

# Delegated Report for Neighbourhood Area application

Date: 12 January 2017

Application proposal: Cumnor Neighbourhood Area

Case officer: Rachael Riach

## PROPOSED NEIGHBOURHOOD AREA

Cumnor

## RELEVANT BODY

Cumnor Parish Council

## POLICY & GUIDANCE

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

## CONSULTATION

DURATION

14/11/2016 – 12/12/2016 (4 weeks)

COMMENTS

10 responses (see summary in Appendix 3)

- Natural England, Historic England, Highways England and Scottish and Southern Electricity Network, have no comments to make at this stage.
- Health and Safety Executive highlight that there is potential for the land allocated in plan to encroach on consultation zones.
- Environment Agency highlight there are key environment constraints that could effect the proposed designated area.
- D.A & L.P.E Edwards make comments on unmet housing need, drainage, road constraints and preservation of the area
- National Grid has identified that there is a high voltage overhead powerlines falling within the Neighbourhood area boundary.
- Mr Fisher submitted a factual comment regarding Wytham Woods SSSI being in the boundaries of the submitted area plan.

## OBJECTIONS

1 objection to Area Designation.  
However it was later withdrawn by the consultee. See Appendix 3

## WARD MEMBERS

Dudley Hoddinott – Cumnor

Judy Roberts - Cumnor

Ward Members support the Area Designation – see Appendix 4.

## **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 obligation

Cumnor 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 9 August 2016 (see Appendix 1 for the original application). The specified area follows the parish boundary. The area is shown in Appendix 2.

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

We worked with the parish council to prepare a supporting statement to detail why the area is appropriate. We have publicised the application from 14 November to 12 December 2016 in accordance with regulation 6 of The Neighbourhood Planning Regulations 2012. An objection was received and withdrawn. 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
- 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 all of the parish area of the relevant body.

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 1, which encompasses the whole of the Cumnor 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 [REDACTED]

Signature.....

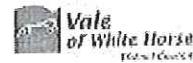
Date..... 12/01/17 .....

## 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:  Miss First Name:  Tina Surname:  Brock  
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 6C of the 2012 Regulations

Yes  No   
Name of Relevant Body:  Cumnor Parish Council  
Note: If 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, choose naming a local 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:

**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
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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:

Quinton Parish

**7. Intention of neighbourhood area:**

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

Neighbourhood Development Plan:

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:

The area proposed is easily identified on the attached map and gives a clear and well defined plan area, with no overlap with neighbouring communities, which follows the boundary of the parish. It is with clear agreement from the Parish Council that the parish boundary be kept to the community to which it is responsible.

**9. Previous applications**

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

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 Horses District Council  
155 Eastern Avenue

Milton, Milton Park, OX144BB

planning.policy@whitehorsesdc.gov.uk

South Oxfordshire District Council  
155 Eastern Avenue

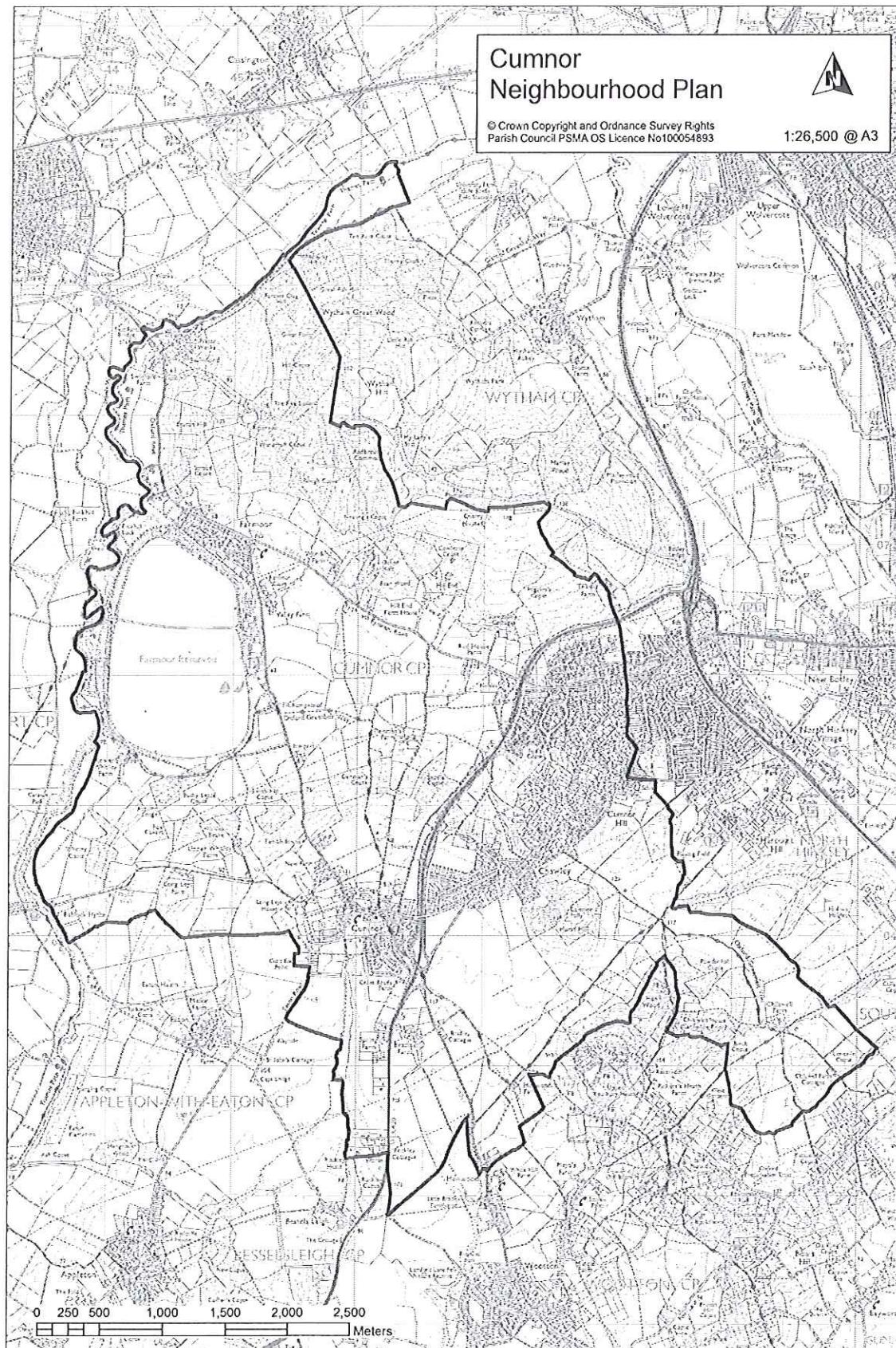
Milton, Milton Park, OX144BB

planning.policy@southoxon.gov.uk

**Publication 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, at present, where possible, with the exception of the name and address of the main contacts, all be redacted from the website. The complete form will be available to view in the council offices. If you require any further information, please contact the Planning Policy Team.

## Appendix 2 Neighbourhood Plan Area



### Appendix 3- Summary of responses

Company/Organisation/ Consultee	Company/Organisation Representative	Comment Summary
Health and Safety Exec	John Moran	<p><u>Encroachment of Local Plan Allocations on Consultations Zones</u></p> <p>We have concluded that there is the potential for land allocated in your plan to encroach on consultations zones, namely. HSE Reference H1423 – Thames Water Authority, Swinford Water Treatment Works.</p>
Natural England	Victoria Kirkham	<p>Natural England does not wish to make comment on the suitability of the proposed plan area or the proposed neighbourhood planning body.</p>
Environment Agency	Clark Gordon	<p>At this stage we have minimal comments to make other than to highlight any key environmental constraints within our remit that affect the proposed designated area.</p> <p><u>Flood risk</u></p> <p>There are areas of Flood Zones 2 and 3 within the designated area, although these are predominantly immediately adjacent to the River Thames and Filchampstead Brook to the west of the proposed area. 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>We would advise you to liaise with the Lead Local Flood Authority (Oxford County Council) for comments on 'local' sources of flood risk, e.g. surface water and groundwater.</p> <p><u>Main rivers</u></p> <p>The following main rivers run adjacent to or through the neighbourhood plan area. Their current Water Framework Directive (WFD) ecological status is also provided:</p> <ul style="list-style-type: none"> <li>- Thames (Evenlode to Thame) (very small portion adjacent to Wytham Great Wood) – moderate status</li> <li>- Thames (Leach to Evenlode) – moderate status</li> <li>- Filchampstead Brook at Farmoor – bad status</li> </ul> <p>All of these watercourses are currently failing to reach good ecological status under the WFD. 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 watercourses under WFD should be included.</p> <p><u>Permitted sites</u></p> <p>Our records indicate that there is one Environmental Permit for waste operations within the plan area at the Farmoor Water Treatment Works at Cumnor Road, Farmoor.</p> <p>New development within 250 metres (m) of an existing waste facility could result in the community at the proposed development being exposed to odour, noise and/or dust impacts. The severity of these impacts will depend on the size of the facility, the nature of the activity and prevailing weather conditions. If the operator can demonstrate that they have taken all reasonable precautions to mitigate these impacts, the facility and community will co-exist, with some</p>

		residual impacts. In some cases, these residual impacts may cause local residents concern, and there are limits to the mitigation the operator can apply. Only in very exceptional circumstances would we revoke the operators permit
Highways England	Glen Strongitharm	We have reviewed the consultation and have no comments.
Scottish and Southern Electricity Network	Chris Gaskell	I refer to your message below in respect of the above topic / location and I can confirm that, at this present time, I have no comments to make.
University of Oxford	Nigel Fisher	Just a factual comment.
		The Parish includes three SSSI's. Wytham Woods SSSI is partially within the plan. This site acts as a SSSI, a recreational resource and as a research centre for Oxford University. Happy to supply any information to the Parish Council.
D.A and L.P.A Edwards		<p>Hope this assists.</p> <p><b>We offer the following comments:</b></p> <ol style="list-style-type: none"> <li><b>Oxford City's 'Unmet Housing Need'.</b> It needs to be recognised that the Oxford area is rapidly becoming a dormitory for commuters to London—witness the heavily used enhanced train services. This a 'need' that can never be met. Building more accommodation simply draws in more commuters, who can often, moreover, afford higher prices than genuine local people. It is not clear how local authorities can deal with this, but they should at least recognise and publicly acknowledge what is <del>happening</del>. Here it is relevant to stress the high contribution ('almost 25%') that the Cumnor area has already made to the Vale's 'total housing delivery'.</li> <li><b>Preservation of the quality of the area, both the historic centre of Cumnor Village with its green and rural surroundings and the acknowledged low density character of Lower Cumnor Hill.</b> This latter, with its mature trees and well planted gardens, has had its particular quality recognised more than once by Government Planning Inspectors. There is, however, a persistent and growing tendency to whittle it away by substituting blocks of flats with accompanying parking in place of individual family homes and gardens, and also to turn individual drives into side-roads leading to small back-developments. This piecemeal destruction of the quality of the area needs to be checked firmly.</li> <li><b>Foul and freshwater drainage.</b> The need for a hydrological survey of Cumnor Hill has long been stressed. Also, the sewer constructed in the 1950s cannot be expected to cope with yet more development. The modification made by Thames Water at the bottom of Cumnor Hill was specifically designed to accommodate the Persimmon development, but now seems to be regarded as providing infinite capacity.</li> <li><b>Road capacity.</b> The Botley Road is the essential route from the west into Oxford. It could be reasonably regarded as having reached capacity already, but we are promised another major traffic increase with the opening of the Westgate Centre in 2017. Yet there seems to be no way to increase capacity. For that reason alone extensive further development in the Cumnor area should be ruled out</li> </ol>
Jane Dymock		<p>I write with an objection to the proposed area designation for the Cumnor Neighbourhood Plan.</p> <ul style="list-style-type: none"> <li>The area that Cumnor proposes that the Neighbourhood Plan should cover both overlaps with the approved Appleton Neighbourhood Plan area (map attached) and extends over the parish boundary in the south west at Bablockhythe.</li> <li>Item 4 of the Neighbourhood Plan Area Designation form incorrectly states that "the area covers the whole of a</li> </ul>

		<ul style="list-style-type: none"> <li>Item 5 is not completed to confirm that Appleton with Eaton Parish Council has consented to the boundary extending into its parish.</li> </ul> <p>single parish boundary area”.</p>
Historic England	Robert Lloyd Sweet	<p><b><u>OBJECTION WITHDRAWN 05/12/2016</u></b></p> <p>I withdraw my objection to the Neighbourhood Plan Area Designation as I understand the map shows that the area does not extend into Appleton parish.</p> <p><b><u>OBJECTION WITHDRAWN 05/12/2016</u></b></p> <p>I withdraw my objection to the Neighbourhood Plan Area Designation as I understand the map shows that the area does not extend into Appleton parish.</p> <p>Thank you for consulting Historic England on the proposed designation of the neighbourhood plan area for <b>Cumnor Parish</b>. We do not wish to raise any objections regarding the proposed area, although we note that it is a very large area covering a number of areas of very different character, and with some outlying areas with an apparently closer affinity to adjoining areas. We would like to request that the District Council pass the following comments onto the Neighbourhood Planning Group.</p> <p>At this early stage it would be helpful if the Council could make the Neighbourhood Plan Steering Group aware of the need for the plan to conform with the governments' approach to the historic environment within plan making, set out in the National Planning Policy Framework, with which the plan will need to conform. Key elements of their approach are that heritage assets should be conserved and enhanced in a manner appropriate to their significance and that planning authorities should seek to avoid or minimise any conflict between conservation of heritage assets and any aspect of development proposals that come forward. This requires a positive (pro-active) approach to planning for heritage assets within planning documents that guides development proposals to take a sensitive approach to the significance of the heritage assets that are present. Policies may describe, for example, how a heritage asset should be best incorporated within a new development, or identify key features of a conservation area that are considered to contribute positively to its special interest and character.</p> <p>In all cases it is important that neighbourhood planning for a identify heritage assets that could be affected by plan proposals, including reasonable alternatives considered in order to demonstrate they have given appropriate consideration to the need to conserve them in a manner appropriate to their significance. We strongly advise consulting the Oxfordshire Historic Environment Record at an early stage in the plan's development in order to gain a full understanding of the heritage assets, (both designated and non-designated) that are likely to be present, including archaeological remains.</p> <p>The National Planning Policy Framework and local plan contain reactive policies that provide a general approach to determining applications affecting heritage assets. We would encourage the neighbourhood plan group to add a more local dimension by considering what makes the heritage assets in their area (such as conservation areas, listed buildings, buildings of local historic interest and sites of recorded archaeological interest) worthy of consideration in planning and developing policies that give particular regard to this significance.</p> <p>The neighbourhood plan area includes the village of Cumnor, part of which is designated as a Conservation Area in recognition of its special historic or architectural interest and contains a focus of listed buildings. The Parish also contains a second concentration of listed buildings at Chawley, represent a small historic settlement as well as numerous scattered farmsteads containing listed buildings (the Parish contains around 60 records of nationally listed buildings in total). Many of these smaller settlements and farmsteads are likely to contain further historic buildings that, whilst not identified for listing, may still be identifiable as non-designated heritage assets. These may add a particular local character in areas of otherwise suburban development, such as the western part of Botley or be important</p>

	<p>elements of the rural character of the landscape.</p> <p>A brief review of the Oxfordshire Historic Environment Record via the Heritage Gateway site reveals a focus of records of non-designated heritage assets or other evidence relating to the historic environment in the village of Cumnor but with several other foci of records, particularly around Chilswell Farm and the historic Chilswell Priory and at the crest of Hurst Hill. The HER contains a total of 147 records of sites relating to Cumnor Parish. Whilst this includes the recorded listed buildings it suggests a considerable number of records of non-designated assets, which include evidence of prehistoric occupation, significant Roman buildings and even whole deserted medieval settlements. Given the rich archaeological resource of the area we recommend working closely with the County Archaeologist to assess the suitability of sites considered for allocations. In particular we recommend giving particular consideration to paragraphs 14 (with footnote 9), 132, 133 and 139 of the National Planning Policy Framework when considering whether the potential adverse impacts of development would make land unsuitable for development.</p>	<p>The government require decisions affecting heritage assets to give consideration to the potential harm to significance that can be caused both by change to physical fabric, or structure, of the heritage asset, as well as changes within its setting. In the case of conservation areas and isolated or prominent listed building the setting may consist of a substantial area of countryside. Where the local community are uncertain of whether a proposal or plan option would have an affect on a heritage asset we encourage the neighbourhood plan group to discuss these with the District Council's Conservation Officer and/or the County Archaeologist.</p>	<p>We hope these comments are helpful to the District Council and neighbourhood-planning group. Nevertheless, please don't hesitate to contact me if there are any queries relating to them or if there is you require any further information.</p>
National Grid	Robert Deanwood	<u>LATE RESPONSE</u>	<p>National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p><u>Specific Comments</u></p> <p>An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines and also National Grid Gas Distribution's Intermediate / High Pressure apparatus.</p> <p>National Grid has identified the following high voltage overhead powerlines as falling within the Neighbourhood area boundary:</p> <ul style="list-style-type: none"> <li>• 4TE Route – 400kV from Hinksey North Cable Site substation in Oxford to 4TE Route Tower (024 - 208)</li> </ul> <p>From the consultation information provided, the above overhead powerlines does not interact with any of the proposed development sites.</p>

#### **Appendix 4 – Response from Ward Councillors**

**From:** Dudley Hoddinott [mailto:  
[REDACTED]]  
**Sent:** 24 December 2016 14:38  
**To:** Emma Wright <  
[REDACTED]>  
**Cc:** Judy Roberts <  
[REDACTED]>  
**Subject:** RE: Designation of Cumnor Neighbourhood Area

Dear Emma

I support this designation of the Cumnor Neighbourhood Area. The comments received highlight particular areas of special interest that I was aware of. It is best to have the Neighbourhood Area coinciding with the boundary of Cumnor Parish, although I recognise that there are significant differences between specific areas within the Parish.

Regards

Dudley  
**Dr Dudley Hoddinott**  
Liberal Democrat District Councillor for Cumnor  
[REDACTED]

**From:** Judy Roberts [REDACTED]  
**Sent:** 24 December 2016 15:08  
**To:** Emma Wright <  
[REDACTED]>  
**Subject:** Re: Designation of Cumnor Neighbourhood Area

Dear Emma,  
I am happy with this but I should add that I am part of the Cumnor Neighbourhood plan Steering group and as such I should declare that I am an interested party.  
Judy Roberts.

