



**Vale of White Horse Local Plan Part One:  
Strategic Sites and Policies**  
Publication Stage Representation Form

Ref:

(For official  
use only)

Name of the Local Plan to which this representation relates:

Vale of White Horse Local Plan

Response form for the Vale of White Horse strategic planning policy document, the Local Plan Part one. Please return to Planning Policy, Vale of White Horse District Council, Benson Lane, Crowmarsh, Wallingford, OX10 8ED or email [planning.policy@whitehorsedc.gov.uk](mailto:planning.policy@whitehorsedc.gov.uk) no later than Friday 19 December 2014 by 4.30 pm precisely.

This form has two parts –

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

## Part A

### 1. Personal Details\*

*\*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

### 2. Agent's Details (if applicable)

Title

Mr & Mrs

First Name

Stephen & Amanda

Last Name

Clarke

Job Title

Solicitors

(where relevant)

Organisation

(where relevant)

Address Line 1

Sunningwell

Line 2

The Mulberries

Line 3

East Hanney

Line 4

Wantage, Oxfordshire

Post Code

OX12 0JS

Telephone Number

E-mail Address

(where relevant)

## Part B – Please use a separate sheet for each representation

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Name or Organisation :

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Consultation

Proposals Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

No

X

4.(2) Sound (Positively Prepared,  
Effective and Justified)

Yes

No

4 (3) Complies with the Duty to co-  
operate

Yes

No

*Please mark as appropriate.*

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Following the principles of the decision in *Moseley* [R (on the application of Moseley (in substitution of Stirling Deceased)) (AP) (Appellant) v London Borough of Haringey (Respondent) [2014] UKSC 56] the Vale has failed to discharge its duty properly to consult the community in accordance with its Statement of Consultation insofar as the specification of the site to the South of East Hanney (the South Site) is concerned. The decision of the Supreme Court in that case provides that consultation must be at a time when proposals are still at a formative stage, that the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response, that adequate time must be given for consideration and response and that the product of consultation must be conscientiously taken into account in finalising any statutory proposals.

The NPPF, at Para 155, provides: "Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area..."

In its Statement of Community Involvement (December 2009), the Vale states that: "The community of the Vale should be enabled to participate meaningfully in the development of planning policies and proposals...." It states further that it will "make publicly available information on the progress of proposals and on how consultation responses have been taken into account." In relation to the selection of the South Site at East Hanney it has failed to follow these principles.

The Vale published its proposals for a site to the East of East Hanney (the East Site) in February 2014 (Strategic Sites & Policies - Housing Delivery Update – Appendix A), together with an assessment of other potential sites in the village (see Appendix 8 to the Strategic Housing Land Availability Assessment (SHLAA) dated February 2014). N.B. although the Vale retains a version of this Appendix on its website (Historic Strategic Housing Land Availability Assessment – Appendix 6), stated to be for the purposes of transparency, the presentation and wording of that Appendix is materially different to the original.

A public meeting was held in East Hanney in March 2014, to discuss the Vale's proposal to allocate a site for the construction of 200 homes to the East of East Hanney. Local opposition to that proposal was largely on the ground that the site was not well integrated into the village. Some villagers expressed a preference for smaller, more centrally located development sites. All this is reported in the Consultation Statement published by the Vale in November 2014.

Nothing further was heard from the Vale until 15 September 2014, when the then Clerk to the East Hanney Parish Council, received a letter notifying of the proposed large South Site. That letter stated: "a new site that was submitted to us for consideration in response to the February 2014 update of the local plan has been included in the submission version of the local plan." That site had not been submitted as a proposal by the Parish Council and there was no proper or effective public consultation on the change of site before this notification.

The South Site incorporates but extends very significantly beyond three smaller sites identified by the Vale in Appendix 8 to the SHLAA (Feb 2014) referred to above. One of those sites was assessed as unsuitable for development as being heavily constrained. Its status has been changed without explanation. In response to a recent survey conducted by East Hanney Parish Council, 234 villagers stated that they were unaware before 15 October 2014 (the date on which the revised version of the Local Plan was ratified) that the Vale had changed its original proposal and identified the area for development as that South Site rather than the East Site previously published.

In its Statement of Consultation the Vale refers to "the alternative site promoted through the consultation" (para 243). The promotion referred to did not originate from the Parish Council but rather, we understand, from the landowner of the site in question. No consultation with

the community was entered into prior to its adoption.

The last minute and ill-considered adoption by the Vale of the South Site is reflected in various of the documents submitted in support of the Plan. For example, the Infrastructure Delivery Plan makes no reference to the South Site but only to the East Site (See 8.11 IDP). Topic Paper 4 – Housing Delivery Trajectory – makes no reference to the South Site but only to the East Site (Table 3.4 at Page 68). Bizarrely, the Water Cycle Study refers to both!

In summary, no proper consultation was entered into by the Vale in respect of the South Site. It has failed to comply with national policy on consultation as detailed in the NPPF and has failed to follow its own published Consultation Statement. The right to seek judicial review of the Vale’s failures in this respect is expressly reserved.

(continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The failure to consult on the South Site can be remedied only by the Vale conducting a proper consultation with the village of East Hanney, to allow a proper period for discussion of the suitability of each of the two sites, that to the South and that to the East.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒

**No**, I do not wish to participate at the oral examination

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**Yes**, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary: ☐

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Date:

17 Dec. 2014

## Part B – Please use a separate sheet for each representation

Name or Organisation :

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Proposals Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
4.(2) Sound (Positively Prepared, Effective and Justified)	Yes	<input type="text"/>	No	<input type="text" value="x"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

*Please mark as appropriate.*

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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Plan is not sound in that it is not justified. Core Policy 3 describes East Hanney as a Larger Village within the Villages Hierarchy adopted by the Vale (See Local Plan 2029 Part 1 Strategic Sites and Policies – Villages Hierarchy – March 2013).

On 3 October 2014, before formal adoption of the Draft Local Plan in Cabinet, Oxford County Council published a Consultation stating its intention to withdraw the mobile library service from East Hanney. This will reduce the points allocated to East Hanney under the Settlement Hierarchy to 13, re-classifying it as a Smaller Village for the purposes of the Plan. The outcome of the Consultation will be published early in 2015, before the Local Plan is submitted to the Secretary of State.

Core Policy 3 states that any development within a Smaller Village “should be modest and proportionate in scale and primarily be to meet local needs.”

On the basis that the mobile library service is withdrawn from East Hanney in accordance with Oxford County Council’s clearly stated intention, the allocation to East Hanney of a strategic site for 200 homes is contrary to Core Policy 3.  
(continue on a separate sheet/expand box if necessary)

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The Local Plan should be modified at Core Policy 3 so as to remove East Hanney from the list of Larger Villages in the Abingdon-on-Thames and Oxford Fringe Sub-Area and to add East Hanney to the List of Smaller Villages in that Sub-Area.

Core Policy 4 should be amended to remove East Hanney from the Table listing Strategic Allocations within the Abingdon-on-Thames and Oxford Fringe Sub-Area.

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4.(2) Sound (Positively Prepared, Effective and Justified)	Yes	<input type="text"/>	No	<input type="text" value="X"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

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The Plan is not sound: it is not justified in that it is not based upon sound science.

A recent DTI and industry funded research project to investigate the economic incentives,



social impacts and ecological benefits of sustainable drainage systems produced a number of Information Sheets, published by HR Wallingford. One of those reports is titled 'Operation and Maintenance of Sustainable Drainage Infrastructure'. It reports concerns about both design and maintenance of such systems and makes clear that, without proper provision for maintenance, they are liable to fail to perform as required.

In relation to costs, that report states:

“The cost of maintenance is often significant compared with capital construction costs of sustainable drainage systems. It is therefore vital that the cost of implementing long-term management agreements is accounted for during the planning stages. As SUDS techniques are new for most contractors, it will take time before the landscape management of SUDS is commonplace, and costs can be predicted with confidence.

To give an idea of the likely costs of maintenance of SUDS components, the full report presents case studies containing cost reviews of SUDS maintenance activities at two motorway service areas (MSAs) containing a range of SUDS for surface drainage. Further information is also presented from tenders received for ongoing maintenance activities at the sites.

The quotations given were for maintenance of the whole sites and ranged considerably. For annual whole site maintenance of Oxford MSA the quotations ranged from £20k to nearly £40k, and for Hopwood MSA from under £10k to £37k. Activities specifically associated with SUDS were subject to particularly large differences. This indicates the uncertainty of contractors in their understanding of the needs of these systems, and the resulting variability that might currently be expected for landscape maintenance including SUDS components, even when a clear specification and schedule is provided for pricing purposes.”

The Infrastructure Delivery Plan (IDP) is fundamentally unsound in that no provision is made for the life-long maintenance costs of SUDS within the significant number of development sites proposed. These are not one-off costs associated with the build process but material long-term revenue costs of drainage infrastructure. Without proper maintenance of SUDS within the development sites proposed, research suggests that those drainage systems may prove unfit for purpose or fail, with increased risk of flooding to the community of the Vale.

(continue on a separate sheet/expand box if necessary)

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As a minimum, the IDP should be revised to ensure that adequate Section 106 monies are allocated as a matter of priority to the long term maintenance of SUDS. These monies should be hypothecated so that they cannot be diverted to other use.

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Name or Organisation :

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Paragraph  Policy  Proposals Map

4. Do you consider the Local Plan is :

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4.(2) Sound (Positively Prepared, Effective and Justified)	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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The Plan is not justified. The risk for groundwater flooding has not been properly assessed. Oxfordshire County Council, the lead flood risk management authority for the Vale, has produced maps to show that the entire village of East Hanney is at the highest risk of

groundwater flooding. This map is adopted by JBA consulting in the Strategic Flood Risk Assessment produced for the Vale and dated July 2013. Reference to this risk was made in the February 2014 SHLAA produced by the Vale, at Appendix 8 (East Hanney).

As the most recent Environment Agency statistics for November 2014 (Monthly Water Report) demonstrate, in periods of heavy rainfall, groundwater levels tend to rise. This reduces the efficiency of surface water drainage systems and increases the risk of flooding. The Plan anticipates that winters will be wetter in the future.

Many of the developments proposed under the Draft Local Plan will rely on sustainable drainage systems ("SUDS") (infiltration to the ground systems) in replacement of piped drainage. SUDS are described as an essential part of the Design Guide.

The British Geological Survey has stated: A long-term effect of this (*use of SUDS*) may be a rise in groundwater levels over the catchment-scale. Whilst this provides benefits for river base flow, it may also have consequences for subsurface assets such as basements and utilities and, in more serious cases, for areas susceptible to groundwater flooding. The use of catchment-scale modelling can predict groundwater rise and therefore should be a consideration when planning multiple SUDS schemes in urban areas.

There is no evidence that the Vale has undertaken the necessary modelling to predict groundwater rise as a result of the large-scale development proposed throughout the Vale and its impact on the area indicated as at highest risk of groundwater flooding on the Oxfordshire County Council groundwater flood risk map. Without this, the risk of flooding from all sources has not properly been considered and the Plan is unsound and, further, not compliant with the NPPF (Para 100).

(continue on a separate sheet/expand box if necessary)

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Further work should be undertaken by the Vale now to reach a sound understanding of the impact on groundwater levels of the introduction of a very large number of SUDS across the Vale as new development takes place. The suitability for development of sites within areas at high risk of groundwater flooding, such as East Hanney, should be re-assessed once that research has been completed.

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Signature:

Date:

17 Dec. 2014

## Part B – Please use a separate sheet for each representation

Name or Organisation :

3. To which part of the Local Plan does this representation relate?

Paragraph

2.11 – 2.14  
and 3

Policy

Strategic  
Objectives

Proposals Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

☐

No

☐

4.(2) Sound (Positively Prepared,  
Effective and Justified)

Yes

☐

No

X

4 (3) Complies with the Duty to co-  
operate

Yes

☐

No

☐

*Please mark as appropriate.*

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Plan is unsound in that the selection of Land South of East Hanney (the South Site) is not justified by a robust and credible evidence base. The Sustainability Assessment (SA) conducted by URS Infrastructure & Environment UK Limited (URS) (10\_07\_14\_Sustainability Appraisal Report Appendices FINAL v1) contains a number of wholly unjustified statements.

In the original Appendix 8 to the Strategic Housing Land Availability Assessment (SHLAA), published in February 2014, sixteen potential sites within the village of East Hanney were reported on in terms of suitability for development. Amongst these was a site identified as EHAN05B, now included within the site selected by the Vale as the South Site. Site EHAN05B was deemed “Unsuitable – Heavily Constrained”. Other comments regarding that site were: “Adjacent to Conservation Area and listed building, archaeological constraint, Flood Zone 2 & 3 in northern part (at access)”. Without explanation or rational justification, a site that the Vale deemed unsuitable has now been brought forward as part of the South Site, designated by the Vale for development of 200 or more houses.

#### The Plan is unsound - the South Site fails the Sustainability Appraisal

The South Site is analysed as Site 55 within Appendix IV to the SA.

The selection of the South Site is contrary to a number of the Vale’s expressed Sustainability Objectives as follows:-

##### SA Objective 2:

The SA states that the South Site is within walking distance of the nearest shop and village hall and Primary School. In fact, the site offers no pedestrian access to village services, such as the Village Hall, Primary School and the Village Shop.

- The connection from Site EHAN05B (now part of the South Site) onto the western end of Mill Orchard is through an area shown as within Flood Zones 2 / 3. The connection at that point is onto a narrow bridge on a sharp bend. The road narrows over the bridge which is generally treated as permitting only single vehicle traffic. The road, still very narrow as it leaves the pinch point of the bridge, carries heavy volumes of traffic passing to and from the A338 to villages further west. The road is without a pavement as it goes north towards the Village Hall until the housing on Brookside is reached. That road is within Flood Zone 2.  
There is no space for a pavement to be constructed. The road does not offer safe pedestrian access to village facilities, especially for children going to the primary school. This would expose the community to a serious health & safety risk.
- The connection from the South Site onto the western end of Summertown is along a busy stretch of road feeding onto the A338, without a pavement on either side, all of which is within Flood Zone 2. A deep drainage ditch runs on one side of the road, which is narrow along its length and very busy during rush hours. There is no space for a pavement to be constructed.

The proposed mitigation does not withstand scrutiny. The Infrastructure Delivery Plan provides for financial contributions to secondary school places and to SEN provision. It makes no reference to G.P. services and refers to offsite leisure provision. There seems little prospect that any of these would “improve access to services and facilities *in East Hanney*” as is suggested.

##### SA Objective 3:

See comments above re pedestrian access.

The SA states that the site would require pedestrian and cyclist links and public transport contributions. No provision has been made for the construction of a cycle path between East Hanney and Grove. The A338 is a busy and dangerous road, already recognised by Oxfordshire County Council as operating at full capacity; it is unsuitable for cyclists, especially young people or the elderly. The A338 would have to carry significantly increased volumes of traffic, including commercial and construction traffic, throughout the Plan period and beyond.

There is no provision in the Infrastructure Delivery Plan (IDP) for any cycle path between East Hanney and Grove (see Figure 5b, page 78, Local Plan), which provides the closest G.P. Practice. The only existing bridleway is located some distance west of the site and is a poor, muddy track (Cow Lane), which is regularly under water in places during the winter months. It involves the crossing of the main Great Western railway line to Bristol.

##### SA Objective 4:

Again, reference is made to the site being within cycling distance of the nearest G.P. but there is no cycle path and no provision in the IDP for construction of such a path. The A338 is not suitable for cyclists. The suggested mitigation (new or expanded provision for a G.P. and leisure centre) is not reflected in the IDP and appears extremely unlikely to be viable.

##### SA Objective 5

See comments re pedestrian access above

suitable for cyclists. The suggested mitigation (new or expanded provision for a G.P. and leisure centre) is not reflected in the IDP and appears extremely unlikely to be viable.

#### SA Objective 5

See comments re pedestrian access above.

The IDP is silent on expansion of East Hanney Primary School (see overview at Page 11), although the Appendices to the Local Plan do suggest that this is contemplated. It is unclear whether land is available for such expansion and the Plan is silent on that point. The school is currently full.

#### SA Objective 7

URS, which produced the SA for the Vale, is clear: "The only site that would lead to significant negative effects in terms of the natural environment is Site 55 East Hanney" (Page 173).

#### SA Objective 8

URS states that, for landscape and cultural heritage, site 55 was appraised to lead to significant negative effects. Site 55 has very limited capacity for development due to its landscape setting and settlement pattern and is adjacent to a Conservation Area and Listed Buildings (Page 173).

#### SA Objective 9

While URS appraises the site to lead to negative effects in terms of noise, air and light pollution, the mitigation proposed (noise barriers between the A338 and new housing at the site) addresses only the new homes proposed. No mitigation is offered to offset the impact on the existing village housing of 300 more cars from the new development (using Oxfordshire average of 1.5 cars per household – see VWHDC Draft strategies/policies – Equality Impact Check – at 1.1.46) on the village of East Hanney.

#### SA Objective 10

URS state that the site is unlikely to be able to support anticipated water and wastewater demand. This is borne out by the findings of the Water Cycle Study and is a concern of fundamental importance given the wastewater flooding problems already being experienced in various parts of the village.

#### Coalescence

In Topic Paper 3 (Strategic Site Assessment Consultation), the Vale rejected certain sites as unsuitable for development due to the risk of coalescence (e.g. Rowstock (Page 71) and Milton (Page 12)). No coherent policy regarding coalescence is stated, however, leaving the application of such a condition incapable of objective assessment and entirely at the discretion of the Vale.

The Plan proposes development to the north of Grove up to the railway line. Between the railway line and the village of East Hanney there is one field. By allocating a strategic site (the South Site) within this field break, the Vale risks coalescence of East Hanney with Grove, giving the effect of suburban, ribbon development along the A338 and threatening the character of East Hanney.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.



Should the Vale persist in allocating a strategic site to East Hanney (see Village Hierarchy consideration above), the East Site would be a more sustainable option than the South Site. The South Site fails the majority of the Vale's own tests for sustainability. The East Site, originally proposed by the Vale and the subject of considerable work in the run-up to the February 2014 Housing Delivery Update, offers better potential for pedestrian access to village services (through provision of a pedestrian crossing over the A338 within the 30mph zone), better vehicular access for traffic entering and leaving the new development (in that Steventon Road is significantly less busy than the A338 and suffers less congestion) and also avoids the issue of coalescence.

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17 Dec. 2014

## Part B – Please use a separate sheet for each representation

Name or Organisation :

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	Core Policy 7 – Infrastructure & Services	Proposals Map	<input type="text"/>
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
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The Plan is neither effective nor consistent with the NPPF. There are many serious concerns regarding timely provision of infrastructure and services (such as healthcare provision, emergency services and school places) to support all of the development proposed. Our

principal concern is with water, drainage, waste management and sewage treatment (See VWHDC Water Cycle Study – November 2014).

Water resource (Table 4.3 WCS):

The Water Cycle Study demonstrates that Thames Water cannot accommodate all of the proposed site allocations; There is “insufficient evidence to confirm that the planned increase in demand can be met.”

Water supply and distribution (Table 4.5 WCS)

For all settlements in the Wantage FMZ (including East Hanney); “Cannot accommodate all proposed site allocations. Further modelling may be required and subsequent upgrades may be needed.”

Water Quality Summary (Table 5.11 WCS):

For Wantage, the wastewater treatment works which serves East Hanney, an “upgrade is likely to be required but the calculated future consent is within the capabilities of Best Available Technology.” However, the Letcombe Brook, which receives outfall from that works, is already failing on tests for phosphates. The WCS predicts that water quality will deteriorate significantly if the new development contemplated in the Plan proceeds. The Letcombe Brook flows through East Hanney and represents an important wildlife corridor for a number of rare and endangered species.

Sewerage System Summary (Table 5.1 WCS):

East Hanney – Cannot accommodate all proposed site allocation. Further modelling will be required and subsequent upgrades may be needed.

There is no sound infrastructure planning in the IDP for water resource, supply and distribution nor for sewerage systems and wastewater treatment. The WCS (Page 89) shows proposed housing completions for the South Site at East Hanney which were presumably supplied to JBA consulting by the Vale. These are for 50 houses in each of 2015/16, 2016/17, 2017/18 and 2018/19. These figures are completely unsustainable on the basis of the findings of the WCS. None of the necessary water and sewerage infrastructure is deliverable within those time constraints. This is a point of fundamental importance in real terms, which is persistently ignored by the Vale.

In relation to a recent planning application at East Hanney, Thames Water asked for a Grampian condition to be imposed (See P13/V2266/O-14 at [planning@whitehorse.gov.uk](mailto:planning@whitehorse.gov.uk)) “Development shall not commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. Reason – The development may lead to sewage flooding.”

In recent years, East Hanney has experienced a number of flood events, including sewage flooding. A large photographic evidence base is available within the community of the village and this can be made available to the Inspector on request. The issue of sewerage flooding is one of considerable concern. If the issue of sewerage infrastructure is not properly and responsibly addressed by the Vale, the community would be exposed to material health and safety risks.

(continue on a separate sheet/expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Phasing of development should be imposed so as to ensure that infrastructure provision will precede or be delivered simultaneously with development so that no degradation of water and sewerage services (and, in particular, further occurrences of sewerage flooding due to the sewerage system being overwhelmed) will occur.

As a minimum, Grampian conditions of the type requested by Thames Water and referred to above should be imposed in respect of all new development within East Hanney and all other communities where the WCS shows that existing sewerage systems are inadequate.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒

**No**, I do not wish to participate at the oral examination

☐

**Yes**, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary: ☐

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Date:

17 Dec 2014