHE15, WHE17, WHE21 and WHE1B.

### **Gas Distribution – Low / Medium Pressure**

Whilst there are no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network, please contact [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

### **Electricity distribution**

Information regarding the distribution network can be found at: [www.energynetworks.org.uk](http://www.energynetworks.org.uk)

### **Further Advice**

National Grid is happy to provide advice and guidance to the Council concerning our networks. If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us. In addition, the following publications are available from the National Grid website or by contacting us at the address overleaf:

- A sense of place – design guidelines for development near high voltage overhead lines: A sense of place design guidelines for development near high voltage overhead lines:  
<https://www.nationalgridet.com/document/130626/download>
- Guidelines when working near NGG assets: <https://www.nationalgridgas.com/land-and-assets/working-near-our-assets>
- Guidelines when working near NGETT assets: <https://www.nationalgridet.com/network-and-assets/working-near-our-assets>

### **Appendices - National Grid Assets**

Please find attached in:

- Appendix 1 provides a map of the National Grid network across the UK.

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown overleaf to your consultation database:

**Lucy Bartley**

Consultant Town Planner

[n.grid@woodplc.com](mailto:n.grid@woodplc.com)

Wood E&I Solutions UK Ltd  
Nicholls House  
Homer Close  
Leamington Spa  
Warwickshire  
CV34 6TT

**Spencer Jefferies**

Development Liaison Officer, National Grid

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick  
Warwickshire  
CV34 6DA

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully

[via email]

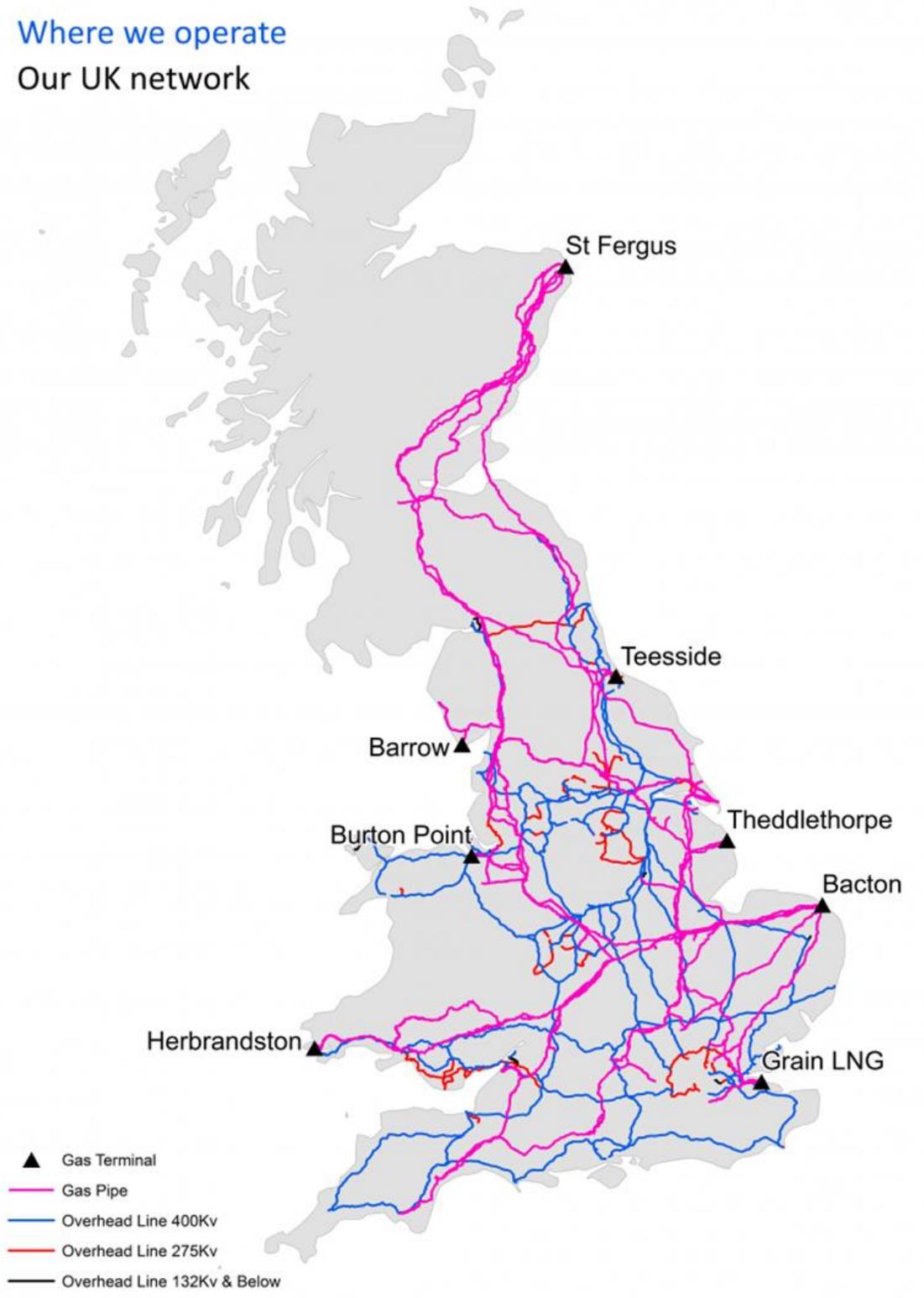
**Lucy Bartley**

**Consultant Town Planner**

cc. Spencer Jefferies, National Grid

**APPENDIX 1: NATIONAL GRID'S UK NETWORK**

Where we operate  
Our UK network



Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Lucy Bartley
<b>Job title (if relevant)</b>	Consultation Town Planner
<b>Organisation (if relevant)</b>	Wood
<b>Organisation representing (if relevant)</b>	National Grid
<b>Address line 1</b>	Nicholls House
<b>Address line 2</b>	Homer Close
<b>Address line 3</b>	Leamington Spa
<b>Postal town</b>	Warwickshire
<b>Postcode</b>	CV34 6TT
<b>Telephone number</b>	+44 (0) 1926 439 000
<b>Email address</b>	n.grid@woodplc.com

# Response 11

## Respondent Details

Information	
<b>Respondent Number:</b> 11	<b>Respondent ID:</b> 129401756
<b>Date Started:</b> 21/10/2019 10:21:02	<b>Date Ended:</b> 21/10/2019 10:32:43
<b>Time Taken:</b> 11 mins, 41 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:

Agent

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

Thames Water are the statutory water supply and sewerage undertaker for the Wheatley Neighbourhood Plan area and the whole of the South Oxfordshire District and are hence a "specific consultation body" in accordance with the Town & Country Planning (Local Planning) Regulations 2012.

### Paragraph 4.36 – Water Supply and Sewerage

Thames Water support paragraph 4.36 specifically where it encourages developer to engage early with Thames Water. Thames Water now operate a pre-planning service which is the mechanism for this early engagement. As such the Neighbourhood Plan forum should strengthen paragraph 4.36 by including the following:

Thames Water encourages developers to use their free pre-planning service (<https://www.thameswater.co.uk/preplanning>). This service can tell developers at an early stage if there will be capacity in Thames water and/or wastewater networks to serve their development, or what they will do if there is not.

The developer can then submit this communication as evidence to support a planning application and Thames can prepare to serve the new development at the point of need, helping avoid delays to housing delivery programmes."

Q3. You can upload supporting evidence here.

- File: 19.10.09 Thames Water response Wheatley Draft Neighbourhood Plan.pdf - [Download](#)

Q4. If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

### Site Specific Comments

The attached table provides site specific comments from a desktop assessment on sewerage and water supply infrastructure.

We hope this is of assistance. If you have any questions please do not hesitate to contact Carmelle Text or on the above number.

Q5. You can upload supporting evidence here.

- File: 19.10.09 Thames Water Wheatley Neighbourhood Plan site specific comments.xls - [Download](#)



Sent by email: [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

[thameswaterplanningpolicy@savills.com](mailto:thameswaterplanningpolicy@savills.com)

 0118 9520 503

10 October 2019

## South Oxfordshire – Wheatley Draft Neighbourhood Plan September 2019

Dear Sir/Madam,

Thames Water are the statutory water supply and sewerage undertaker for the Wheatley Neighbourhood Plan area and the whole of the South Oxfordshire District and are hence a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012.

### Paragraph 4.36 – Water Supply and Sewerage

Thames Water support paragraph 4.36 specifically where it encourages developer to engage early with Thames Water. Thames Water now operate a pre-planning service which is the mechanism for this early engagement. As such the Neighbourhood Plan forum should strengthen paragraph 4.36 by including the following:

*Thames Water encourages developers to use their free pre-planning service (<https://www.thameswater.co.uk/preplanning>). This service can tell developers at an early stage if there will be capacity in Thames water and/or wastewater networks to serve their development, or what they will do if there is not.*

*The developer can then submit this communication as evidence to support a planning application and Thames can prepare to serve the new development at the point of need, helping avoid delays to housing delivery programmes.”*

### Site Specific Comments

The attached table provides site specific comments from a desktop assessment on sewerage and water supply infrastructure.

We hope this is of assistance. If you have any questions please do not hesitate to contact Carmelle Textor on the above number.

Yours sincerely

**Thames Water Utilities Ltd**

Site ID	Site Name	Water Response	Waste Response	Additional comments
61639	WHE15- Miss Tomb's Field	The water network capacity in this area may be unable to support the demand anticipated from this development. Local upgrades to the existing water network infrastructure may be required to ensure sufficient capacity is brought forward ahead of the development. The developer is encouraged to work Thames Water early on in the planning process to understand what infrastructure is required, where, when and how it will be delivered	On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to this development/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email Devcon.team@thameswater.co.uk tel: 02035779998 or in writing Thames Water Utilities Ltd, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire, WD3 9SQ	This site is in close proximity to the sewage treatment works therefore there is a risk of nuisance from odour or noise. The comments are based on the assumption that foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.
61636	WHE16- The Bungalows' Site	On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.	On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to this development/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email Devcon.team@thameswater.co.uk tel: 02035779998 or in writing Thames Water Utilities Ltd, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire, WD3 9SQ	Where development is being proposed within 800m of a sewage treatment works, the developer or local authority should liaise with Thames Water to consider whether an odour impact assessment is required as part of the promotion of the site and potential planning application submission. The odour impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a sewage treatment works. There may be existing public sewers crossing the site. If building over or close to a public sewer is agreed to by Thames Water it will need to be regulated by a 'Build over or near to' Agreement in order to protect the public sewer and/or apparatus in question. It may be possible for public sewers to be moved at a developer's request so as to accommodate development in accordance with Section 185 of the Water Act 1989. The comments are based on the assumption that foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.
37914	WHE17- Mobbs' Land	Due to the complexities of water networks the level of information contained in this document does not allow Thames Water to make a detailed assessment of the impact the proposed housing provision will have on the water infrastructure and its cumulative impact. To enable us to provide more specific comments on the site proposals we require details of the Local Authority's aspiration for each site. For example, an indication of the location, type and scale of development together with the anticipated timing of development. Thames Water would welcome the opportunity to meet South Oxfordshire District Council to discuss the water infrastructure needs relating to the Local Plan.	Due to the complexities of wastewater networks the level of information contained in this document does not allow Thames Water to make a detailed assessment of the impact the proposed housing provision will have on the wastewater infrastructure. To enable us to provide more specific comments on the site proposals we require details of the Local Authority's aspiration for each site. For example, an indication of the location, type and scale of development together with the anticipated timing of development. Thames Water would welcome the opportunity to meet the South Oxfordshire Council to discuss the wastewater infrastructure needs relating to the Local Plan.	This site is in close proximity to the sewage treatment works therefore there is a risk of nuisance from odour or noise.
61637	WHE22- The Littleworth Industrial Area	On the information available to date we do not envisage infrastructure concerns regarding Water Supply capability in relation to this site.	On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to this development/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email Devcon.team@thameswater.co.uk tel: 02035779998 or in writing Thames Water Utilities Ltd, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire, WD3 9SQ	The comments are based on the assumption that foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.

## Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Tasha Hurley
<b>Job title (if relevant)</b>	Planning Administrator
<b>Organisation (if relevant)</b>	Savills
<b>Organisation representing (if relevant)</b>	Thames Water
<b>Address line 1</b>	Ground Floor
<b>Address line 2</b>	Hawker House
<b>Address line 3</b>	5-6 Napier Court
<b>Postal town</b>	Reading
<b>Postcode</b>	RG1 8BW
<b>Telephone number</b>	+44 (0) 1189 520 509
<b>Email address</b>	tasha.hurley@savills.com

# Response 12

## Respondent Details

Information	
<b>Respondent Number:</b> 12	<b>Respondent ID:</b> 129404473
<b>Date Started:</b> 21/10/2019 10:56:04	<b>Date Ended:</b> 21/10/2019 11:06:29
<b>Time Taken:</b> 10 mins, 25 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Organisation

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

This is the formal response of the Oxford Bus Company to the Wheatley Neighbourhood Plan, as published for consultation in September 2019.

It is a pleasure to respond to this meticulously produced plan. We will respond below mainly to the housing and transport sections, which are relevant for our business.

#### Company introduction

Oxford Bus Company employs about 600 staff and carry over 19 million passengers a year in a fleet of 160 buses & coaches. It operates using seven brands – City, X90, Airline, Park & Ride, BROOKESbus, Science Transit, and Pick Me Up. Airline and X90 utilise coaches with the other brands using buses. The local bus service consists of around 120 vehicles with over half being electric-hybrid buses. Coach services are provided using an additional 40 vehicles.

OBC believe passionately in working in partnership with local stakeholders to deliver a high quality service and aim to provide customers with the best experience possible when they travel. To achieve this OBC are constantly investing in the fleet including onboard technology from free wifi to USB charging points as well as fully secure smart ticketing and contactless payments. OBC's demand responsive transport service PickMeUp launched in July 2018.

A high quality bus stop has these features:

- Good bus stop design including real time passenger information display as set out above, printed timetable and service information, local map and way finding;
- High visibility bus stop flag and pole with appropriate and consistent branding;
- Interactive audio help points;
- A Wi-Fi hotspot if public transport bus stop departure times can be accessed via mobile phones;
- An enhanced maintenance regime to maintain the quality feel of infrastructure investment;
- A higher kerb to reduce the step height between the bus and the footway, minimum 125mm;
- An attractive shelter with seating designed for those with limited mobility;
- Higher quality footway and carriageway paving materials;
- A stop cage marking of sufficient length to enable buses access close to the kerb. Minimum of 15m per bus if unobstructed (to cater for maximum likely vehicle lengths).

Public toilet facilities and free drinking water should be provided at interchanges.

Cycle parking may be relevant at stops that serve express bus routes to destinations over about 5 miles away.

#### This consultation

Our understanding is that the Council has been working on the Plan for four years and many people have already given their thoughts and ideas. This is the final consultation before the Plan is submitted to South Oxfordshire District Council for Examination.

The Plan is for the period up to 2034 and it sets out objectives and policies against which planning applications for new housing, employment and other development will be assessed so that the impacts the proposals have on the town's green spaces, historic environment and community assets are controlled as far as possible for the benefit of residents, businesses and visitors.

Q3. You can upload supporting evidence here.

- File: OBC Response 10.10.2019 Wheatley Neighbourhood Plan.pdf - [Download](#)

To: [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

9 October 2019

Oxford Bus Company  
Cowley House  
Watlington Road  
Oxford OX4 6GA

t 01865 785 400  
e [info@oxfordbus.co.uk](mailto:info@oxfordbus.co.uk)  
[www.oxfordbus.co.uk](http://www.oxfordbus.co.uk)

Dear Parish Councillors,

### **Wheatley Neighbourhood Plan**

Please find attached the Oxford Bus Company response to the Wheatley Neighbourhood Plan. Thank you for the opportunity to respond to the proposed plan, and I hope you find these comments useful and enlightening.

Yours sincerely

**Celia Jones**  
Strategic Development Manager

# Response to Wheatley Neighbourhood Plan

Oxford Bus Company

## Introduction

This is the formal response of the Oxford Bus Company to the Wheatley Neighbourhood Plan, as published for consultation in September 2019.

It is a pleasure to respond to this meticulously produced plan. We will respond below mainly to the housing and transport sections, which are relevant for our business.

## Company introduction

Oxford Bus Company employs about 600 staff and carry over 19 million passengers a year in a fleet of 160 buses & coaches. It operates using seven brands – City, X90, Airline, Park & Ride, BROOKESbus, Science Transit, and Pick Me Up. Airline and X90 utilise coaches with the other brands using buses. The local bus service consists of around 120 vehicles with over half being electric-hybrid buses. Coach services are provided using an additional 40 vehicles.

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- An attractive shelter with seating designed for those with limited mobility;
- Higher quality footway and carriageway paving materials;
- A stop cage marking of sufficient length to enable buses access close to the kerb. Minimum of 15m per bus if unobstructed (to cater for maximum likely vehicle lengths).

Public toilet facilities and free drinking water should be provided at interchanges.

Cycle parking may be relevant at stops that serve express bus routes to destinations over about 5 miles away.

### This consultation

Our understanding is that the Council has been working on the Plan for four years and many people have already given their thoughts and ideas. This is the final consultation before the Plan is submitted to South Oxfordshire District Council for Examination.

The Plan is for the period up to 2034 and it sets out objectives and policies against which planning applications for new housing, employment and other development will be assessed so that the impacts the proposals have on the town's green spaces, historic environment and community assets are controlled as far as possible for the benefit of residents, businesses and visitors.

### Policy H1 to H4 Housing

The housing policies present no problems for bus services.

### Policy P1 Parking

We SUPPORT this policy which recognises the practical effects of different types of parking provision. On-street parking is particularly problematic when running a bus service.

### Policy T1 the impact of development on transport

We SUPPORT this policy. We recognise that the impact of transport on the village is a major concern. We welcome the support for walking routes and for bus stops, and for bus services.

### Policy SPOBU – WHE25 Redevelopment of Oxford Brookes University campus

We SUPPORT this policy WITH CAVEAT.

We recognise that the village values the bus service which is currently provided for the University campus, and that there is a hope that it can continue after the University vacates the site, as set out here “Support for accessible and well-connected bus services through the site”

We recognise also that the Wheatley residents would prefer fewer houses to be built on the site, as set out here “Appropriate development densities in accordance with the development plan. The density of development should avoid an adverse impact on heritage assets”

We regret to advise that with fewer than 500 homes it will be very difficult to sustain a half-hourly bus service. Below half-hourly, a bus service becomes less useful, and for many trips is totally impractical. For this reason, we are supporting planning application P17/S4254/0 which is for “up to 500 homes” on the site, and we need all 500 homes to run a one-bus extension of an existing bus service from Thornhill. We trust that the residents of Wheatley can appreciate why we support more houses, which implies denser development.

### Policies SPES1 SPES2, SPES3 and SPES4

We SUPPORT these policies, and the connection with the Green Route policy – see below.

### POLICY SPGR: GREEN ROUTE

We SUPPORT this policy with AMENDMENTS. We welcome the recommendation for the Green Route.

We suggest that the wording might be altered to include wording included in Policy SPES2 which mentions the needs of both pedestrians and cyclists, and that it calls for the surface to be usable in all weather, and for the paths to be lit.

We suggest that extra wording be added to specify that the route should connect to bus stops so that any barriers or discontinuities might be recognised and dealt with. Bus passengers usually become pedestrians at one or both ends of their bus journey, and attractive, high quality paths make the service easier to use. An unlit, poorly surfaced path can mean that the bus stop is not accessible after dark and during heavy rain or snow.

It is important to note that footpaths tend to be treated as “nice to have” rather than essential infrastructure. Vigilance is needed throughout the planning and construction process through to snagging to ensure that footpaths have been constructed properly and completed to a high standard.

## Conclusion

To sum up: we SUPPORT the plan.

We welcome the support for buses, and the detailed understanding of what is required to make a bus service attractive, including high quality bus stops.

We welcome the Green Route policy and the detailed description of what is required to make it into a high quality route usable at all times of day and night and in all weathers.

We urge the residents to consider what it is required to make a bus service viable, and to plan accordingly.

Q4. If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.

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**Policy P1 Parking**

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We urge the residents to consider what it is required to make a bus service viable, and to plan accordingly.

## Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Celia Jones
<b>Job title (if relevant)</b>	Strategic Development Manager
<b>Organisation (if relevant)</b>	Oxford Bus Company
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	Cowley House
<b>Address line 2</b>	Watlington Road
<b>Address line 3</b>	-
<b>Postal town</b>	Oxford
<b>Postcode</b>	OX4 6GA
<b>Telephone number</b>	01865785400
<b>Email address</b>	info@oxfordbus.co.uk

# Response 13

## Respondent Details

Information	
<b>Respondent Number:</b> 13	<b>Respondent ID:</b> 129405637
<b>Date Started:</b> 21/10/2019 11:12:10	<b>Date Ended:</b> 21/10/2019 11:32:43
<b>Time Taken:</b> 20 mins, 33 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Agent

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>Thank you for the opportunity to comment on the Neighbourhood Plan for Wheatley (WNP). We write to make comments on behalf of our client who owns land to the west of the Asda supermarket, noted as WHE16 in the WNP.</p> <p>We applaud the endeavour of the Wheatley community in preparing the plan and welcome its positive approach to development in the village. We welcome the proposed allocation of proposal site WHE16 within the WNP which we believe is appropriate and beneficial to the settlement and community. We confirm the land remains available and suitable for development.</p> <p>We consider the WNP to be in general conformity with the strategic policies of the Development Plan for South Oxfordshire District and those of the National Planning Policy Framework. We also consider the WNP contributes to the achievement of sustainable development, we therefore believe it satisfies the prescribed basic conditions.</p> <p>We trust this comment will be taken into account by the Inspector in any examination and should a public hearing be convened would be pleased to participate. We wish to be informed of any decision taken by South Oxfordshire District Council with regard to adoption of the WNP.</p> <p>We look forward to acknowledgement of receipt of these comments. If there is any additional information you require please do not hesitate to contact us.</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: 2019.10.11 WNP Comments.pdf</li></ul>

## Your details and future contact preferences

JPPC ref: DB/5176

Planning Policy Team  
South Oxfordshire District Council  
SENT VIA E-MAIL  
[Planning.policy@southoxon.gov.uk](mailto:Planning.policy@southoxon.gov.uk)

11<sup>th</sup> October 2019

Dear Sirs,

**RE: Neighbourhood Plan for Wheatley- draft plan consultation**

Thank you for the opportunity to comment on the Neighbourhood Plan for Wheatley (WNP). We write to make comments on behalf of our client who owns land to the west of the Asda supermarket, noted as WHE16 in the WNP.

We applaud the endeavour of the Wheatley community in preparing the plan and welcome its positive approach to development in the village. We welcome the proposed allocation of proposal site WHE16 within the WNP which we believe is appropriate and beneficial to the settlement and community. We confirm the land remains available and suitable for development.

We consider the WNP to be in general conformity with the strategic policies of the Development Plan for South Oxfordshire District and those of the National Planning Policy Framework. We also consider the WNP contributes to the achievement of sustainable development, we therefore believe it satisfies the prescribed basic conditions.

We trust this comment will be taken into account by the Inspector in any examination and should a public hearing be convened would be pleased to participate. We wish to be informed of any decision taken by South Oxfordshire District Council with regard to adoption of the WNP.

We look forward to acknowledgement of receipt of these comments. If there is any additional information you require please do not hesitate to contact us.

Yours faithfully,

David Burson LLB MSc. MRTPI  
Associate  
Email: [david.burson@jppc.co.uk](mailto:david.burson@jppc.co.uk)  
Direct dial: 01865 322358

**The John Phillips Planning Consultancy**

Partners:

Adrian Gould MRTPI Ltd

Neil Warner MRTPI Ltd

Henry Venners Ltd



Bagley Croft  
Hinksey Hill  
Oxford OX1 5BD  
T: 01865 326823  
E: [planning@jppc.co.uk](mailto:planning@jppc.co.uk)  
W: [www.jppc.co.uk](http://www.jppc.co.uk)

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	David Burson
<b>Job title (if relevant)</b>	Associate
<b>Organisation (if relevant)</b>	JPPC
<b>Organisation representing (if relevant)</b>	
<b>Address line 1</b>	Bagley Croft
<b>Address line 2</b>	Hinksey Hill
<b>Address line 3</b>	-
<b>Postal town</b>	Oxford
<b>Postcode</b>	OX1 5BD
<b>Telephone number</b>	01865326823
<b>Email address</b>	planning@jppc.co.uk

Would you like to be notified of South Oxfordshire District Council's decision to 'make' (formally adopt) the plan?

Yes I would like to be notified

# Response 14

## Respondent Details

Information	
<b>Respondent Number:</b> 14	<b>Respondent ID:</b> 129407514
<b>Date Started:</b> 21/10/2019 11:33:29	<b>Date Ended:</b> 21/10/2019 11:40:24
<b>Time Taken:</b> 6 mins, 55 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Organisation

## Your comments

Q4. If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>CPRE Oxfordshire does not support policy GBBA1 Green Belt Boundary Amendments &amp; the release of the Oxford Green Belt at sites WHE15, WHE16 &amp; WHE17. These sites are not isolated tracts of unused farmland except in the sense that the owner may have chosen not to farm them in the hope of planning permission. They are green fields in the Oxford Green Belt. Given that the Holton Brookes' site would be capable of satisfying any need the village may have, we do not believe just because the Brookes' site "is unlikely to provide much needed housing for probably 5 years"[NDP para 4.14] this is an exceptional circumstance to sacrifice Green Belt Land.</p> <p>We wish to remind you of the Planning Inspector's decision in 2012 which noted that there w no exceptional circumstances to release these 3 sites from the Green Belt and that exception sites are the best way to meet local needs for housing. Indeed within this Local Plan period the NDP para 4.6 acknowledges 51 dwellings on the upper London Road exception site were permitted in 2016 to help meet an identified affordable local housing need. The Inspector also notes that release of these 3 sites "would emphasise Oxford-related 'sprawl' and urban encroachment into the countryside, contrary to two of the main purposes of the Green Belt and unjustified by exceptional circumstances." and concluded that references to a Green Belt review at Wheatley should be deleted.</p> <p>The Wheatley Neighbourhood Development Plan (WNDP) (Fig 10.1f) recognises that the strategic allocation at Oxford Brookes means there is no outstanding requirement for the WNDP to deliver further housing. The supporting Housing Needs Assessment finds a need for 120 affordable dwellings during the planning period. However, this need can be met by the development of the previously developed land at the strategic allocation at Oxford Brookes University (STRAT14) which is expected to deliver at least 300 dwellings and, at the higher densities set-out in the emerging local plan 2034, could deliver at least 120 affordable homes. It should also be noted that the planning application for the Oxford Brookes University site (P17/S4252/O) is at appeal and was called in during July 2019 for a decision to be made by the Secretary of State. Recent Appellant's Proof document (Affordable Housing Evidence by Tetlow King Planning Sept 2019) states that 173 affordable dwellings will be provided which, if the planning application is allowed by the Secretary of State, is over 40% more than identified as required by the Housing Needs Assessment.</p> <p>Therefore for the Neighbourhood Plan to be found sound, we respectfully request that whatever the outcome of the appeal the development of WHE15, WHE16 &amp; WHE17 for housing be removed from the NDP.</p>

Q5. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: CPRE South Oxfordshire District - response to Wheatley NDP - 08 Oct 2019.pdf - <a href="#">Download</a></li></ul>



Planning Policy  
South Oxfordshire District Council  
Via email: [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

8<sup>th</sup> October 2019

**South Oxfordshire District**

c/o CPRE Oxfordshire  
20 High Street  
Watlington  
Oxfordshire OX49 5PY

Telephone 01491 612079

[www.cpreoxon.org.uk](http://www.cpreoxon.org.uk)

working locally and nationally to  
protect and enhance a beautiful,  
thriving countryside for everyone to  
value and enjoy

## **Wheatley Neighbourhood Plan SODC Consultation**

CPRE Oxfordshire does not support policy GBBA1 Green Belt Boundary Amendments & the release of the Oxford Green Belt at sites WHE15, WHE16 & WHE17. These sites are not isolated tracts of unused farmland except in the sense that the owner may have chosen not to farm them in the hope of planning permission. They are green fields in the Oxford Green Belt. Given that the Holton Brookes' site would be capable of satisfying any need the village may have, we do not believe just because the Brookes' site "is unlikely to provide much needed housing for probably 5 years"[NDP para 4.14] this is an exceptional circumstance to sacrifice Green Belt Land.

We wish to remind you of the Planning Inspector's decision in 2012 which noted that there were no exceptional circumstances to release these 3 sites from the Green Belt and that exception sites are the best way to meet local needs for housing. Indeed within this Local Plan period the NDP para 4.6 acknowledges 51 dwellings on the upper London Road exception site were permitted in 2016 to help meet an identified affordable local housing need. The Inspector also notes that release of these 3 sites "would emphasise Oxford-related 'sprawl' and urban encroachment into the countryside, contrary to two of the main purposes of the Green Belt and unjustified by exceptional circumstances." and concluded that references to a Green Belt review at Wheatley should be deleted.

The Wheatley Neighbourhood Development Plan (WNDP) (Fig 10.1f) recognises that the strategic allocation at Oxford Brookes means there is no outstanding requirement for the WNDP to deliver further housing. The supporting Housing Needs Assessment finds a need for 120 affordable dwellings during the planning period. However, this need can be met by the development of the previously developed land at the strategic allocation at Oxford Brookes University (STRAT14) which is expected to deliver at least 300 dwellings and, at the higher densities set-out in the emerging local plan 2034, could deliver at least 120 affordable homes. It should also be noted that the planning application for the Oxford Brookes University site (P17/S4252/O) is at appeal and was called in during July 2019 for a decision to be made by the Secretary of State. Recent Appellant's Proof document (Affordable Housing Evidence by Tetlow King Planning Sept 2019) states that 173 affordable dwellings will be provided which, if the planning application is allowed by the Secretary of State, is over 40% more than identified as required by the Housing Needs Assessment.

Therefore for the Neighbourhood Plan to be found sound, we respectfully request that whatever the outcome of the appeal the development of WHE15, WHE16 & WHE17 for housing be removed from the NDP.

Kind regards

South Oxfordshire Committee of CPRE Oxfordshire

A company limited by guarantee  
Registered in England number  
04443278  
Registered charity number 1093081.

## Your details and future contact preferences

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Becky Crockett
<b>Job title (if relevant)</b>	Administrator
<b>Organisation (if relevant)</b>	CPRE
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	20 High Street
<b>Address line 2</b>	-
<b>Address line 3</b>	-
<b>Postal town</b>	Watlington
<b>Postcode</b>	OX49 5PY
<b>Telephone number</b>	01491 612079
<b>Email address</b>	administrator@cpreoxon.org.uk

# Response 15

## Respondent Details

Information	
<b>Respondent Number:</b> 15	<b>Respondent ID:</b> 129408217
<b>Date Started:</b> 21/10/2019 11:42:57	<b>Date Ended:</b> 21/10/2019 11:48:44
<b>Time Taken:</b> 5 mins, 47 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Agent

## Your comments

Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
Response attached.

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Reps October 2019.pdf - <a href="#">Download</a></li></ul>

## Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Wheatley Neighbourhood Plan:
Yes, I request a public examination

**Representations to the Draft Wheatley  
Neighbourhood Plan - Regulation 16 Consultation**

**Oxford Brookes University, Wheatley Campus,  
Waterperry Road, Wheatley**

October 2019

## Contents

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3.	Policy SPOBU – WHE25.....	5
4.	Other Policies.....	9
5.	Summary and Conclusions.....	11

**Prepared By: Robert Gardner, Director and Stephanie Eastwood, Principal Planner**

Status: DRAFT

Draft Date: October 2019

For and on behalf of GVA Grimley Limited t/a Avison Young

# 1. Introduction

- 1.1 Avison Young is instructed by Oxford Brookes University ('the University') to provide town planning advice in respect of its campus in Wheatley.
- 1.2 The University submitted an outline planning application for the residential development of the Campus for up to 500 dwellings in January 2018. The planning application was recommended for approval by Officers at Committee in November 2018. However, it was refused by elected members contrary to the professional advice of officers. An appeal was lodged against this decision in June 2019. An Inquiry is due to take place for eight days between 22 October 2019 and 1 November 2019.
- 1.3 Avison Young provided detailed representations to the 'Regulation 14' draft of the Wheatley Neighbourhood Plan in June 2019. These representations do not repeat in detail the comments made previously and should be read alongside the University's previous representations to the emerging Neighbourhood Plan.
- 1.4 The remainder of these representations are structured, as follows:
- Section 2 - considers the strategic context of the emerging Local Plan;
  - Section 3 – provides detailed comments on policy text and supporting text of the draft Wheatley Neighbourhood Plan which refers specifically to the Wheatley Campus site;
  - Section 4 – provides comments on other relevant policies in the draft Neighbourhood Plan;
  - Section 5 – sets out our conclusions and identifies the course of action which is in the University's view required in various scenarios, arising out of the current situation concerning the emerging Local Plan.

## 2. The Emerging South Oxfordshire Local Plan

- 2.1 The second publication draft version of the emerging Local Plan was published for “Regulation 19” consultation between 7 January 2019 and 18 February 2019. The University submitted representations in respect of the plan. The Neighbourhood Plan refers to this emerging Local Plan at a number of points, commencing at paragraph 2.11 and later at paragraphs 4.13-15, 9.3-6 in respect of the Wheatley Campus site and paragraph 11.1 in respect of Green Belt release.
- 2.2 The plan was submitted to the Secretary of State for Examination in Public on 29 March 2019.
- 2.3 Following a change in political leadership at SODC in May 2019, members of the Council decided to consider a series of options for the future of the emerging Local Plan including its potential withdrawal from examination.
- 2.4 At a Council meeting on 18 July 2019, Officers recommended that the emerging Plan proceed to examination in its current form. However, members resolved to defer its decision on the future of the Plan to allow further discussion to take place with various parties, including the Government, to investigate whether it could withdraw or make changes to the Plan whilst still taking the benefit of Housing Infrastructure Funding from the Government.
- 2.5 On 1 October SODC’s Scrutiny Committee reconvened to discuss the options. Officers continued to recommend that the Plan proceed to examination in its current form.
- 2.6 At a subsequent meeting of SODC’s Cabinet on 3 October elected members recommend that full Council vote to withdraw the emerging Local Plan from examination and begin work on a new Local Plan. The motion was as follows:

*“That Cabinet recommends Council to:*

*(a) withdraw the emerging South Oxfordshire Local Plan 2034, for the following reasons:*

- *the uplift above the standard method from 627 homes to 775 homes a year is excessive, and the existence of the Growth Deal should not be used as a justification for this uplift*
- *the overall supply of homes in the Local Plan period is considered excessive as it is over 5,000 homes greater than the need identified for South Oxfordshire, even allowing provision for Oxford City’s unmet housing need.*
- *the Local Plan does not give sufficient weight to responding to the climate emergency that we face as recognised by the decision of Council of 11 April 2019*
- *concerns about site selection issues including:*
  - *that the scale of Green Belt release is not justified*
  - *flawed site selection having regard to the sustainability and deliverability of strategic allocations*
- *concerns about the impact of the housing mix delivery and density policy*

*(b) withdraw from the Oxfordshire Statements of Common Ground linked to the emerging South Oxfordshire Local Plan 2034*

(c) agree to commence work as soon as practicable on a new ambitious Local Plan, to seek to address the above concerns

(d) request a report on the merits of a joint Local Plan with neighbouring authorities

(e) request the Ministry of Housing, Communities and Local Government to provide financial support to support a new ambitious Local Plan

(f) explore other opportunities for funding

(g) bring forward revenue expenditure on a new Local Plan currently estimated at £2 million into the next Medium-Term Financial Plan period, representing the most cost-effective option

(h) ask officers to prepare a new Local Development Scheme and work programme and bring this to Cabinet for approval."

2.7 SODC's Full Council was due to meet to discuss the emerging Local Plan and the motion from Cabinet at a meeting on 10 October 2019. However, on 9 October, the Secretary of State (the 'SoS') for Housing, Communities and Local Government issued a holding direction to prevent the Council from taking any further action in relation to its submitted Plan (including withdrawal of the Plan) whilst he considers the use of his powers to intervene in the plan-making process under Section 21 of the Planning and Compulsory Purchase Act 2004 .

2.8 The Council subsequently wrote to the Secretary of State challenging the grounds for this and requesting a response from the SoS or the withdrawal of the holding direction by 3pm on the same date.

2.9 Emran Mian the Director General, Decentralisation and Growth at the Ministry for Communities and Local Government (MHCLG) subsequently wrote to the Council on 10<sup>th</sup> October to confirm that:

*"...a holding direction made pursuant to s.21A of the 2004 Act requires the Secretary of State to be considering whether to give a direction under s.21 of that Act. As your Cabinet have stated they wish to withdraw the plan, the Secretary of State is considering whether to give a direction under s.21(4) of the 2004 Act for the plan (or any part of it) to be submitted to him for his approval instead of the Council. In summary, this was not an attempt to issue a 'general' holding direction but to allow time for the Secretary of State to consider whether to give a direction under s21(4) of the 2004 Act" (our emphasis)*

2.10 In the light of this, there was no discussion in relation to the emerging Local Plan at the full Council meeting on 10 October and the SoS's holding direction remains in place.

2.11 As a consequence of recent events the future of the emerging Plan is uncertain. There is currently no timetable for the examination of the emerging Local Plan and indeed no certainty that it will progress through the examination process at all.

2.12 We consider that there are three principal potential outcomes or 'scenarios' in relation to the future of the emerging Local Plan:

- 1) the emerging Local Plan progresses through to examination either:
  - a. following a direction by the SoS under section 21 of the Act; or
  - b. following agreement by members of the Council;

2) the emerging Local Plan is withdrawn; or

3) the emerging Local Plan remains in stasis as a result of the SoS holding direction.

2.13 We consider the implications for the draft Neighbourhood Plan in the subsequent sections of these representations, commencing in Section 3 with the implications for Policy SPOBU – WHE25 and then in Section 4 a range of other policies which are dependent upon the progress of the emerging Local Plan.

### 3. Policy SPOBU – WHE25

- 3.1 The University set out in its Regulation 14 representation and accompanying Counsel's Advice why the WNP cannot lawfully include policies which refer or relate to the western side of the Campus site which is outside the designated neighbourhood area. Section 38A(2) of the Planning and Compulsory Purchase Act 2004 ("PCPA") defines "A "neighbourhood development plan" as "a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan." The neighbourhood area boundary was defined at the point of designation. Section 61F(1) of the Town and Country Planning Act 1990 ("TCPA") makes clear that the parish council have no authorisation to act in respect of land that lies outside that boundary.
- 3.2 The importance of this is underscored by PPG paragraph 41-041 which requires that "A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.". A neighbourhood plan that seeks to introduce policy text to control development outside its area will not meet basic conditions 8(2)(a) and (d).
- 3.3 Figure 9.1 illustrates that the neighbourhood area boundary stops at the northern edge of the red line.
- 3.4 Certain text amendments have been made to Policy SPOBU – WHE25 and its supporting text to reduce the extent to which the draft policy refers to and seeks to limit development outside the neighbourhood plan area, notably at paragraph 9.6: "As can be seen in Figure 9.1 only part (referred to as WHE25) of the OBU site lies within the designated area of the WNP and therefore the policies and recommendations contained within the WNP will focus solely on that part."
- 3.5 However these amendments are incomplete. The recognition at paragraph 9.6 has not been carried over into the policy text. There are still a number of policy references to land outside the neighbourhood area.. As the policy text is lengthy and is not numbered/sub-divided, we shall refer to the respective paragraphs as 1-7, with separate letters and numbers as per the text.
- 3.6 Paragraph 2 refers to development being "focussed" on the "built-up area of the site" and seeks to "avoid an adverse impact on the Scheduled Monument to the West of the built-up area of the site". The Scheduled Monument falls outside the neighbourhood area. Paragraph 3 then refers non-specifically to "the site", without identifying the boundary. Paragraph 5 refers to "existing sports facilities". Paragraph 7(f) also refers to "important views of listed buildings and views to neighbouring villages". There are no such views available from land within the neighbourhood area. All of this text indicates that the authors of the plan have not considered section 38A(2) PCPA and section 61F(1) TCPA, nor the requirement for policy precision arising from basic conditions 8(2)(a) and (d) and the respective PPG paragraphs.
- 3.7 Given the scale of reference to land falling outside the neighbourhood plan area, the policy text is not capable of repair through modification. The fundamental basis upon which the policy has been prepared is too flawed for the policy to be used to guide development upon that part of the site that falls within the neighbourhood area.

- 3.8 As we set out at Regulation 14 stage, there is in any event no purpose served by the retention of the policy, save to undermine the delivery of a strategic allocation contrary to PPG 41-046 which prohibits “duplicating planning processes” and 41-009 which requires regard for strategic plan-making process.
- 3.9 Whilst the policy is no longer referred to as an “allocation”, the policy text inappropriately add an unnecessary level of detail and prescription to strategic matters which are more appropriately dealt with through the emerging Local Plan and / or through the application of national and local policies through the development management process.
- 3.10 In addition to the above, as we have set out at Regulation 14 stage, the inclusion of Policy SPOBU WHE25 in the emerging WNP would fail the basic conditions and render the emerging Plan incapable of being lawfully made for the following reasons:
- The policy is not consistent with the adopted policy, for the purposes of basic condition 8(2)(e).
  - It continues to overlap and be inconsistent with the strategic policy in the emerging Local Plan, in terms of geography and the aspirations for the development of the site, over which there is now considerable uncertainty, contrary to national planning policy and thus basic conditions 8(2)(a) and (d) (operating together to promote sustainable development). (NB the same breach of the basic conditions applies to the next five bullet-points)
  - It is inappropriate for a ‘non-strategic policy’ for a site to be added to the development plan before a ‘strategic policy’ is in place on which it can be based.
  - It includes elements which are not related to the development of the Campus, for example, it is not clear how improved vehicle management for London Road and Old London Road is related to development on the Campus.
  - The Policy is more restrictive and is inconsistent with national policy which seeks to make as much use as possible of brownfield land, under NPPF Chapter 11, notably paragraphs 122 and 123 (hereafter denoted “NPPF 122”).
  - It is inappropriate for the Neighbourhood Plan to include policies which restrict the development of the site more than national policy under NPPF 145g which allows the:
    - “limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
      - *not have a greater impact on the openness of the Green Belt than the existing development;*  
*or*
      - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”*
  - It would unduly restrict and fail to contribute to the sustainable redevelopment of a brownfield site in which is accepted as a sustainable location for housing as a matter of principle.

- In summary, the policy should be deleted as it is incapable of being modified to meet the basic conditions.
- 3.11 NPPF 14 and 65 and PPG paragraphs 41-009 and 41-101 makes clear that a neighbourhood plan must proceed on the basis of a robust assessment of housing need and ensure that the policies in the plan are capable of delivering that need.
- 3.12 Paragraphs 10.3 – 10.4 consider the conclusions of the Housing Needs Assessment, prepared by Aecom. The HNA identifies a minimum housing need figure of 305 dwellings for the neighbourhood plan area to 2034, but identifies that 520 homes are needed to deliver the affordable housing requirement.
- 3.13 The draft Plan itself seeks to provide sufficient sites and capacity to meet the affordable housing need in full, with a supply of 537 dwellings identified (including a contribution of 300 dwellings from the appeal site).
- 3.14 The University considers that these figures are flawed. As part of the University's appeal it has instructed Icení and Tetlow King to provide advice in relation to housing need and affordable housing. The evidence prepared by Icení and Tetlow King as part of the appeal has considered the HNA. We have not provided copies with this representation but can do so if required. Their evidence can be summarised as follows:
- There is no justification given as to why 15% growth is the right level or should be treated as a 'cap' for the village given:
    - The village has experienced very limited development and population growth over the 2001-11 period which will have resulted in a level of pent-up demand;
    - The village's proximity and relationship to Oxford which has both acute affordability issues and a constrained land supply, resulting in an unmet housing need; and
    - The requirement in the Planning Practice Guidance (PPG) to consider an increase in the level of housing development in a plan where it would help to deliver the required number of affordable homes.
  - Icení and Tetlow King consider that the affordable housing need has been underestimated, and is actually for 152 affordable homes over the 2019-24 period or 281 affordable homes over the plan period (2019-34).
  - To meet this level of affordable housing provision 700 homes would be required in Wheatley and, in theory, an additional 180 dwellings would be needed in the village to the period to 2034.
- 3.15 The proposals for 500 dwellings on the Wheatley Campus would clearly contribute substantially towards this need.
- 3.16 Notwithstanding the above, paragraph 10.6 and 11.19 of the Neighbourhood Plan suggests that the development potential of the village is restricted to approximately 500 dwellings by infrastructure capacity at the local Primary School and local health care.

- 3.17 On this basis, it appears that the draft Neighbourhood Plan is seeking to impose a limit on development in the village due to infrastructure capacity. Infrastructure provision to support the delivery of housing needs is a strategic matter which needs to be planned for at a strategic level. It is, therefore, inappropriate for the WNP to impose a limit on development based on only a perfunctory assessment of infrastructure capacity at the neighbourhood level.
- 3.18 The infrastructure capacity for 500 dwellings on the Wheatley Campus has been robustly tested through the planning application and plan-making process. The scheme would make contributions by way of CIL towards education and health infrastructure improvements. The IDP prepared by the District Council in support of the emerging Local Plan confirms that the development of the Wheatley Campus would support the expansion / reconfiguration of Morland House Surgery (1-2 additional consulting rooms). It also confirms that the schools have capacity for up to 500 homes and that the development would generate CIL which could in any case be used to fund education related projects.
- 3.19 Therefore, the infrastructure required to support any additional housing in the village, over and above the Wheatley Campus, requires consideration at the strategic level through the emerging Local Plan or any subsequent version of it. On this basis, those elements of the WNP which allocate sites for housing ought to be removed.

#### **Policy GBBA1 – Green Belt Boundary Amendment**

- 3.20 The comments made in respect of this Policy at Regulation 14 stage in June 2019 remain. The text breaches basic conditions 8(2)(a) and (d) by referring to a contingent position tied to the specific fate of the emerging Local Plan. The situation has worsened as there is now even greater uncertainty regarding the future of the emerging Local Plan. There is no policy mechanism under the NPPF for the WNP to release land from the Green Belt. The WNP also effectively pre-empts and pre-judges the outcome of the emerging Local Plan. Given the centrality of these policies to the plan, there is a need for the neighbourhood plan either to be suspended until conclusion of the emerging Local Plan examination or the withdrawal of the neighbourhood plan. The latter course of action would allow it to be brought forward only when the strategic context is clear.

#### **Policies SPES1 – WHE16, SPES3-WHE15 & SPES4-WHE17**

- 3.21 The University's comments in respect of the above policies at Regulation 14 stage in June 2019 remain. As set out above the situation has worsened given that there is now even greater uncertainty regarding the future of the emerging Local Plan.

#### **Policy SPGR – Green Route**

- 3.22 The location of the green route is not clear. It is, therefore, impossible to determine which development proposals might have an impact on/ benefit from the green route and, therefore, may need to contribute to it. A plan should be included in the WNP to clearly show the full length of the green route and how this would provide improved connectivity. As drafted, this policy breaches basic conditions 8(2)(a) and (d).

## 4. Other Policies

- 4.1 A number of the other draft policies in the WNP would required substantial modification, were the neighbourhood plan to proceed through examination and (contrary to the submissions above) be considered capable of being sent to referendum.

### Policy H2 – Landscape Character

- 4.2 Policy H2 refers to “*preserving views and landscapes that characterise Wheatley*”. This does not have appropriate regard to and is inconsistent with current national policy. Paragraph 170 of the NPPF now seeks to ‘recognise’ the intrinsic character and beauty of the countryside and only seeks to ‘protect and enhance’ “*valued landscapes*”.
- 4.3 This policy texts seeks to constrain rather than contribute to the achievement of sustainable development. Therefore, the text of Policy H2 should be amended to reflect national policy in order to comply with the basic conditions.
- 4.4 We note that South Oxfordshire District Council has agreed as part of the University’s on-going appeal that the Wheatley Campus is not a “*valued landscape*”, which correctly recognises the very threshold for such a landscape.
- 4.5 Paragraph 8.7 (within the supporting text to Policy H2 of the draft WNP) refers to several “*unique*” views including of the listed Holton House (identified as Holton Park in the Historic England listing description) from the Wheatley Campus. In doing so it refers to a photograph at Figure 8.5 which is clearly taken from the playing fields in the north west of the Wheatley Campus outside the designated Neighbourhood Area. We note that the University’s proposals for the redevelopment of the site propose that the north western part of the site (which is outside the designated Neighbourhood Area) be used as public open space and would retain views to Holton Park from where it is most visible. This part of the neighbourhood plan therefore must be deleted.

### Policy H3 – Mix and Size of New Housing

- 4.6 Wheatley is designated as a ‘Larger Village’ in the adopted Core Strategy and it is recognised as a sustainable location for housing growth at a District level. The village is, therefore, expected to contribute towards district wide housing needs and housing growth in Wheatley is not restricted only to that required to meet a specific “*local need*”.
- 4.7 As a result, it is wholly inappropriate and inconsistent with strategic policies in the adopted Development Plan, for the mix and size of dwellings to be delivered in the village to be defined and controlled at a neighbourhood level based on evidence collected through a survey of households in Wheatley and Holton only.
- 4.8 Policies relating to housing mix and size in the village should be dealt with through local policy at a District wide level. On this basis Policy H3 ought to be removed.

**Policy P1 – Parking Provision**

- 4.9 The draft Policy requires development to comply with the adopted County Council parking standards. These standards are adopted standards and are used for development management purposes. Therefore, the draft policy is unnecessary and ought to be removed.

**Policy T1 – Impact of Development on the Road Network**

- 4.10 National policy requires “all developments that will generate significant amounts of movement to provide a travel plan” and a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. There is also further policy and guidance regarding the use of Travel Plans at the local level. On this basis the draft policy is unnecessary and ought to be removed.

**Policy SC1- Community Assets**

- 4.11 The need to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs is recognised in national policy.
- 4.12 However, the list of ‘community assets’ at paragraph 8.15 includes “sports fields” and “recreation land”. The NPPF (at paragraph 97) deals with these facilities differently to other community facilities and sets a clear framework for how proposals which would impact on “open space, sports and recreational buildings and land, including playing fields” should be assessed. It establishes that these facilities should not be built on unless:

*“a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*

*b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

*c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

- 4.13 As a result, the policy as drafted, in so far as it relates to sports fields and recreation land, is inconsistent with and more prescriptive than national and local policy. As such, draft Policy SC1 has the potential to prevent otherwise sustainable development from coming forward on such land.
- 4.14 Therefore, whilst it may be appropriate for a policy to protect specific valued facilities and services this policy should be amended to exclude recreation land and sports fields which are subject to clear national policy protection.

**Glossary – Definition of Brownfield Land**

- 4.15 The definition of brownfield land ought to be updated to quote directly from the current NPPF (2019).

## 5. Summary and Conclusions

- 5.1 In summary, the University continues to have significant concerns whether a number of policies in the draft Neighbourhood Plan would meet the required basic conditions for a neighbourhood plan.
- 5.2 The Plan as presently drafted is unlawful, particularly in respect of its provisions relating to Wheatley Campus and removal of land from the Green Belt in Wheatley and subsequent allocations of the sites for development. These are not based on a strategic policy in an adopted Local Plan and there is at this stage significant uncertainty in relation to the future of the emerging Local Plan (which does not in any case establish the need for the release of these sites) on which the policies are predicated. Any decision to progress the plan with such policy text and supporting text would therefore be liable to be quashed on a claim for judicial review.
- 5.3 It would be contrary to the basic conditions to make a plan which includes policies which are entirely contingent on the adoption of strategic policies which are subject to significant uncertainty.
- 5.4 In Section 2 of these representations we have identified three potential scenarios in relation to future of the emerging Local Plan. Given that the majority of the policies in the draft Neighbourhood Plan are contingent on an emerging Local Plan we have considered what action needs to be taken in respect of the Neighbourhood Plan under each scenario:
- 1) **The emerging Local Plan progresses through to examination** – In this case, it would be entirely inappropriate for the Neighbourhood Plan to proceed to examination and for an Inspector to be appointed by the local planning authority in advance of the examination of the emerging Local Plan. The examination of the Neighbourhood Plan should be: either a) put on hold until such time that the emerging Local Plan has been examined; or b) all of those policies which are related to an emerging Local Plan (i.e. Policies SPOBU – WHE25, GBBA1, SPES1 – WHE16, SPES3-WHE25, SPES3 – WHE15, SPES4-WHE17) ought to be removed.
  - 2) **The emerging Local Plan is withdrawn** – In the event that the emerging Local Plan is withdrawn the draft Neighbourhood Plan should be withdrawn given that the vast majority of the policies contained in it are predicated entirely on a new Local Plan coming forward. Once the timescales for the preparation of a new Plan are known then the Parish Council may wish to prepare a new Neighbourhood Plan for the area.
  - 3) **The emerging Local Plan remains in stasis held up by the SoS** – It is entirely inappropriate for the draft Neighbourhood Plan to progress any further whilst the emerging Local Plan on which it is predicated is on hold. Therefore, the draft Neighbourhood Plan should also be put on hold until such time that there is clarity regarding the emerging Local Plan.
- 5.5 Notwithstanding the above, if the WNP proceeds to examination in its current form then the examination should be conducted using a public hearing, in order to allow oral submissions on the numerous and significant legal points that arise. This is in the University's view necessary *"to ensure adequate examination of the issue"* and to allow it *"a fair chance to put a case"* in accordance with paragraph 9 of Schedule 4B TCPA

5.6 Without prejudice to the University's desire to engage in a subsequent public examination of the WNP, it maintains that if the WNP proceeds in its current form it will be subject to legal challenge.

**Avison Young**

**October 2019**

# Contact Details

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Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

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# Response 16

## Respondent Details

Information	
<b>Respondent Number:</b> 16	<b>Respondent ID:</b> 129408994
<b>Date Started:</b> 21/10/2019 11:53:29	<b>Date Ended:</b> 21/10/2019 12:06:40
<b>Time Taken:</b> 13 mins, 11 secs	<b>Translation:</b> English
<b>IP Address:</b>	<b>Country:</b> United Kingdom

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Wheatley Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Please find attachments below.</p> <p>The WNP_OHLs response letter relates to: Chief planning officers letter, DPM_combined letter and the WNP_Sites attachment.</p> <p>WNP_DOM response letter is for general guidance only.</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>• File: WNP_OHLs_Response Letter.pdf - <a href="#">Download</a></li><li>• File: Chief Planning Officers Letter.pdf - <a href="#">Download</a></li><li>• File: DPM_Combined.pdf - <a href="#">Download</a></li><li>• File: WNP_Sites.pdf - <a href="#">Download</a></li><li>• File: WNP_DOM_Response Letter.pdf - <a href="#">Download</a></li></ul>

## Your details and future contact preferences

Your reference:

In Any Reply Please Quote: WNP\_OHL

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**SOUTH OXFORDSHIRE DISTRICT COUNCIL**

**135 MILTON PARK**

**ABINGDON**

**OXFORDSHIRE**

**OX14 4SB**

*For the attention of :- PLANNING POLICY -*

**16 October 2019**

Jessica Wilmshurst

Dear Planning Policy,

**Wheatley Neighbourhood Plan (WNP)**

I refer to your eMail message dated 6 September 2019 regarding the above topic.

The housing and development land areas detailed in the above document are typical of a number of recent sites across Southern England, where insufficient discussion has taken place between planning authorities and ourselves, prior to planning permission being granted. I attach a copy of a letter sent to all chief planning officers in our licence area in March 2012, which summarises the situation.

The land concerned is crossed by various 132,000 volt (132kV) overhead tower line (OTL) (solid black with purple squares), 33,000 volt (ehv) overhead lines (solid green) and 11,000 volt (hv) overhead lines (solid red), as detailed in the table below, which form an essential and integral part of Scottish & Southern Electricity Networks wider network and as such must be retained.

Please **note** that in the case of any 132 kV OTL, this is an extremely important link in our transmission system. Modifying a line such as this is a major undertaking, which should be avoided if possible. Consequently, our advice to developers carrying out feasibility studies on land crossed by such OTLs, is that these should be regarded as permanent physical features. The layout of any development should, therefore, be designed to allow the OTL to remain undisturbed, in the present position, if at all possible.

For your information and assistance, underground cables are indicated by a dashed line, with red for hv and green for ehv.

Site	Location	132kV	ehv	hv
WHE 15	Miss Tomb's Field	0	0	0
WHE 16	The Bungalows	0	0	0
WHE 17	Mobb's Land	0	2	0
WHE 22	Littleworth	0	0	0
WHE 25	Oxford Brookes University	0	0	0

Development beneath the overhead lines or diversion / undergrounding of the overhead lines may not be possible, in which case the development as planned would be unable to proceed.

No contractual arrangements have been agreed with any developer for modification of the above circuit/s. Therefore, any conditions imposed, should permission be granted, must be on the developer and not the Distribution Network Operator, as is the case for other existing infrastructure.

To ensure that the proposal is deliverable, you may consider it best to impose a requirement on the developer to agree contractual arrangements with Scottish & Southern Electricity Networks for any modifications prior to permission being granted.

We would consider the granting of planning permission without further discussion and agreement as to how our equipment can be accommodated within the proposal to be unacceptable.

For your information and assistance, I have attached a copy of our Mains Records showing the equipment affected for each of the above locations detailed in the above table.

Clearly, the above principles would apply to any development area, which is crossed by ehv and/or hv overhead lines.

Yours faithfully,



Chris Gaskell  
Network Planning Engineer

Draft Letter to Planning Authorities

**Consultation re-proposed major housing/commercial developments**

Planning permission has recently been granted for a number of housing or industrial / commercial developments on land crossed by overhead lines which are owned and operated by Southern Electric Power Distribution (SEPD). SEPD is concerned that insufficient discussion has taken place between SEPD and Planning Authorities concerning the future of these lines prior to the granting of planning permission.

These overhead lines generally afford supplies to other locations beyond the development, even whole towns or parts of cities in some instances and are carried on either steel towers or wood poles. These structures and the overhead conductors they support have been placed in accordance with planning permission in the form of a Section 37 (Electricity Act 1989) consent granted by the Secretary of State. This consent can only be granted following initial consultation with the Local Planning Authority.

For Planning Authorities to not properly consult and to impose conditions such as “the overhead lines are to be removed”, which developers would be unable to comply with themselves would effectively be *ultra vires*. We believe this issue has been previously highlighted in the letter from the Office of the Deputy Prime Minister to the Chief Planning Officers in England dated 25 November 2002. (copy enclosed)

As such, SEPD believes that in these circumstances, the Planning Authority should impose a condition prohibiting development until such time as the developer has reached agreement with the Distribution Network Operator (DNO) (a) as to how the development can be laid out such that the line(s) can be retained in their current position or (b) such that contractual arrangements have been agreed to modify the overhead lines.

It is for Planning Authorities to consider how best to achieve this when land is first being considered for development. For example it may be that Planning Authorities consider imposing conditions on developers requiring them to conclude arrangements for modifying the existing overhead lines before submission of their Planning Application or prior to any planning permission being granted.

I would be pleased to receive any comments you may have and discuss further, (if necessary by meeting with you) how to improve consultation on this important issue.

I look forward to hearing from you.

Yours faithfully

Mark Smith  
Network Operations and Planning Manager



OFFICE OF THE  
DEPUTY PRIME MINISTER

Chief Planning Officers in England

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Web site: [www.odpm.gov.uk](http://www.odpm.gov.uk)

Our Ref: PDC 31/2/1

25 November 2002

Dear Colleague

**CIRCULAR 11/95: USE OF NEGATIVE CONDITIONS**

I am writing to draw your attention to the advice in paragraph 40 and the footnote on page 16 of the Annex of Circular 11/95 on The Use of Conditions in Planning Permissions. The advice is on conditions worded in a negative form, prohibiting development until a specified action has been taken.

Following the High Court case *Merritt v SSETR and Mendip District Council* we need to amend the advice in Circular 11/95. Until we are able to amend the Circular, please would you note the following advice when imposing negative planning conditions.

The advice in Circular 11/95 on conditions depending on other's actions (Annex paragraphs 38 and 39), says that it is unreasonable to impose a condition worded in a positive form which developers would be unable to comply with themselves, or which they could comply with only with the consent or authorisation of a third party. Similarly, conditions which require the applicant to obtain an authorisation from another body should not be imposed.

Although it would be *ultra vires* to require works which the developer has no powers to carry out, or which would need the consent or authorisation of a third party, it may be possible to achieve a similar result by a condition worded in a negative form, prohibiting development until a specified action has been taken.

The way the advice is currently worded in paragraph 40 is that such a condition should only be imposed on a planning permission **if there are at least reasonable prospects** of the action in question being performed within the time-limit imposed by the permission.

As a result of the Judgement in *Merritt*, paragraph 40 should be amended to read, "It is the policy of the Secretary of State that such a condition may be imposed on a planning permission. However, when **there are no prospects at all** of the action in question being performed within the time-limit imposed by the permission, negative conditions should not be imposed. In other words, when the interested third party has said that they have no intention of carrying out the action or allowing it to be carried out, conditions prohibiting

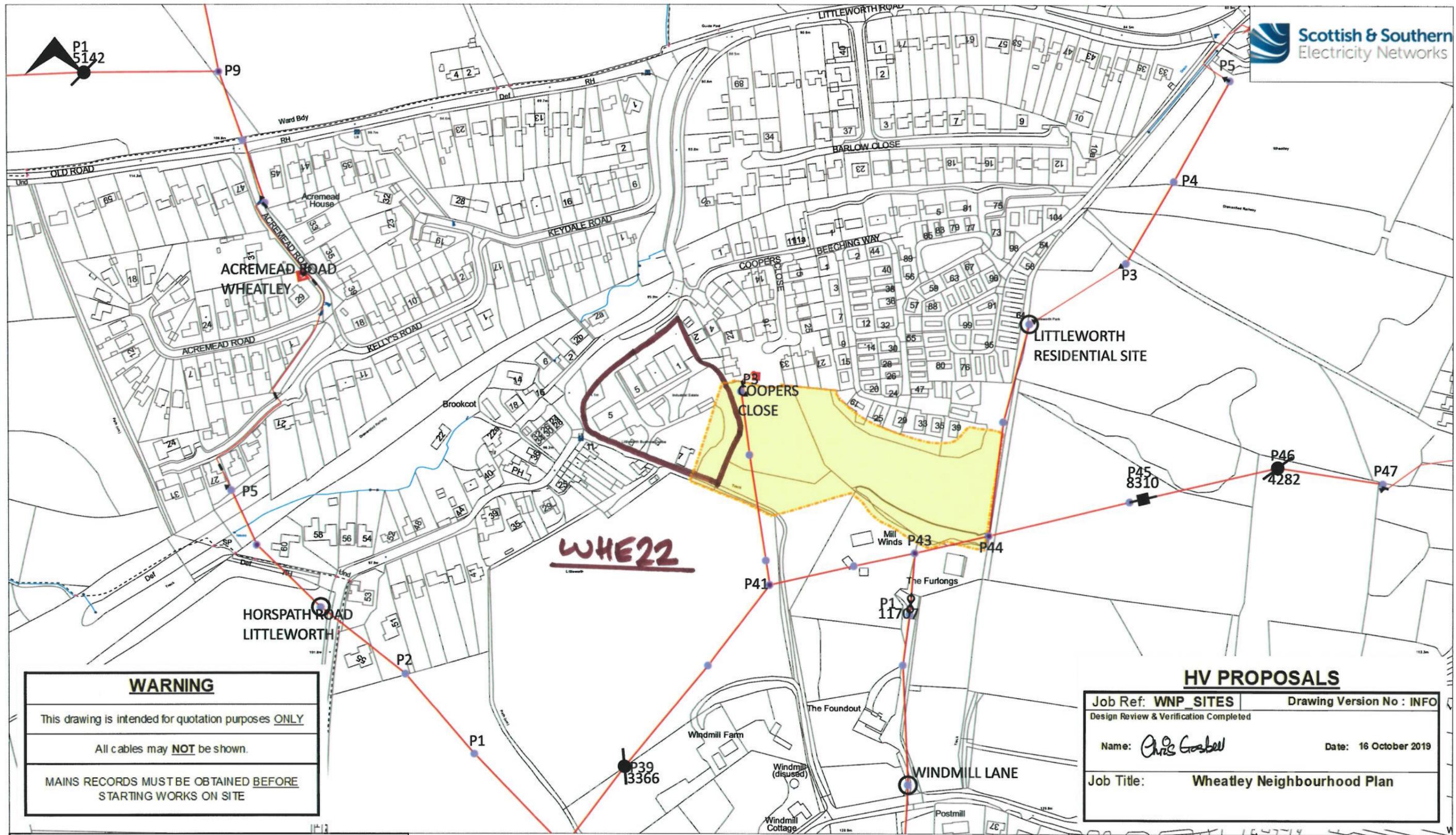
development until this specified action has been taken by the third party should not be imposed."

The foot note at the bottom of page 16 should be replaced with: "A policy of refusing permission where there was no reasonable prospect of planning conditions being met could be lawful, but sound planning reasons for the refusal should be given and it should be made clear that this was only a starting point for consideration of cases."

Yours sincerely,

**JOHN STAMBOLLOUIAN**





**WARNING**

This drawing is intended for quotation purposes ONLY

All cables may NOT be shown.

MAINS RECORDS MUST BE OBTAINED BEFORE STARTING WORKS ON SITE

**HV PROPOSALS**

Job Ref: **WNP\_SITES** Drawing Version No : **INFO**

Design Review & Verification Completed

Name: *Chris Gasbell* Date: 16 October 2019

Job Title: **Wheatley Neighbourhood Plan**

**WARNING**

There may have been subsequent alterations to the surface levels. Trail holes must be taken to determine positions and depths of cables. HS (G) 47 Booklet from the Health and Safety Executive - Avoiding Danger from Buried Cables - should be consulted before commencing excavation work. **WHEN WORKING IN THE VICINITY OF OVERHEAD LINES THE HEALTH AND SAFETY GUIDANCE NOTE GS6 SHOULD BE CONSULTED (AVAILABLE FROM THE HSE WEBSITE)**

Map Centre: 458829, 205492

Scale: 1:2500 Plot Date: 16/10/2019

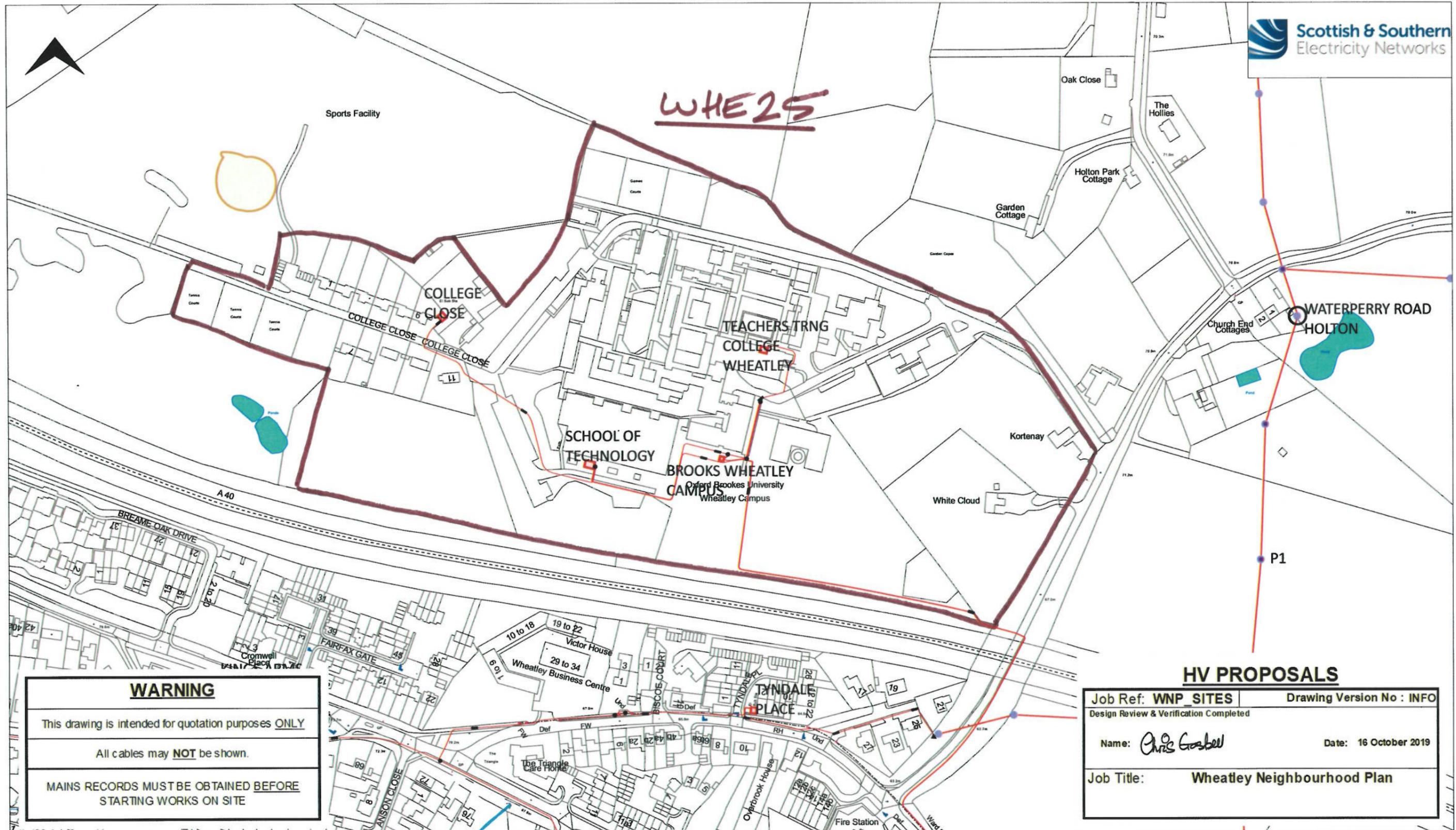
UNCONTROLLED COPY  
Subject to revision  
Master held by SSEN Asset Data Team - Asset.Data@sse.com

	NORMAL DEPTH TO THE TOP OF THE CABLE WHEN LAID			
	Services	LV	HV	EHV
FOOTPATH/UNMADE	0.45m	0.45m	0.6m	0.8m
ROAD CROSSING	0.6m	0.6m	0.75m	0.9m
AGRICULTURAL	1m	1m	1m	1.1m

General Enquiries 0800 048 3516

**Legend**

01 HV Cable	01 HV Cable
02 HV Cable	02 HV Cable
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**MAINS RECORDS MUST BE OBTAINED BEFORE STARTING WORKS ON SITE**

**HV PROPOSALS**

Job Ref: **WNP\_SITES** Drawing Version No : **INFO**

Design Review & Verification Completed

Name: *Chris Gasbell* Date: 16 October 2019

Job Title: **Wheatley Neighbourhood Plan**

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Map Centre: 460368, 205944

Scale: 1:2500 Plot Date: 16/10/2019

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Subject to revision  
Master held by SSEN Asset Data Team - Asset.Data@sse.com

	NORMAL DEPTH TO THE TOP OF THE CABLE WHEN LAID			
	Services	LV	HV	EHV
FOOTPATH/UNMADE	0.45m	0.45m	0.6m	0.8m
ROAD CROSSING	0.6m	0.6m	0.75m	0.9m
General Enquiries	0800 048 3516	AGRICULTURAL	1m	1m

**Legend**

- OS MasterMap Area A91000 Landform - Slope - Normal
- OS MasterMap Area A91010 Landform - Height - Normal
- OS MasterMap Area A91020 Landform - Slope - Normal
- OS MasterMap Area A91030 Landform - Height - Normal
- OS MasterMap Area A91040 Landform - Slope - Normal
- OS MasterMap Area A91050 Landform - Height - Normal
- OS MasterMap Area A91060 Landform - Slope - Normal
- OS MasterMap Area A91070 Landform - Height - Normal
- OS MasterMap Area A91080 Landform - Slope - Normal
- OS MasterMap Area A91090 Landform - Height - Normal
- OS MasterMap Area A91100 Landform - Slope - Normal
- OS MasterMap Area A91110 Landform - Height - Normal
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- OS MasterMap Area A91960 Landform - Slope - Normal
- OS MasterMap Area A91970 Landform - Height - Normal
- OS MasterMap Area A91980 Landform - Slope - Normal
- OS MasterMap Area A91990 Landform - Height - Normal
- OS MasterMap Area A92000 Landform - Slope - Normal

Your reference:

In Any Reply Please Quote: WNP\_Sites\_Dom

1 Woodstock Road

Yarnton

Kidlington

Oxfordshire

OX5 1NY

**SOUTH OXFORDSHIRE DISTRICT COUNCIL**

**135 MILTON PARK**

**ABINGDON**

**OXFORDSHIRE**

**OX14 4SB**

( Tel 01865 845888

+ eMail chris.gaskell@sse.com

For the attention of :- PLANNING POLICY -

**16 October 2019**

Jessica Wilmshurst

Dear Planning Policy,

**Wheatley Neighbourhood Plan (WNP)**

I refer to your eMail message dated 6 September 2019 regarding the above topic.

At this stage, I can only provide general guidance on the provision of electricity infrastructure and the treatment of any existing infrastructure in relation to future development.

Connections for new developments from existing infrastructure can be provided subject to cost and time-scale.

Where existing infrastructure is inadequate to support the increased demands from the new development, the costs of any necessary upstream reinforcement required would normally be apportioned between developer and DNO (Distribution Network Operator) in accordance with the current Statement of Charging Methodology agreed with the industry regulator (OFGEM). Maximum time-scales in these instances would not normally exceed around 2 years and should not therefore impede delivery of any proposed housing development.

Where overhead lines cross development site, these will, with the exception of 400 kV tower lines, normally be owned and operated by Scottish & Southern Electricity Networks (SSEN).

In order to minimise costs, wherever possible, existing overhead lines can remain in place with uses such as open space, parking, garages or public highways generally being permitted in proximity to the overhead lines. Where this is not practicable, or where developers choose to lay out their proposals otherwise, then agreement will be needed as to how these will be dealt with, including agreeing costs and identifying suitable alternative routing for the circuits. The existing customer base should not be burdened by any costs arising from new development proposals.

To ensure certainty of delivery of a development site, any anticipated relocation of existing overhead lines should be formally agreed with SSEN, prior to submission of a planning application.

## **Conclusion**

I trust the above is helpful to you at this current stage of your deliberations and can be included in the proposed WNP document, but you can contact me directly on the above telephone number should you require any further advice, particularly relating to specific sites.

However, for your information and assistance, please see the attached **Appendix A**, which includes additional information in respect of the areas detailed in the WNP document.

Yours faithfully,

A handwritten signature in black ink that reads "Chris Gaskell". The signature is written in a cursive, slightly slanted style.

Chris Gaskell  
Network Planning Engineer

## APPENDIX A

The identified areas are :-

Site	Location	Dwellings	Comments
WHE 15	Miss Tomb's Field	55	See Note 1
WHE 16	The Bungalows	10	See Note 1
WHE 17	Mobb's Land	0	See Note 1
WHE 22	Littleworth	25	See Note 1
WHE 25	Oxford Brookes University	300	See Note 1

- 1) It is anticipated **at today** that there may be sufficient capacity available to be able to supply this site from our **Wheatley** 33/11kV primary substation and the existing hv distribution network.

Q8. After the publicity period ends, your comments, name, email and postal address will be sent to an independent examiner to consider. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses or organisations will be published in full, including contact details. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	Chris Gaskell
<b>Job title (if relevant)</b>	Network Planning Engineer
<b>Organisation (if relevant)</b>	Scottish and Southern Electricity Networks
<b>Organisation representing (if relevant)</b>	-
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<b>Address line 2</b>	Yarnton
<b>Address line 3</b>	Kidlington
<b>Postal town</b>	Oxfordshire
<b>Postcode</b>	OX5 1NY
<b>Telephone number</b>	+44 (0) 1865 845888
<b>Email address</b>	chris.gaskell@sse.com