

Delegated Report for Neighbourhood Area application

Date: 03/03/2017

Application proposal: Uffington and Baulking Neighbourhood Area

Case officer: Clare Roberts

Consultation lead: Louise Rawlins

PROPOSED NEIGHBOURHOOD AREA

Uffington and Baulking

RELEVANT BODY

Uffington Parish Council

POLICY & GUIDANCE

SECTION 61G(1) OF THE TOWN AND COUNTRY PLANNING ACT 1990 as amended

CONSULTATION

DURATION 19/12/2016 – 13/02/2017 (8 WEEKS)

COMMENTS 10 responses received (See Summary in Appendix 3)

Respondents with no comments:

- Health and Safety Executive
- Highways England
- Historic England
- Natural England
- South Oxfordshire and Vale of White Horse District Councils, Corporate Strategy

Respondents with comments:

- Environment Agency: comments received regarding flood risk, watercourses and land affected by contamination.
- Gladman Developments Ltd: highlighted a number of key requirements to which the development of the emerging neighbourhood area should have regard.
- Network Rail: no objection in principle however they identify that the area includes railway / Network Rail land.
- Oxfordshire Clinical Commissioning Group: provided comments on the impact on health infrastructure of developments over 200 dwellings.
- Oxfordshire County Council: provided links to useful documentation for the development of the plan.

OBJECTIONS

No objections were received.

WARD MEMBERS

Cllr Robert Sharp – Stanford

Please see appendix four.

PLANNING CONSIDERATIONS

Neighbourhood planning is part of the Government's localism agenda aiming to empower communities. Neighbourhood Development Plans will form the main policy document for designated areas and may allocate sites and set local policies for development. Plans will have to meet the basic conditions as set out in the legislation, including being in compliance with national policy, in general conformity with local strategic policy in Vale of White Horse's Development Plan and compatible with EU obligations.

Uffington Parish Council submitted an application for the designation of a neighbourhood area in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012 on 26 November 2016 (see Appendix 1 for the original application). The specified area follows the parish boundaries of Uffington and Baulking. The area is shown in Appendix 2. A supporting statement was also submitted detailing why the area is appropriate.

Uffington Parish Council will be the qualifying body. They made the application and indicated that all local residents of the parishes will be included in the plan process.

We have publicised the application from 19 December 2016 to 13 February 2017 in accordance with Regulation 6 of the Neighbourhood Planning Regulations 2012. No objections were received. A summary of responses is presented in Appendix 3.

In determining the application the district council needs to be satisfied that:

- a relevant body has made the application;
- in the case of a parish council, the specified area includes the whole or any part of the council; and
- the specified area is appropriate.

We are satisfied on all three points.

Section 61G (4) of the Localism Act 2011 also states that in determining an application for a neighbourhood plan area, regard must be had to the desirability of designating the whole of the area of the parish council as a neighbourhood plan area. The designated area is suitable to be designated as a neighbourhood area. It encompasses both of the parish areas.

The area is not primarily or wholly business in nature and should not be designated as a business area under section 61(H)(1) of the Act.

Officer's Recommendation

Officers recommend that the Head of Planning designates the area as shown in the map accompanying the area application and in Appendix 2, which encompasses the whole of Uffington Parish and Baulking Parish as a neighbourhood area under Section 61G(1) of the Town and County Planning Act 1990 as amended.

Decision by Head of Planning

Agree/ ~~Consider further~~

Signature..... *Adnan D Hade*

Date..... *9/3/17*

Appendix 1 Original Area Designation Application

**Neighbourhood Planning Area Designation
Application Form**



Application to designate a Neighbourhood Area
Town and Country Planning Act 1990
Neighbourhood Planning (General) Regulations 2012



1. Single point of contact regarding the Neighbourhood Plan

Title: First Name: Surname:

Address:

Postcode: Telephone:

Email:

2. Parish clerk details (if different from those above)

Title: First Name: Surname:

Address:

Postcode: Telephone:

Email:

3. Relevant Body

Please confirm that you are the relevant body to undertake neighbourhood planning in your area in accordance with section 61G of the 1990 Act and section 5C of the 2012 Regulations.

Yes No

Name of Relevant Body:

Note: In areas covered by a town or parish council, the town or parish council is the relevant body. For applications covering more than one parish area, please nominate a lead parish to act as the Relevant Body. If your area is not covered by a parish council (only a parish meeting), please contact the Planning Policy Team before making your application.

4. Extent of area

Please attach an OS plan showing the extent of the proposed Neighbourhood Area and indicate below the relationship of the proposed area to parish boundaries. For further information about obtaining OS maps please see note 1.

Proposed area covers the whole of a single parish boundary area

Proposed area covers part of a single parish boundary area

Proposed area covers multiple parish boundary areas: Yes

5. Applications covering more than one parish area:

If your application area covers more than one parish area, please list the parishes covered by the area application, the extent of the parish included and obtain consent from the parish by getting them to sign below.

Name Town/Parish Council	Extent of parish included in Neighbourhood Area	Name and Position	Authorising Signature
Uffington Parish Council	100%	S Jenkins Chair	
Bailly Knoll Mead	100%	Dora Smith Chair	

By signing this form your Parish Council is agreeing to the inclusion of part or the whole of your parish into the Neighbourhood Area named below and shown on the attached OS map.

6. Name of Neighbourhood Area

Please give the name by which your Neighbourhood Area will be formally known

Uffington and Baulking Neighbourhood Plan

7. Intention of neighbourhood area:

Please indicate which of the following you intend to undertake within your neighbourhood area:

Neighbourhood Development Plan: Yes

Neighbourhood Development Order:

Community Right to Build Order:

8. Reasons for considering the area appropriate

Please briefly describe below why you consider this area is appropriate to be designated as a Neighbourhood Area

Uffington and Baulking share many community facilities - eg, the Thomas Hughes Memorial Hall, Uffington C of E Primary School and a community minibus. Both are part of a benefice which also includes Woolstone and Shellingford. Both parishes wish to work together on a neighbourhood plan.

9. Previous applications

Has this relevant body previously submitted an application to designate a neighbourhood area, which has not yet been determined?

Yes Yes

No

10. Withdrawal of previous application

If you answered 'yes' to question 9 above, please sign below to withdraw your previous application

I/we hereby wish to withdraw any previous application/s to designate a neighbourhood area made by this relevant body

Name: Date:

Signature: _____

11. Declaration

I/we hereby apply to designate a Neighbourhood Area as described on this form and the accompanying plan

Name: Date:

Signature: _____

Please return the form to:

Vale of White Horse District Council or South Oxfordshire District Council
135 Eastern Avenue 135 Eastern Avenue
Milton, Milton Park, OX144SB Milton, Milton Park OX144SB
planning.policy@whitehorsedc.gov.uk or planning.policy@southoxon.gov.uk

Publications of applications to the Council's website.

Please note, as required under the Neighbourhood Planning (General) Regulations 2012, a copy of this form and accompanying information will be published on the Council's website. However, all personal information, with the exception of the name and address of the main contacts, will be redacted from the website. The complete form will be available to view in the council offices. If you require any further clarification, please contact the Planning Policy team.

Annex A to Neighbourhood Planning Area Designation for Uffington and Baulking dated 26 November 2016

Further to our application for a new Neighbourhood Planning Area Designation for Uffington and Baulking, we would like to add the following amplification of Sections 8 and 10:

We feel that the proposed area is appropriate because it comprises 100% of the parish areas of Uffington and Baulking and excludes the whole of Woolstone Parish. These three parishes comprised the original Uffington Baulking and Woolstone Neighbourhood Plan; this is no longer appropriate because Woolstone decided at a Parish Meeting held on 10 November that, as a parish, it no longer wished to be involved in the NDP.

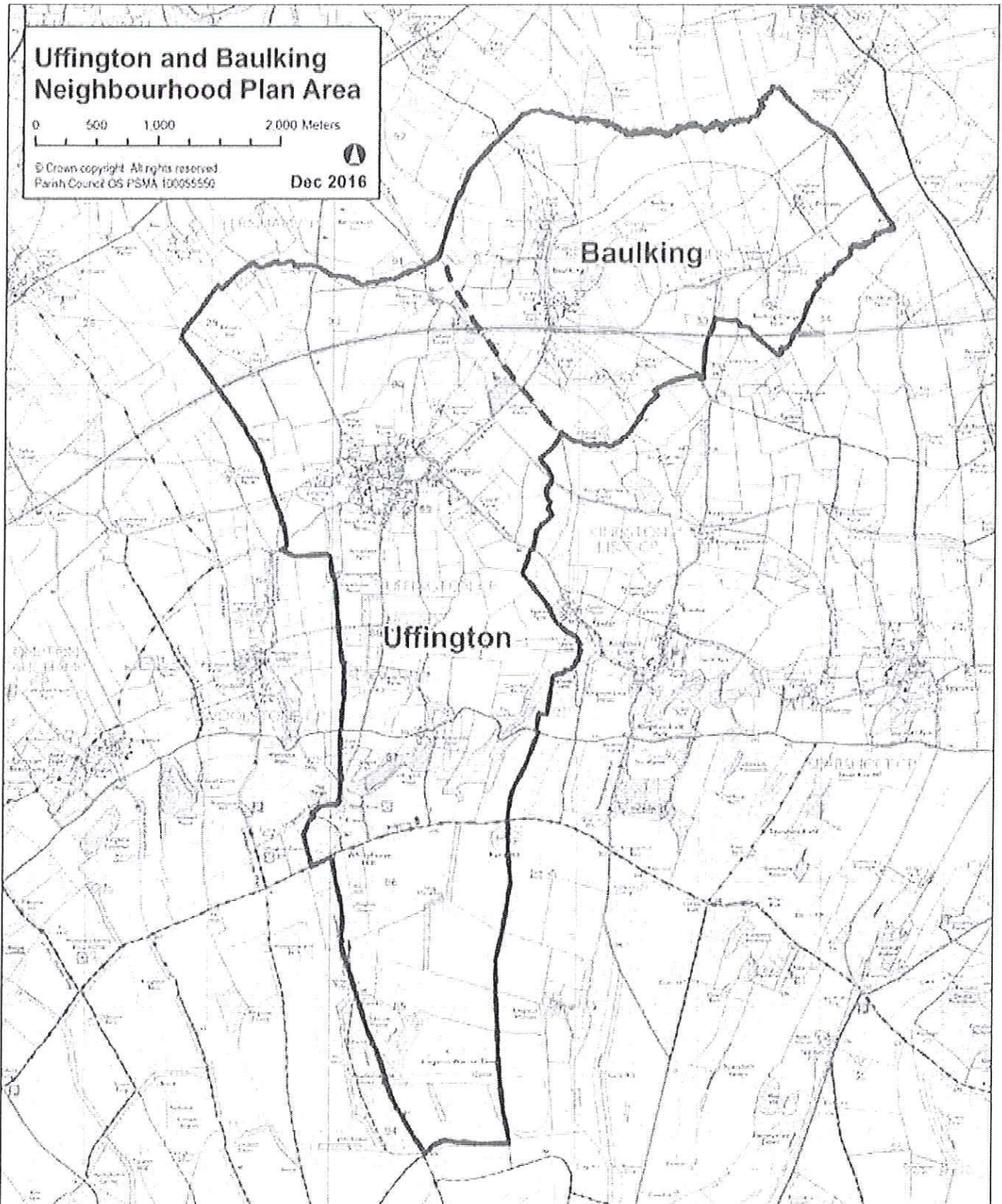
The change in boundaries is taking place as a result of the withdrawal of Woolstone Parish; there are no other changes to the boundaries of the original Uffington Baulking and Woolstone NDP.

Baulking Parish Meeting has also reviewed its commitment to the NDP by consulting all residents, and has decided that it wishes to remain as part of a newly-designated NDP. The commitment of Uffington Parish Council to the creation of a NDP has not changed.

The Parish Council is bound by the overwhelming demand of residents expressed in the Community-Led Plan (published in December 2015) for an NDP.

No request for the Parish Council to re-consider this has been received. The NDP has been the subject of two public meetings (January and July 2016), a comprehensive website dedicated to the Uffington Baulking and Woolstone Neighbourhood Plan is kept up to date on progress, and entries appear in the quarterly parish newsletter, the Courier, which is distributed free of charge to all residents.

Appendix 2 - Neighbourhood Plan Area Proposed and Designated



Appendix 3- Summary of responses

	Name	Organisation	Summary of response
1	Clark Gordon	Environment Agency	<p>Flood risk</p> <p>There are areas of Flood Zones 2 and 3 within the designated area. For further information please consult Vale of White Horse District Council's Strategic Flood Risk Assessment and Surface Water Management Plans (where available). You need to ensure a sequential approach is taken to the selection/location of any site allocations to avoid areas at high risk of flooding and that relevant policies comply with the National Planning Policy Framework, paragraphs 100-104.</p> <p>Watercourses</p> <p>The Uffington Brook and River Ock run through the proposed neighbourhood area and the Stuffield Brook runs adjacent to the proposed neighbourhood area. These are all classified as main rivers. The Ock (to Cherbury Brook), which includes the Uffington Brook, is a designated water body within the Thames River Basin Management Plan (ID number: GB106039023400). This watercourse is currently failing to reach good ecological status under the Water Framework Directive (WFD). Its current status is moderate. Please note that developments within or adjacent to these watercourses should not cause further deterioration and should seek to improve the water quality based on the recommendations of the Thames River Basin Management Plan. There may be opportunities to improve the watercourse in conjunction with other objectives such as enhancing open spaces, parks and recreation. Furthermore, should a Sustainability Appraisal/Strategic Environmental Assessment of your neighbourhood plan be required, an assessment of the potential impacts on the Ock (to Cherbury Brook) under WFD should be included.</p> <p>Land affected by contamination</p> <p>Please be advised that there is an historic landfill site located below the Uffington Trading Estate, known as 'Uffington Clay Pits'. According to our records, this landfill accepted inert and semi-inert waste between 1984 and 1991. If there are any proposals in the Neighbourhood Plan that may affect the Uffington Trading Estate, consideration will need to be made of the historic landfill.</p>
2	Megan Pashley	Gladman Developments Ltd	<p>As this is the first formal stage of preparing a neighbourhood plan, Gladman would like to take this opportunity to comment on the Uffington and Baulking Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging neighbourhood area should have regard.</p> <p>Gladman wish to participate in the neighbourhood plan's preparation and to be notified of further</p>

			developments and consultations in this regard. We would also like to offer our assistance in the preparation of the neighbourhood plan and invite the Parish Council's to get in touch regarding this.
3	John Moran	Health and Safety Executive	We have concluded that we have no representations to make on this occasion. This is because our records show that the Uffington and Baulking boundary and the land within does not encroach on the consultation zones of major hazard establishments or MAHPs1. As no encroachment has been detected, HSE does not need to be informed of the next stages in the adoption of the Uffington and Baulking Neighbourhood Plan. We have reviewed the consultation and have no comments.
4	Glen Strongitharm	Highways England	Historic England has no objection to the proposal. However, we would like to take the opportunity of your consultation to raise the following issues setting out the support Historic England is able to offer in relation to Neighbourhood Plans. Natural England does not wish to make comment on the suitability of the proposed plan area or the proposed neighbourhood planning body.
5	Martin Small	Historic England	However we would like to take this opportunity to provide you with information sources the neighbourhood planning body may wish to use in developing the plan, and to highlight some of the potential environmental risks and opportunities that neighbourhood plans may present. We have set this out in the annex to this letter.
6	Richard Sykes	Natural England	Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below. The Uffington and Baulking Parish Council area's plan includes railway / Network Rail land within the proposal map. <u>Level Crossings</u>
7	Barbara Morgan	Network Rail	Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals: <ul style="list-style-type: none"> • By a proposal being directly next to a level crossing

		<ul style="list-style-type: none"> • By the cumulative effect of development added over time • By the type of crossing involved • By the construction of large developments (commercial and residential) where road access to and from site includes a level crossing • By developments that might impede pedestrians ability to hear approaching trains • By proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs • By any developments for schools, colleges or nurseries where minors in numbers may be using a level crossing. <p>Vale of White Horse District Council have a statutory responsibility under planning legislation (Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) order, 2010) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over the railway. Therefore, as Uffington and Bulking Parish Council's will be the authorities in this case they will still need to consult with Network Rail under schedule 5 on their proposals to determine if they impact upon the above mentioned level crossings.</p> <p>Whilst Network Rail has no objection in principle to the Neighbourhood Plan Area Designation by Uffington and Bulking Parish Council's, we would request the opportunity to comment on any future planning applications should they be submitted for sites adjoining the railway, or within close proximity to the railway as we may have more specific comments to make (further to those above).</p> <p>Health and GP services are an important component of any community. Any development over 200 units would impact locally on health service delivery.</p> <p>The CCG would look to provide new facilities or support the existing provision for your area to expand.</p> <p>To support this increase the CCG would look for CIL or Section 106 funding to support this important infrastructure development to ensure the health needs of the local population are met.</p>
8	Anne Lankester Oxfordshire Clinical Commissioning Group	
9	Lynette Hughes Oxfordshire County Council	<p>Thank you for inviting comments on the new proposed boundary designation for a Neighbourhood Plan. It is understood that the proposed neighbourhood plan boundary comprises 100% of the parish areas of Uffington and Bulking. It now excludes the whole of Woolstone Parish which was previously included as Woolstone decided at a Parish Meeting held on 10 November that, as a parish, it no longer wished to be involved in the NDP.</p>

10	Ruth Cross	South Oxfordshire and Vale of White Horse District Councils, Corporate Strategy	<p>I see that the neighbourhood plan group has a website: https://www.ubwnp.net/</p> <p>As the group works on their plan, we encourage them to follow the advice in the Neighbourhood Planning Toolkit.</p> <ul style="list-style-type: none"> • https://www.oxfordshire.gov.uk/cms/content/neighbourhood-planning-toolkit <p>Further advice is available in the Communities & Parish Guide to Biodiversity and the Biodiversity & Planning Guide</p> <ul style="list-style-type: none"> • https://www.oxfordshire.gov.uk/cms/content/my-community • https://www.oxfordshire.gov.uk/cms/content/planning-and-biodiversity <p>Oxfordshire County Council's Local Transport Plan 4 also provides useful guidance:</p> <ul style="list-style-type: none"> • https://www.oxfordshire.gov.uk/cms/public-site/connecting-oxfordshire
			<p>Leisure have considered the application area for Uffington and Baulking and have no objections to the Neighbourhood plan area.</p>

Appendix 4 – Responses from Ward Councillor, Robert Sharp

Dear Louise

Pleased to see that Uffington and Baulking Parishes are going forward again with a Neighbourhood Plan. Hopefully a lot of the work done in the previous withdrawn plan will be able to be used.

Regards
Robert