

## Wheatley Neighbourhood Development Plan Review-Response to Examiner's Clarification Note.

### Introduction

The Parish Council would like to thank the Examiner for his positive and helpful comments regarding the Wheatley Neighbourhood Plan Review (the Plan). The Parish Council has carefully considered the Examiner's comments and in this response will address each of them as comprehensively as possible. The responses will be presented in the order in which they appear in the Clarification Note.

### Points for Clarification

#### **Policy H1**

It is worth reviewing some of the background to the formation of policy H1.

This policy seeks to set out the principles for new development in the Plan area bearing in mind its rural setting and was intended to apply to all new developments. The second sentence of the policy reads:

*"Proposals must show clearly how the scale, mass, density, layout and design of the site, building or extension fits in with the character of the immediate area and wider context within the village".*

The wording is the same as used in Policy H1 in the Wheatley Neighbourhood Plan (WNP) adopted in 2020. This policy has never been challenged in any previous consultation or examination for the WNP or in the Regulation 14 pre-submission consultation for the Plan. Furthermore, the aim of the policy complements paragraph 3.123 of the Local Plan 2011 – 2035 which states:

*"The site includes a range of existing buildings situated predominantly on the eastern side, including a 10-storey tower block. There is an opportunity to deliver a more sensitive development that responds positively to the heritage assets nearby and the surrounding countryside"*

The purpose of the Design Guidance and Codes document (DGC) is to provide an appreciation of Wheatley village's existing character to influence future housing development in the village and thereby help to ensure that as any new development and in-fill development comes forward, it responds to its context and supports and enhances the quality of the village's existing character. This will not only benefit Wheatley but also the neighbouring village of Holton, part of which lies within the Plan area and exhibits many of the same rural characteristics as Wheatley.

Lady Spencer-Churchill College of Further Education was founded August 1965. Its architecture was typical of the post-modern period in 1960s and completely incongruous in the rural setting of what was originally the parkland of Holton Manor. It was later merged with Oxford Polytechnic in 1976 which has since become Oxford Brookes University (OBU)

The DGC has been prepared with a view to avoid what, in retrospect, has been inappropriate architecture for a rural setting. The DGC addresses new and in-fill development within the whole of the Plan area which includes a part (WHE25) of STRAT14 designated in the Local Plan 2011 –

2035. Currently STRAT14 is the subject of a second outline planning application (P22/S3975/O) and the site has recently been sold by OBU to Crest Northwest (24 March, 2023).

At present, WHE25 includes many non-residential buildings (for educational use) and a 10-storey tower block mainly for student accommodation that do not represent particularly attractive post-modern architecture as has already been mentioned in the Plan (paragraph 9.5). These buildings together with two former residential properties comprise WHE25, one of the designated sites in the Plan area. The current outline planning application for STRAT14 describes a development that would normally be associated with the edge of a large urban conurbation such as seen at Barton Fields or Grenoble Road in Oxford City. It is clear however that STRAT14 lies between two rural villages, Wheatley and Holton, and the DGC has been prepared partly to mitigate the anomaly of a large scale, multistorey, residential development in an otherwise rural setting surrounded by Green Belt and to respond to Section 12 of the NPPF.

It is worth noting that in 1971 another educational establishment was opened in an adjoining part of the former parkland of Holton Manor. Wheatley Park Comprehensive School (now Wheatley Park School Academy) benefits from architecture that not only blends with some of the residual, older Manor buildings but also with the rural setting of Holton village. It is to be hoped that such a blend can be achieved with the new developments at STRAT14.

Notwithstanding the recognition for the local need for houses (as demonstrated by the Village Enhancement Plan), the Parish Councils of Wheatley and Holton have recently formed the Brookes Liaison Group to address the concerns of many of the residents of Wheatley and Holton regarding future development at STRAT14. It should be noted that in response to the publicity for P22/S3975/O there have been 178 letters of significant concern and objection submitted to SODC from residents of both villages especially with respect to access and the length (7 years) of the construction activity.

The DGC was prepared to provide continuity between the existing buildings and infrastructure in the Plan area and any new development. It was not prepared to prevent, *per se*, new development or subvert any provisions of the Local Plan 2011 - 2035. The draft DGC was discussed with SODC prior to publication and the SODC recommendations were addressed. If the Examiner deems that there are conflicts between the extant WNP, the DGC of the present Plan and the existing provisions of Local Plan 2011 – 2035, especially for STRAT14, the Parish Council would welcome recommendations and advice from the Examiner to achieve both reconciliation and compliance.

The DGC is intended to provide guidance for any new development within the Plan area. Although part of STRAT14 does not lie within the Plan area it would seem sensible from at least the perspective of continuity that the DGC could be applied also to this part. However, the Parish Council recognises that such a provision cannot be made within the remit of the Wheatley Neighbourhood Plan.

***Policy SPOBU (WHE25)***

Paragraph 9.1 of the Plan: Recommendation accepted. Perhaps the reference included in paragraph 9.3 would be more appropriate?

*“Proposals for the comprehensive redevelopment for residential purposes of WHE25 as shown on Fig 9.1 will be supported where they conform with the following development principles: - “*

*The layout, design and height of the new buildings take account of the rural context of the site, the openness of any Green Belt lying adjacent to the site;.*

### **Policy GBBA1**

Second sentence: Recommendation accepted.

Map: An improved map will be prepared.

### **Policy SPES3 (WHE15) and Policy SPES4 (WHE17)**

Criteria: Recommendations accepted

### **Representations**

Representation 2: It should be noted that this respondent has a vested interest in the land at WHE2. The suggestion that the Draft Site Assessment was “tweaked” is rejected. An extensive site assessment (see Appendix 2 of the Plan) was carried out for all the sites considered for development. WHE2 has a northern boundary with the A40 thereby necessitating mitigation measures for noise and pollution and its location does not facilitate a Green Route through Wheatley from Asda to the Primary School. It is mainly for these reasons that WHE2 did not merit further consideration. Justification for the decision is further supported by the experience of the new residents of the recent WHE3 development (Breame Oak Drive and Ochre Close) regarding the inadequate measures put in place to mitigate traffic noise from the A40.

Representation 11: In this representation, OBU overstates the extent of its “engagement” in the preparation of the WNP and the current Plan. Part of “engagement” involves “listening” and there has been little evidence of this during the discussions and stakeholder meetings held with OBU and its representatives.

Nevertheless, OBU has presented a comprehensive description of the planning history of what is now known as STRAT14. It would have been helpful if the description had also pointed out:

- that since 2016 the number of houses recommended for the development has varied from 300 (SODC Local Plan 2032 Preferred Options June 2016) to 750 (an unofficial proposal based on pressure from OBU) until settling at “*approximately 500*” (Local Plan 2011 – 2035),
- policy STRAT14 of Local Plan 2011 – 2035 does indeed allow for higher density development in part of the OBU site (bullet point # 1) but this has to be consistent with visual impacts on the surrounding countryside being minimised (bullet point # 3 i), despite this qualification the developer has sought to maximise the number of units with the result that the height of the buildings in the eastern and central parts of the site has risen to 3-storeys and 4-storeys thereby reinstating the incongruity of the original buildings in this rural setting

Neither of these points reflects policy H1 of the Plan for development to “*fit in with the character of the immediate area*” nor with paragraph 3.123 of the Local Plan 2011 – 2035.

In paragraph 3.11 of the representation OBU complains that it is inappropriate that only part of STRAT14 (the current built-up campus area and two residential properties) being included in the Plan area. This assignment was made since the built-up campus area and the two residential properties were considered as a brownfield site sitting inside the Green Belt and at the time of the assignment it was never considered that the rest of the campus would be released from the Green Belt.

The main issue however in this representation is OBU’s contention that the DGC is not relevant to STRAT14. This is true if the whole of STRAT14 is considered but it is the firm contention of the Parish Council that it is indeed relevant to the part of STRAT14 that is WHE15. The purpose and rationale of the DGC has already been described above in clarifying policy H1. In section 8 of this representation OBU despite being somewhat self-serving, the proposal presents an efficient path ahead. However, it is important to approach it without bias., the Parish Council is also willing to explore an expedient way forward and accept advice from the Examiner in dealing with the concerns of OBU and at the same time respecting the objectives of the Plan.

Representation 12: The Vision Document of this representation states two benefits for Wheatley from the development of an HGV Logistics Park close to Junction 8a:

- reduced HGV traffic in Wheatley
- potential to support employment in Wheatley.

In principle, such benefits would be welcomed by Wheatley Parish Council. However, the ramifications need to be considered carefully. Coupled with the development at STRAT14 this represents significant ribbon development along this stretch of the A40 from Sandhills, just outside Oxford City, through to a development proposal, called Harrington, between J7 and J8 on the M40. The HGV development will have the potential to make Junction 8a into a major logistics hub and motorway services area with all the attendant consequences. The projected number of 430 FTE employees means at least 860 car journeys to and from the HGV site originating in part from the surrounding villages and thereby increasing and exacerbating “rat run” traffic through Wheatley, especially at peak times. Furthermore, with HGVs converging on this logistics hub there will be an inevitable increase in HGV traffic noise created along the A40 stretch adjacent to Breame Oak Drive, Ochre Close and Fairfax Gate on the south side of the A40 and any development on STRAT14 on the north side of the A40.

Representation 13: TW is objecting to the fact that WHE2 has not been included in the Village Enhancement Plan. The reasons have already covered above in the response to Representation 2. The draft Plan was submitted to SODC for comments prior to consultation and any SODC comments were duly accepted. There was neither a suggestion that the Plan had either adopted a simplistic or a dated approach nor that the Basic Conditions for neighbourhood plans had not been followed.

Representation 15: The Parish Council would like to thank SODC for their helpful comments. All SODC’s recommendations accepted including the request for the Examiner’s comments on the references used in the Plan.