

**Representations on the
Local Plan 2031 Part 1 Strategic Sites and
Policies
and
CIL Preliminary Draft Charging Schedule
and
Design Guide October 2014**

In respect of:
Land at North Shrivenham
On behalf of:
Welbeck Strategic Land



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1.0 Introduction

- 1.1. McLoughlin Planning has been instructed by Welbeck Strategic Land to respond to the Local Plan 2031 Part 1, Strategic Sites and Policies document. The purpose of this document is as follows:
- To set out Welbeck’s general comments on the plan.
 - To set out Welbeck’s support and comments on the North Shrivenham Housing Allocation.
 - To set out Welbeck’s objections to the CIL Preliminary Draft Charging Schedule.
 - To set out Welbeck’s comments on the Design Guide.
- 1.2. In addition, this document is accompanied by a Vision Document setting out how the allocation could be delivered.



2.0 General Representations on the Local Plan 2031

2.1. Comments on the Plan are as follows:

Core Policy 1

2.2. Welbeck support the Plan's approach in recognising the presumption in favour of sustainable development.

A Justified Plan (page 17) and Core Policy 2

2.3. Welbeck consider that the plan meets the tests of being justified in that it is based on a robust and credible evidence base for the allocation of Shrivenham North. To support this the Sustainability Appraisal (SA) has considered alternatives and these are documented at Section 12.2 of the SA.

2.4. It is correct to note that the Plan has a weakness in respect of the Duty to Co-operate in that this work is on-going and a review of the plan may be necessary in light of additional work coming forward on the Oxfordshire SHMA and the difficulties of Oxford City to meet its OAN. However, in the interests of seeing a plan adopted and the delivery of housing in a co-ordinated and planned manner (as per paragraph 17 of the Framework), there should be the recognition that the Plan's housing target and allocations underpinning that target are treated as minimum rather than maximum.

2.5. The benefit of this approach is that it allows the core principle of a plan-led system to be met and meet the requirements of the third bulletpoint in under paragraph 17 of the Framework.

Spatial Vision

2.6. The Spatial Vision is supported in general in that it clearly sets out an aspiration for economic growth in the District. However, Welbeck has the following observations to make.

2.7. The Vision identifies what are considered to be the main settlements in the District, however, the plan makes a number of allocations for considerable levels of development at Larger Villages (i.e. Shrivenham). It is considered that the Vision should be modified to better reflect the fact that certain larger villages will also perform a vital role in accommodating new development to further support and enhance local services.



- 2.8. The concern is that by not making reference to large allocations at the larger villages, the Vision is underplaying the important contribution certain locations make in providing new housing.

[Strategic Objectives SO1 to SO4](#)

- 2.9. Welbeck support the strategic objectives as drafted and consider that the proposed allocation of north Shrivvenham will meet these objectives.

[Strategic Objectives SO8 and SO9](#)

- 2.10. Welbeck support the need to promote the sustainable modes of travel, the focus of these strategic objectives should be more directed to providing a real choice of modes, rather than targeting a specific objective on reducing the need to travel. This is based on the fact that paragraph 29 of the Framework requires the transport system to be “balanced” in favour of sustainable modes and promoting choice, which has to reflect the difference between urban and rural locations.

[Strategic Objective SO11](#)

- 2.11. Welbeck question the need for developments to achieve a “high quality design standard”. Paragraphs 56 to 68 of the Framework provide comprehensive coverage on the need for good design. The key paragraphs are 59 and 60 which strike a cautious note about the use of Design Codes and LPAs imposing architectural tastes and styles. As drafted, the strategic objective appears to imply that there is a Council standard to be met regarding design, which could be potentially prescriptive and contrary to national guidance.
- 2.12. In addition, the Strategic Objective has to recognise that the need to conserve and landscape assets. As will be explored in other representations, there is a requirement for landscape issues to be dealt with in a manner proportionate to their level of designation. As drafted, the Strategic objective could lead to a disproportionate level of weight being applied to landscape assets.

[Core Policy 3 and Figure 4.2](#)

- 2.13. Welbeck has the following observations about the settlement hierarchy.
- 2.14. Shrivvenham’s designation as a Local Service Centre in the Policy is supported. However, the designation conflicts with Figure 4.2 and other parts of the Plan which show it as a Larger Village. In addition, the 2014 Town and Village Facilities Study further refers to the settlement as a larger village. In showing that the Policy and Shrivvenham’s position in the hierarchy is justified, the contradictions in the Plan need to be addressed to consistently designate Shrivvenham as a LSC.



Core Policy 4

- 2.15. As per the representation on CP3, there is a need for Shrivenham to be classified as a Local Service Centre.
- 2.16. In terms of the housing requirement for the District, Welbeck' supports the 20,560 set out in the plan on the basis of the following analysis of the Plan's housing requirement.
- 2.17. The SHMA has followed national guidance. It has taken the whole of Oxfordshire in entirety and then assessed each LPA within it. The SHMA has concluded that there is an identified need for between 4,678 – 5,328 homes per year over the 20-year period. In the County. All sensitivity-testing models considered have found that a higher level of housing is required than the household projections. The level of housing proposed is necessary to support committed economic growth; to support delivery of affordable housing; and to support an improvement in the affordability of housing over time.
- 2.18. The SHMA acknowledges that the level of housing is considerably higher than previous delivery, providing evidence that the housing provision has not kept up to pace with the housing need. The uplift (taking the mid point of the need range) is 17%. The SHMA has considered a number of scenarios; these have built up the housing need.
- 2.19. It supports the Committed Economic Growth Scenario which has considered policy influences on economic growth, such as planned development and initiatives related to the Science Vale Enterprise Zone, Oxfordshire City Deal, North West Bicester Eco Town and other planned infrastructure investment. In doing so it takes account of both factors that can be expected to stimulate 'above trend' growth in employment as well as factors that may depress it.

"The CE and SQW Report recognises that there are factors which could depress growth in employment, including public sector spending restraints and competition from surrounding areas including South Warwickshire, the Thames Valley and London. It identifies a number of potential risks to delivery of the Committed Economic Growth Scenario, including competition for skilled labour and delays in the delivery of infrastructure (including potentially shortages of commercial accommodation). However it does not regard housing delivery as a particular risk, setting out that past rates of employment and housing growth in Oxfordshire and comparator areas do not point towards evidence that employment and housing growth have constrained one another. Overall it concludes that delivery of the Committed Economic Growth Scenario is realistic.



- 2.20. *The Committed Economic Growth Scenario is based on the potential for economic growth in Oxfordshire and its constituent districts, linked to economic drivers and their potential to stimulate jobs growth. It is demand-driven. It is not driven by an assessment of supply-side factors such as employment land availability or supply. Further information regarding how the economic scenarios were constructed, and the degree to which key economic growth initiatives/ projects informed this, are set out in the CE and SQW Report.”*
- 2.21. Table 90 of the SHMA brings together the evidence on housing need. Conclusions on housing need have been drawn using The starting point is the assessment of housing need based on demographic trends, including where applicable provision for addressing the past shortfall in housing delivery against the South East Plan between 2006-1130. Consideration is given to whether there is a need to adjust upwards the level of housing provision in order to support Committed Economic Growth. The results of this are then compared against the indicative modelling of the level of housing provision which might be required to meet affordable housing need in full; as well as the wider evidence of market signals. This is used to assess whether a further adjustment to the assessed housing need is necessary.
- 2.22. This process has been used to derive conclusions regarding housing need in each authority. The specific circumstances of Oxford in regard to both affordability pressures and need for affordable housing justify a substantial upwards adjustment to the assessed need, relative to the projections based on past population change and committed economic growth. This upward adjustment aims to improve the supply-demand balance for housing and improve affordability over the longer-term. A single figure is set out for the Vale of White Horse as this is directly aligned to the Committed Economic Growth Scenario and does not require further adjustment in relation to the affordable need scenario unlike the other LPAs within the housing market area.
- 2.23. The SHMA concludes that across Oxfordshire, there is an identified need for provision of between 4,678 – 5,328 homes a year over the 2011-31 period. This level of housing provision is necessary to support committed economic growth; to support delivery of affordable housing; and to support an improvement in the affordability of housing over time. The figures for individual local authorities are set out in Table 90.
- 2.24. For the Vale of White Horse, the evidence indicates a need for 1028 dwellings per annum (2011-31) to support the Strategic Economic Plan. This is based on the supporting Committed Economic Growth. This did not require further adjustment in relation to the affordable need scenario unlike the other districts within the housing market area.



Core Policy 7 and CIL Preliminary Draft Charging Schedule

- 2.25. Welbeck support and recognise the need for S106 contributions and CIL charges, provided that they meet the tests in national guidance and CIL regulations. As a starting point, the IDP submitted with the Plan identifies a series of requirements for Welbeck's North Shrivenham site.
- 2.26. The CIL figure proposes a charging rate of £120 per sq.m. for the Shrivenham area. This figure is informed by the Viability Study which accompanies the CIL Schedule. The approach is supported by a CIL Viability Study (October 2014). Section 3 of the Report deals with development viability and at page 21 there are a list of the strategic sites, along with the estimated infrastructure costs associated with them.
- 2.27. For North Shrivenham, the estimated cost is £4,188,125 and viability analysis is based on this figure. Aside from specific costs being outlined below, the £4.18 million figure is an underestimate of the level of infrastructure costs being generated for phase 1 of the site to the vale of £1.6 million. The Council will be aware that part of the allocation is currently the subject of a Phase 1 application for 240 units and a primary school. Against the Council's current S106 calculations, the Council is seeking £5,685,477 million for Phase 1 alone. It is equally understood that of this figure, there are still costs for highways infrastructure, which have to be accounted for. This means that the infrastructure costs (on paper at least) could be in excess of the £5.6 million currently quoted and sought by the Council.
- 2.28. The underestimation of infrastructure costs by £1.5 million is a **serious and major error** in the calculation of viability on the site. This draws into serious question the robustness of CIL Schedule.

Overview

- 2.29. The approach adopted by the Plan in this respect is unsound. CIL Charging Schedule needs to be established by setting a charging schedule which has been subject of public consultation and an examination. At this stage, the IDP is a list of Plan requirements, which identify a significant level of funding to be derived from CIL.

School provision

- 2.30. In general terms, Welbeck recognises that there will be a need for a new primary school on the site and has been in a programme of extensive discussions with the County Council about the provision of a new school. However, this has yet to be fully resolved and the concern is that the amount of development being proposed in Shrivenham clearly expects the site to deliver the funding required to deliver the school, whilst there is no indication that other developments will contribute towards



school capacity. Neither is there any consideration about costs being deducted because of the potential income to be achieved from the sale of the existing primary school to a third party. This is in contrast to the Abingdon allocations, which incorporate costs for acquiring land in their calculations.

Highways and Transport

- 2.31. The IDP identifies that “upgrades along the A420” and upgrades the bus service will be sought through the CIL process. At this stage it is highly questionable as to what those contributions will be and how they pass the tests in the Framework and the CIL regulations. Furthermore, the ‘upgrades to bus services’ allocated to CIL appear to duplicate the ‘site specific works, PT and other transport’ proposed via S106/S278.
- 2.32. Accordingly further clarity is requested regarding the justification, scale of contribution and delivery mechanism for securing highway and transport improvements.

Foul Water

- 2.33. The difficulties delivering foul water infrastructure are considered at Section 8 of the IDP and it is welcomed that the council is seeking to manage these delivery challenges. However, it is the duty of Thames Water to plan and deliver upgrades to sewage treatment works and to ensure these improvements are incorporated into their asset management programme so as not to delay development delivery.
- 2.34. Further clarity is therefore requested regarding the delivery mechanism identified at page 53 of the IDP to secure upgrades to sewage treatment works and specifically whether it is justified for developers to contribute by S106 toward sewage treatment work improvements.

Leisure contributions

- 2.35. The IDP identifies circa £1.3 million of CIL contributions towards leisure provision either on site or off-site based on the findings of the Nortoft Study. Welbeck strongly object to the totals set out in the IDP and in addition cite the following example of the contradictory nature of the studies which underpin the IDP.
- 2.36. For example, the IDP anticipates that 4 tennis courts will be provided on the allocation. Whereas, for example, Harwell East Allocation is only asked to provide 3 tennis courts, for an allocation of 850. Welbeck fail to understand the logic in this level of contribution. In addition, there are a number of tennis courts already provided on the adjacent community hub set around the Village Hall.



Figure 5.8

- 2.37. In conjunction with other representations there is a need for the figure to be updated to reflect the fact that Shrivvenham is a Local Service Centre and not a Larger Village, as shown on the plan.

Western Vale Vision (page 84)

- 2.38. Given the Plan's proposed allocation of 500 new homes in Shrivvenham, Welbeck is concerned that the Vision remains silent on this point. Further concern is expressed about the identification of Shrivvenham as a Larger Village and not a Local Service Centre.

Core Policy 20

- 2.39. Welbeck support the allocation of 500 homes on land North of Shrivvenham, as per the table on page 87 of the Plan. As with other representations the Policy needs to be modified to reflect the fact that Shrivvenham is a Local Service Centre.
- 2.40. There is a need in the vision to clearly set out the role and function Shrivvenham will perform in the Western Vale. It is accepted that Faringdon is the main urban area in this sub-area, but the Plan has to recognise the emerging importance Shrivvenham has in helping the Plan meet its strategic requirements.

Core Policy 21

- 2.41. The Plan recognises the need to upgrade the A420 junction at Shrivvenham and support the Policy in respect of it seeking to protect land at the junction from development, which would compromise the ability of the junction upgrades to be improved.
- 2.42. However, it is not clear from the policy as to what is required in the following paragraph

"Any proposals for development that may reasonably be considered to impact on the delivery of the of the identified schemes ... should demonstrate the proposal would not harm their delivery."

- 2.43. This lack of clarity could be interpreted to either ensure the development adjacent to the junction does not compromise the upgrading of it or, development in Shrivvenham would not be delivered until such time the junction upgrades are delivered. At this stage, it is not clear as to what will be required by way of junction upgrades or the cost of doing this. The IDP accounts for the upgrades in the Schedule for the North Shrivvenham Allocation, but does not identify a cost for doing so.



2.44. As a result it is recommended that the policy be modified to remove the above paragraph to address the uncertainty it generates.

2.45. It should also be recognised that the need for a junction improvement at this location is due to locally delivered growth (i.e. in and around Shrivvenham) and broader development proposals along the A420 corridor. In this context, funding of an improvement scheme should reflect this and not be left to local development alone to deliver. This is implied at paras 5.124 to 5.126 but it is recommended that further clarity is provided.

Core Policy 22

2.46. As drafted, the Policy is not in accordance with guidance in the Framework. The risk with the Policy is that the reliance on the SHMA could lead to prescriptive decisions being made by the Council about the type of open market housing being provided, which could lead to possible imbalances in the provision of housing on a site. In contrast, paragraph 50 of the Framework requires LPAs to “plan for a mix of housing” this is not prescribing a mix of housing. The test for an alternative non-SHMA mix is excessive in that it requires an alternative to be demonstrated which could bring into question the validity of the SHMA.

Core Policy 23

2.47. Welbeck support the need to make effective use of land. However, the policy is not consistent with national guidance in that the Framework (para 47 last bulletpoint) allows LPAs to set their own density figures to reflect local circumstances. There is no requirement in the Framework for “specific local circumstances” have to be indicated to justify lower density levels.

Core Policy 26

2.48. Further clarity is required from the policy as to whether it is seeking a specific provision of lifetime homes on all sites or whether this expressly focuses on age-restricted dwellings.

Core Policy 36

2.49. The provision of broadband services and infrastructure is not within the remit of the development industry, but rather BT Openreach, the operator of the telecoms network. The concern is that the definition of “appropriate infrastructure” could be used to require developer to provide systems, which are simply not within their control or technical capacity to do so.

2.50. A further concern is what constitutes “superfast broadband” and how this requirement will be assessed through the planning application process.



Core Policy 37

- 2.51. Welbeck support the need for a high quality design, however, the policy should reflect the fact that of the criteria identified, there will be conflicts in the design of new development, which will see compromises being achieved between the competing criteria. The Policy should also be amended to reflect the need that a balance will have to be struck between objectives on the basis of local circumstances and site-specific design considerations.

Core Policy 38 and Design Guide

- 2.52. Welbeck's comment on the policy are as follows:

Part 1a

- 2.53. The first bulletpoint requires a masterplan which sets out a vision for the development. This is simply not achievable on a single plan. A vision comprises of a number of elements, all of which cannot be translated into a single masterplan. A better alternative is to seek the provision of a Vision Statement, which draws together all the aspirations for a scheme.
- 2.54. The final masterplan related bulletpoint requires an indicative layout the be provided. This is not appropriate at the scale of a major development site for use as a Design Strategy. The wording of this requirement is at odds with other Statutory Instruments governing the level of detail required for outline planning applications. Essentially, it places a higher burden on applicants than what is required for in other Regulations.

Part 2

- 2.55. Bulletpoints 3,4,5 and 6
- 2.56. Welbeck is of the view that the requirements are not necessary or appropriate for a design and access statement, especially in the case of outline applications.

Core Policy 39

- 2.57. The policy's objectives have to be seen in the context of what is relevant to any given application for the Council to determine and the Policy cannot be used by the Council to seek to achieve heritage asset protection and re-use where it is not relevant or connected to a planning application.
- 2.58. In dealing with setting of heritage assets, it is clear that there is a need for Conservation Area appraisals to be updated. Where heritage assets are being used to inform the layout of development proposals, there is a need to ensure that the level of influence exerted by assets on such proposals is propionate and evidence based.



Core Policy 40

- 2.59. The requirements of the policy are onerous and not in accordance with national guidance. Matters relating to building performance are best suited to be addressed through the Building Regulations process.
- 2.60. In terms of the need to orientate habitable rooms within 30 degrees of south, this will not be possible on all development sites for all units proposed and the need to demonstrate that it is not appropriate to do so places an unnecessary burden on developers, especially where the layout of a site and its physical characteristics are the key in addressing this issue.

Core Policy 43

- 2.61. Welbeck object to criterion viii of the policy as it could be used to support a sequential approach to the development of sites. Paragraph 113 of the Framework requires agricultural land quality to be "taken into account" and does not advocate a sequential approach.

Core Policy 44

- 2.62. The Policy is contrary to national guidance by virtue of the fact that the policy seeks to protect the "landscape" of the district from harmful development. Guidance in paragraph 113 of the Framework requires criteria based policies against which proposals can be assessed. This also requires plans to make distinctions between international, national and local designations.
- 2.63. As drafted the Policy sets out a blanket approach to landscape protection, irrespective of the level of designation afforded to it. This could lead to disproportionate weight being attached to landscape features by the Council.
- 2.64. In addition, it is not clear as to how the Plan expects developments to enhance damaged landscapes outside of land, which is immediately under the applicant's control.

Core Policy 45

- 2.65. Welbeck support the provision of green infrastructure (GI) on development sites. However, there are the following concerns with the policy and supporting paragraphs:
- 2.66. The joint Green Infrastructure Strategy document has yet to be produced and does not appear to be available for consultation. This could lead to the Strategy setting disproportionate levels of GI in new developments. It is essential that the Strategy is available for examination.



- 2.67. Welbeck question the role and function of the Green Infrastructure Audit in the Plan's preparation. Whilst the standards set out are obtained from Natural England, these are not necessarily relevant to the District as the pattern of accessible natural green space is fractured across the district. The concern is that this audit represents an unachievable set of requirements for development sites.
- 2.68. The Plan cannot require development proposals to improve assets, which do not relate to those proposals. As drafted, the Policy could be used to require improvements to GI or Conservation Target Areas, which are outside of an applicant's control and are unrelated to any application proposals.



3.0 North Shrivvenham Housing Allocation (CORE POLICY 20 and APPENDIX A)

- 3.1. Welbeck Strategic Land support the allocation at North Shrivvenham, but wish to make the following comments:
- 3.2. The allocated site is, in part the subject of a current outline planning application for up to 240 homes, and land for a primary school and associated public open space. This application was submitted last year and has been the subject of a number of detailed discussions with Officers in the development management team. In making the allocation, Paragraph 158 of the Framework requires a proportionate evidence base and this is further supported by paragraph 49 of the Framework, which requires LPAs to maintain a 5-year supply of deliverable housing sites. Therefore, in making an allocation, the Council has to be satisfied that there is sufficient evidence to support the allocation being made.
- 3.3. In this instance, the current outline planning application provides an extremely detailed evidence base for the site, showing with confidence how the allocation can be built out. Whilst this proposal is for 240, Welbeck's consultant team have looked at increasing the number of units on the site to take account of the 500 now proposed. To this end, the attached Vision Document shows how the allocation can be delivered and the requirements to accommodate the points raised in the allocation. Notwithstanding this, the following should be noted:

[Urban Design Principles](#)
- 3.4. A comprehensive masterplan will be provided. In terms of the phasing of the site, this will be determined through the submission of reserve matters applications, following the successful completion of two separate outline applications on the site. The requirement to phase a site is no longer consistent with national guidance and any S106 agreements and trigger points for the delivery of infrastructure and the primary school will directly influence the delivery of the site.
- 3.5. The need to take into account important views is noted. However, there is nothing in the allocation or Proposals Map to suggest where the important views are or an evidence base to support this particular requirement.
- 3.6. The development will work carefully with the conservation area, but by the Plan's own admission, further work is required on conservation areas across the district.



Access and Highways

- 3.7. It is recommended that the first bulletpoint is clarified to show that junction upgrades will be elsewhere, to avoid any confusion with third parties that the site would directly access onto the A420.

Landscape Considerations

- 3.8. As with Urban Design Principles, views of the church will be and have been incorporated into the design. If the Plan has specific ideas about what views should be retained, then evidence will have to be provided to support this requirement. At the moment, this is vaguely worded as it would other sterilise the allocation.
- 3.9. In terms of conservation area related bullepoints, the 4th bulletpoint should be amended to remove the word "character" and replace it with "setting". In addition, the bulletpoint should be modified to reflect the fact that design discussions to date have focused on providing an area of open space at the southern edge of the site to help with the setting of the conservation area.
- 3.10. The retention of existing trees is achievable within the proposed layout. In respect of hedgerows, it is unrealistic to seek the retention of all the hedgerows on the site. As part of the landscape proposals for the site, hedgerow quality and loss has been assessed and replacement provision is made. The bulletpoint should be updated to reflect the need to remove hedgerows and allow for their replacement elsewhere on site.



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