

**Upon the request of the examiner, two blank responses  
have been removed from this report.**

# Response 1

## Respondent Details

Information	
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Q1. Are you completing this form as an:
Organisation

## Your comments

Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>I would draw attention to the emerging VoWHDC's playing pitch strategy and would suggest that any recommendations for the Sutton Courtenay are adopted into the NP.</p> <p>I note the local community of Sutton Courtney aspire for some indoor sports facilities (p110). Again, VoWHDC are preparing an indoor sports strategy and any recommendations in the strategy should be incorporated in the NP. Notwithstanding this, I would recommend a sound business plan is prepared to support any new built sports facilities and that there is a proven strategic need.</p>

## Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Sutton Courtenay Neighbourhood Plan:
No, I do not request a public examination

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	█
<b>Name</b>	██
<b>Job title (if relevant)</b>	Principal Planning Manager - South Team
<b>Organisation (if relevant)</b>	Sport England
<b>Organisation representing (if relevant)</b>	Sport England
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<b>Postal town</b>	Marlow
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Would you like to be notified of Vale of White Horse District Council's decision to 'make' (formally adopt) the plan?

██

Q9. How did you find out about the Sutton Courtenay Neighbourhood Plan consultation?

████████████████

# Response 2

## Respondent Details

Information
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p>[REDACTED]</p><p>[REDACTED]</p><p>[REDACTED]</p><p>[REDACTED]</p></div><div style="width: 45%;"><p>[REDACTED]</p><p>[REDACTED]</p><p>[REDACTED]</p><p>[REDACTED]</p></div></div>
Q1. Are you completing this form as an:
Individual

## Your comments

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Abbreviations: SG -Steering Group; SC - Sutton Courtenay; NP- Neighbourhood Plan  
Before even addressing the content of the Neighbourhood Plan, there are two fundamental issues which constrain its adoption

1. The time it has taken to formulate
2. The lack of adequate consultation in the community.

1. This NP has taken an inordinate amount of time to prepare - 6 years , longer than the average timescale throughout England of 27 months, (source: Reading University) . It has become out dated as significant changes have occurred in the immediate area. These include the demolition of Didcot A power station, part of which is located in the Parish; the proposed development of Didcot Garden Town and, to a lesser extent, refusal of an application for a 175 house development which is in Strategic Housing Assessment and included as such in the NP.

The huge release of development land, at the power station site both in the village and of consequence to the development of the proposed neighbouring Didcot Garden town, clearly should impact any plans for SC. Consequent upon the demolition, the District Council offered SC the opportunity to include the area of this site that is in SC Parish in the then not completed NP, in effect re-designating the area the NP would cover. However the small group of people forming the NP Steering Group decided, without further consultation in the wider community, as they have stated in their submitted documentation (planning consultation doc) to refuse this, partly because they felt it would be too much work. Given the significant nature of such a change, not consulting is hardly consonant with representative democracy, which brings me to the second point I wish to make.

2. Unfortunately, although the SG has itemised what it has considered to be its consultation processes, these have been minimal and inadequately analysed.  
The first consultation activity was to hold a meeting in the village hall to determine whether those present agreed producing a neighbourhood plan should be undertaken. There was a clear majority



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NOT to. (I was there). Nonetheless, this was reported back in the village news publication (Sutton Courtenay News) as being a public endorsement. Eventually the Parish Council agreed to go ahead, on a vote of 5 to 4 including the Chair's casting vote). The SG's comment on this activity in their consultation document notes that there was "robust debate". It was more than robust. At least one long serving Parish Councillor resigned over the matter, to the great detriment of the parish. A further consultation failure was the distribution of a survey to residents asking what issues needed to be addressed when the NP was formulated. It is unclear how the list of topics the residents were asked to respond to was created, although it did bear a strong resemblance to a formerly distributed survey on another topic, in the village. The survey methodology and the survey document had considerable design flaws. 633 replies were received. This is not a representative sample of the then population of SC or even of the then adult population and no attempt was made to secure a representative sample. However, despite this being pointed out to the SG, they decided that the responses should form a basis for the plans they drew up. When feedback was invited, I did write to the SG outlining these inadequacies (not least because I am a retired academic who specialised in research methodology, including how to run meaningful surveys); but the SG chose to continue with its problematic data set. I and other concerned residents attended such meetings as the SG held; but every time, our concerns were brushed off, on one occasion the external facilitator running the consultation was told by a member of the SG to ignore us. There was a clear intent in the SG to just follow the path they wanted to and ignore anything that detracted from this. At the last meeting I and other concerned residents had with the SG, the view among them was that they just wanted to get the NP done. This does not appear to be a sound basis for designing a NP for Sutton Courtenay. (I can provide copies of communications about these matters if required.)

Given these multiple problems, which are

scant evidence for SC residents and businesses wanting a NP

the ignoring of views not consonant with those of the SG

the inadequacies of the initial survey

the length of deliberation during which time huge changes have happened in the area

the refusal to accept the extra and possibly lucrative designated area,

there are serious questions as to just how appropriate the plan is today.

I consider a way forward would be to revisit whether a NP still has anything to offer the community and if it is wanted; if so, that the newly offered designated area be included – many residents, if not the majority in the village, live closer to this than they do to the Church, for example, and that adequate survey work is undertaken.

A lot of work has gone into some of the assessments provided by consultants on various aspects that would contribute to a plan and these by no means would all have to be ditched. Rather they should be seen as competent to contribute to a new plan, clearly being revised in the additionally designated areas as necessary.

It is not inconceivable that the planning has taken so long because there is really very little interest in the village for this and it is merely a small group of people pushing it through, against any critique.

Finally, it is not inconceivable that the relationship to the development of Didcot Garden Town, which has hardly been considered in the plan, could raise points of conflict - I understand that one or more the the SG group are also promoters of the Didcot GT initiative, and this is an issue which needs to be explored.



Would you like to be notified of Vale of White Horse District Council's decision to 'make' (formally adopt) the plan?

[REDACTED]

Q9. How did you find out about the Sutton Courtenay Neighbourhood Plan consultation?

[REDACTED]

# Response 3

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Vale of White Horse District Council has worked to support Sutton Courtenay Parish Council in the preparation of their neighbourhood plan and compliments them on a very thoughtful, comprehensive and well produced plan.</p> <p>In order to fulfil our duty to guide and assist, required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the council commented on the emerging Sutton Courtenay Neighbourhood Development Plan (NDP) during the pre-submission consultation. We note that the qualifying body has taken the council's advice on board and addressed a number of the concerns previously raised.</p> <p>We are committed to helping this plan succeed. To achieve this, we offer constructive comments on issues that are considered to require further consideration. To communicate these in a simple and positive manner; we produced a table containing an identification number for each comment, a description of the relevant section/policy of the NDP, our comments and, where possible, a recommendation.</p> <p>Our comments at this stage are merely a constructive contribution to the process and should not be interpreted as the Council's formal view on whether the draft plan meets the basic conditions.</p> <p>[REDACTED]</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: 2023-06-07 Sutton Courtenay Reg 16 DC Comments.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

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<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Planning Policy Officer (Neighbourhood)
<b>Organisation (if relevant)</b>	Vale of White Horse District Council
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	Abbey House
<b>Address line 2</b>	Abbey Close
<b>Address line 3</b>	-
<b>Postal town</b>	Abingdon
<b>Postcode</b>	OX14 3JE
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Would you like to be notified of Vale of White Horse District Council's decision to 'make' (formally adopt) the plan?

████████████████████

Policy and Programmes

HEAD OF SERVICE: [REDACTED]



Contact officer: [REDACTED]

[REDACTED]@southandvale.gov.uk

Tel: 01235 422600

07 June 2023

**Sutton Courtenay Neighbourhood Development Plan – Comments under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (As Amended)**

Vale of White Horse District Council has worked to support Sutton Courtenay Parish Council in the preparation of their neighbourhood plan and compliments them on a very thoughtful, comprehensive and well produced plan.

In order to fulfil our duty to guide and assist, required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the council commented on the emerging Sutton Courtenay Neighbourhood Development Plan (NDP) during the pre-submission consultation. We note that the qualifying body has taken the council's advice on board and addressed a number of the concerns previously raised.

We are committed to helping this plan succeed. To achieve this, we offer constructive comments on issues that are considered to require further consideration. To communicate these in a simple and positive manner; we produced a table containing an identification number for each comment, a description of the relevant section/policy of the NDP, our comments and, where possible, a recommendation.

Our comments at this stage are merely a constructive contribution to the process and should not be interpreted as the Council's formal view on whether the draft plan meets the basic conditions.

[REDACTED]  
**Planning Policy Officer (Neighbourhood)**

Please note the text in *italics* shows our recommended changes to the text.

Ref.	Section/Policy	Comment/Recommendation
1	Page 7 – Figure 1.1	<p>This map shows the designated neighbourhood area and the parish boundary. However, we feel it could be clearer in defining the boundaries, as currently the ‘parish boundary’ appears to stop when it reaches the ‘final neighbourhood plan boundary’ and therefore the whole parish boundary is not shown. To provide clarity, we would be happy to produce a new map showing the neighbourhood plan boundary and parish boundary with our mapping officers, should the examiner recommend this change to be made.</p>
2	Page 36 - Policy SC1: Green Gaps	<p>We have concerns over the extent of the proposed green gaps, which in combination surround the whole village and take a strategic approach. Each gap is made up of multiple fields, in some cases up to 4/5.</p> <p>The proposed gaps cover large parcels and extensive tracts of land and in a lot of cases simply extend to the neighbourhood area boundary, which then continues to be open countryside beyond the neighbourhood plan boundary. This is reflected in the policy with the gaps referred to as being to the north, northwest, southwest, south, and east of Sutton Courtenay respectively, making it unclear in most cases what the gap is separating.</p> <p>In most of the gaps identified there is no indication that the areas concerned cannot otherwise be controlled by more general countryside policies.</p> <p>Our recommendation is that the policy is modified to become a general separation of settlements policy. Gap policies are often successfully implemented when they identify the minimum area necessary to prevent the coalescence of two built up areas - e.g., the last remaining field. The only parcels which we consider would be appropriate to identify as specific green gaps are parcels A4a and A3j, as these are single fields separating the built-up edge of Sutton Courtenay from neighbouring Milton and the industrial estate.</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>Parcel A4a includes land zoned for commercial development in the 2012 adopted Milton Park Local Development Order (LDO). The LDO is currently being reviewed, with the responses from a consultation held in 2022 now being considered. The LDO area is unchanged from the original area established in 2012. We would recommend that parcel A4a is revised to remove the area within the LDO.</p> <p>If this policy is replaced with a separation of settlements policy, we would recommend the following wording:</p> <p><i>'Development proposals in the neighbourhood area should demonstrate that the character of any particular settlement is retained, and that a physical and visual separation is maintained between its different settlements. In particular new development should maintain the separation between following settlements within the neighbourhood area:</i></p> <ul style="list-style-type: none"> <li><i>• between Sutton Courtenay and Culham (insofar as this affects the neighbourhood area);</i></li> <li><i>• between Sutton Courtenay and Abingdon (insofar as this affects the neighbourhood area);</i></li> <li><i>• between Sutton Courtenay and Drayton (insofar as this affects the neighbourhood area);</i></li> <li><i>• between Sutton Courtenay and Milton (insofar as this affects the neighbourhood area);</i></li> <li><i>• between Sutton Courtenay and Didcot (insofar as this affects the neighbourhood area);</i></li> </ul> <p><i>Development proposals will be considered in the context of Core Policy 4 in the Local Plan 2031: Part 1, and in addition, will only be supported where:</i></p> <ul style="list-style-type: none"> <li><i>• the physical and visual separation between two separate settlements is not unacceptably diminished;</i></li> <li><i>• cumulatively, with other existing or proposed development, it does not compromise the physical and visual separation between settlements, and</i></li> </ul>



Ref.	Section/Policy	Comment/Recommendation
		<ul style="list-style-type: none"> <li><i>it does not lead to a loss of environmental or historical assets that individually or collectively contribute towards their local identity.'</i></li> </ul>
3	Page 41 - Policy SC2: Landscape Character and Value	To improve clarity and understanding, reference to figure 6.4 should be made when asking development to take into consideration 'the landscape character areas'
4	Page 43 – Policy SC3: Key Views and Vistas	<p>The opening sentence of the policy reads 'Development which maintains or enhances the identified key views and vistas as defined in figure 6.7 and in the list below will be supported.' This is overly restrictive and unduly onerous. We would recommend that the policy is reworded as followed: <i>'Development should not significantly obstruct or have an unacceptable impact on the important views identified in figure 6.7 and in the list below.'</i></p> <p>Key views 2, 9, 10, and 15 appear to be missing from Figure 6.7. These need to be added and made clearly identifiable.</p> <p>The view triangles for key views 1, 5, 8, 18, and 20 appear to extend over land outside of the neighbourhood plan boundary. Additionally, the origin point for key view 5 also appears to fall outside of the boundary. Neighbourhood plans policies can only apply within the plan area, therefore views and areas outside of the neighbourhood area will not be subject to policies and should be amended or deleted.</p> <p>View 4 This view is shown in image 66 in the Countryside and Green Gap Assessment. It is noted as being important because of the semi-private/public space contribution to the informal and intimate character of the scene. Whilst this is an important element of the character of the area, it does not appear to be a view, as it is the front of a house. Whilst an attractive house, it is not a view and therefore we suggest that this view is removed.</p> <p>View 11 The Church of All Saints is Grade I listed and therefore its importance and significance are</p>

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		<p>noted and reflected in the listing of the building. This view is a close of up view of just the church and its immediate surroundings and therefore it is unclear how identification of this view adds value. The site already benefits from a high level of protection due to the building being listed. We would therefore suggest that this view is removed.</p>
5	Page 54 – Policy SC5: Local Green Spaces	<p>The final paragraph of this policy reads ‘Development on the designated Local Green Spaces will only be considered acceptable in exceptional circumstances where it is compatible with the reasons for which the land was designated.’ We recommend that the wording is altered to match that found in the NPPF by replacing the word ‘exceptional’ with <i>‘very special’</i>.</p>
6	Page 59 – Policy SC6: Biodiversity	<p>The fifth bullet point covers priority species. Core Policy 46: Conservation and Improvement of Biodiversity in the Local Plan sets out:</p> <p>‘Development likely to result in the loss, deterioration or harm to habitats or species of importance to biodiversity or of importance for geological conservation interests, either directly or indirectly, will not be permitted unless:</p> <ol style="list-style-type: none"> <li data-bbox="730 1263 1334 1406">i. the need for, and benefits of, the development in the proposed location outweighs the adverse effect on the relevant biodiversity interest;</li> <li data-bbox="730 1413 1358 1556">ii. it can be demonstrated that it could not reasonably be located on an alternative site that would result in less or no harm to the biodiversity interests; and</li> <li data-bbox="730 1563 1353 1771">iii. measures can be provided (and are secured through planning conditions or legal agreements), that would avoid, mitigate against or, as a last resort, compensate for, the adverse effects likely to result from development.’</li> </ol> <p>The tests set out in the Core Policy 46 are more detailed than the considerations in Policy SC6. We therefore recommend that this bullet point is amended to refer to Core Policy 46, amended to be consistent with this element of Core Policy 46, or deleted.</p>

Ref.	Section/Policy	Comment/Recommendation
7	Page 67 - Policy SC7: Flooding and drainage	<p>In the opening sentence of the policy it states that development will be supported where it does not 'cause any adverse impact to neighbouring properties their setting.' The use of the word 'adverse' is vague and lacks clarity. Additionally, it is not clear what is meant by 'their setting' in this context, and national guidance sets out that policies need to be drafted with clarity and precision. We therefore recommend that this sentence is replaced with: <i>'cause any flooding in neighbouring properties'</i></p> <p>The section starting 'The following areas have been identified as particularly vulnerable to flooding:' is more suitable to the supporting text than the policy as it is a list of identified high-risk areas but does not give any policy direction in terms of how these areas should be managed.</p>
8	Page 72 – Policy SC8 – Residential development Within the Built-up Area	<p>Criterion a Whilst the existing character of an area is an important consideration and density has a role to play in defining this, this criterion may prevent best use of previously developed land and could preclude smaller units. National policy is clear that planning policies should support development that makes efficient use of land. We therefore recommend the following replacement wording: 'Optimising the density of the site, taking into account the character of the area, and of a suitable scale, bulk, height and mass.'</p> <p>Criterion e Paragraph 130 of the NPPF sets out that planning policies should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. In specifying vernacular styles in this criterion, it may restrict other forms of good design. We therefore recommend 'as well as vernacular styles that enhance local distinctiveness' is deleted.</p>
9	Page 77 – Policy SC9 – Housing Needs	This policy is overly restrictive in setting out that all applications for residential development, other than extensions and the replacement of existing single dwellings, shall set out how the

Ref.	Section/Policy	Comment/Recommendation
		<p>proposed accommodation will meet the specific local housing need of the Parish. A similar policy in the submission version of Shiplake Neighbourhood Plan was removed during examination. We recommend that this policy modified to become an encouraging policy, or it is deleted.</p> <p>If the policy is modified to become an encouraging policy, the opening paragraph could be changed to read::  <i>'Residential development, other than extensions and the replacement of existing single dwellings, are encouraged to set out how the proposed accommodation will meet the local housing needs of the Parish, including details of how the development.'</i></p> <p>Core Policy 4: Meeting Our Housing Needs in the Vale of White Horse Local Plan sets out that in Larger Villages, which Sutton Courtenay is, there is a presumption in favour of sustainable development within the existing built area. Development in Sutton Courtenay is therefore not limited.</p>
10	Page 80 – Figure 9.1	<p>As the non-designated heritage assets are now shown on Figure 9.2, Figure 9.1 could be enhanced by removing them from this map as they no longer need to be covered on here. This would improve the clarity of the map.</p> <p>Additionally, figure 9.1 points towards a Saxon Settlement, however it is not clear where this is and if this is within the neighbourhood area. The map should either be reworked to fit the location of the settlement in or, ff it is not within the neighbourhood area, we recommend that it is deleted from the map to avoid confusion.</p>
11	Page 102 – Policy SC11 - Former Mineral Workings	<p>This policy addresses sites associated with Minerals and Waste which is deemed as excluded development that neighbourhood plans should not address. For clarity and precision, and to remove the risk that this policy could be interpreted as attempting to control excluded development, we recommend that the first paragraph should be deleted and that the second paragraph is amended as follows <i>“After the restoration of the site is complete, development proposals for nature conservation</i></p>

Ref.	Section/Policy	Comment/Recommendation
		<p><i>and/or recreation will be supported, subject to the following criteria.”</i></p> <p>For clarity it would be useful to have a clear map showing the site which relates to this policy. Figure 9.22 is identifying a number of features, so it is not entirely clear where the site boundary is.</p>
12	Page 109 – Policy SC14 – Village Hall	<p>The policy states that if a replacement facility is proposed elsewhere in the Plan area, ‘the proposals must comply with Policy SC13’ and ‘the current site (which includes the allotments) must be retained for community use’.</p> <p>These two criteria contradict each other, as Policy SC13 lays out when it would be acceptable to not retain a site for community use, but the second criterion of Policy SC14 states that the existing site must be retained for the community.</p> <p>We recommend the policy is rephrased as such:</p> <p><i>‘Proposals for a new or replacement community/village hall will be supported where it would lead to a significant improvement and;</i></p> <ul style="list-style-type: none"> <li><i>• is located on the existing site; or</i></li> <li><i>• is located on a site elsewhere in the plan area if the conditions in Policy SC14 have been met.’</i></li> </ul>
13	Page 118 – Policy SC16 – Economy and Employment	<p>The tests required in this policy are not compliant with the NPPF, which states that proposals ‘should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’ Additionally, adding the word <i>‘unacceptable’</i> before ‘adverse impact’ would make the second test more appropriate.</p>
14	Comments from Equality and Inclusivity Officer	<p>The plan currently uses facts and figures from the 2011 census despite there now being more up-to-date figures in the 2021 census.</p> <p>Whilst the plan refers to access to public footpaths and green spaces there is no specific mention of accessibility to all. The Community Aspirations for policy SC14 would have been a perfect opportunity to mention accessible play equipment, allotments, ensuring walkways</p>

Ref.	Section/Policy	Comment/Recommendation
		<p>paths are suitable for wheelchair users or people with walking aids.</p> <p>As a reminder, the Equality Act 2010 has 3 aims which require public bodies to have due regard to the need to:-</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment, victimisation &amp; any other conduct prohibited by the act.</li> <li>• Advance equality of opportunity between people who share a protected characteristic &amp; people who do not share it.</li> <li>• Foster good relations, between people who share a protected characteristic and those who do not share it.</li> </ul>
15	Comments from Climate Action Officer	The Sutton Courtenay neighbourhood plan team have demonstrated their concern for addressing the climate challenge, and their proposed policies on green infrastructure, flood risk, sustainable construction, renewable energy and sustainable transport are welcomed and provide a robust framework for contributing to the Vale of White Horse carbon emission reduction targets.

#### Sutton Courtenay Neighbourhood Plan Character Appraisal and Design Code

16	Page 12 – 3.3 Heritage Assets	Our comments on Page 80 – Figure 9.1 above apply here also.
17	Page 15 – 3.5 Views and Landmarks	<p>Our comments on Page 43 – Policy SC3: Key Views and Vistas above apply here also.</p> <p>The maps on pages 17 and 18 are of very poor quality and extremely difficult to understand. These should be updated to higher quality maps. The district council would be happy to help with achieving this.</p>

#### Housing Summary

18	Page 7	Reference to Radcot Green is made in this section. Radcot Green is not a site allocation or a proposed site allocation, and it does not have planning permission. The Joint Local Plan is currently at the beginning of the process of developing policy options and no decisions have been made on site selection and or
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		allocation. It is therefore unclear why it is included in the list identifying surrounding developments, we recommend it is removed.
19	Page 25 – 5.1.2	This section states ‘There are currently 20 properties for sale...’. As this report provides a snapshot in time at the time it was prepared, rather than ‘currently’ the date on which the data was collected should be quoted.

## Response 4

### Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Organisation

### Your comments

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Response received via email

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: SSE 20-4.pdf - [REDACTED]</li></ul>

### Your details and future contact preferences

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Title -
Name [REDACTED]



Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Job title (if relevant)</b>	Network Connections Planning Engineer
<b>Organisation (if relevant)</b>	Scottish and Southern Electricity Networks
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	1 Woodstock Road
<b>Address line 2</b>	Yarnton
<b>Address line 3</b>	Kidlington
<b>Postal town</b>	Oxford
<b>Postcode</b>	OX5 1NY
<b>Telephone number</b>	01865 845888
<b>Email address</b>	██████████@sse.com

[Redacted]

**From:** [Redacted]  
**Sent:** 20 April 2023 15:53  
**To:** Planning Policy S&V  
**Subject:** Your comments are invited on the Sutton Courtenay Neighbourhood Plan

---

**\*\*EXTERNAL\*\***

---

[Redacted],

Thank you for your message below, together with the link to the NP web-site, regarding the above topic / location.

I can confirm that, at this present time, I have no comments to make.

Regards,

[Redacted]

[Redacted]

Network Connections Planning Engineer

**Scottish and Southern Electricity Networks**

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Yarnton  
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**T: External:** + 44 (0) 1865 845888

[Redacted]



# Response 5

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Dear [REDACTED]</p> <p>Please find attached comments</p> <p>Kind regards</p> <p>[REDACTED]</p> <p>Mark Doodes Planning</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Mark Doodes.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	[REDACTED]
<b>Job title (if relevant)</b>	-
<b>Organisation (if relevant)</b>	Mark Doodes Planning
<b>Organisation representing (if relevant)</b>	[REDACTED]
<b>Address line 1</b>	Unit 1
<b>Address line 2</b>	The Old Barn
<b>Address line 3</b>	Wicklesham Lodge Park, Farringdon
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<b>Postcode</b>	SN7 7PN
<b>Telephone number</b>	07970 241 671
<b>Email address</b>	info@markdoodesplanning.co.uk

Would you like to be notified of Vale of White Horse District Council's decision to 'make' (formally adopt) the plan?

[REDACTED]



## Chartered Town Planners Clear, Professional Town Planning

██████████  
Planning Policy Officer (Neighbourhood)  
Policy and Programmes  
Vale of White Horse District Council  
Abbey House, Abbey Close, Abingdon, OX14 3JE

**Subject:** Objection to the inclusion of the site within 'Green Gap 3' shown in Figure 6.3 to the draft Sutton Courtenay Neighbourhood Plan. This objection is made pursuant to Regulation 14 of The Neighbourhood Planning (General) Regulations 2012

**Site:** Land at Peewit Farm, Drayton Road, Sutton Courtenay, Abingdon, OX14 4HB

**MDP Ref:** SW/17/v1

25 April 2023

### The Neighbourhood Planning (General) Regulations 2012

Dear ██████████

#### 1. Introduction

*Summary*



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1.1 This letter has been submitted on behalf of [REDACTED], my client and the landowner of the land at Peewit Farm, the site shown at Figure 1 below.



Figure 1 – Site shown in Red. New access road in blue.

1.2 This correspondence is in response to consultation on the Sutton Courtenay Neighbourhood Plan Initial Draft for Pre-Submission to 2031 (henceforth referred to as 'The NP') that has been performed in accordance with Regulation 14 of The Neighbourhood Planning (General) Regulations 2012. This consultation runs from Friday 1 July until Sunday 14 August 2022.

1.3 Figure 6.3 to the NP shows the site identified above to fall within parcel A3d of 'Green Gap 3'. This is shown in Figure 2 below.



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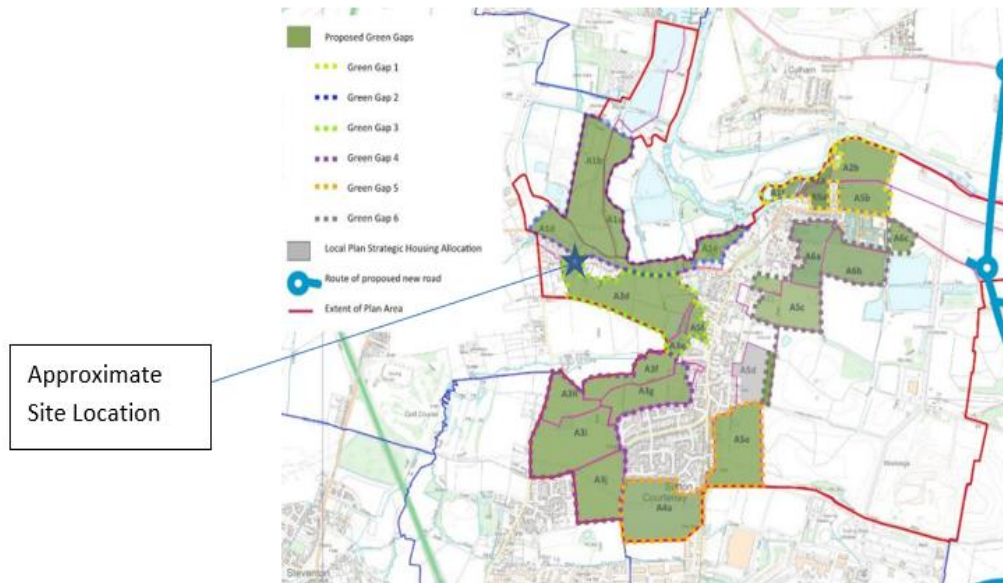


Figure 2: Map showing draft designation of site within Sutton Courtenay Neighbourhood Plan

Initial Draft for Pre-Submission to 2031 as Green Gap 3.

- 1.4 My client, the landowner, is **strongly opposed** to the proposed inclusion of this site within this draft designation.
- 1.5 This document seeks to draw attention to the fundamental issues associated with this designation and seeks to support and steer the Parish Council toward the only reasonable conclusion; removal of the site from Green Gap 3 in any subsequent submission draft of the NP.
- 1.6 In summary, the inclusion of the site within this designation results in the NP's failure to adhere to several of the basic needs that a draft neighbourhood plan must meet if it is to proceed to referendum stage. It undermines policies within the National Planning Policy Framework (the Framework) and is not in general conformity with the strategic policies contained within the Council's development plan. In essence, the making of this neighbourhood plan with the site shown in Green Gap 3 would not contribute to the achievement of sustainable development.



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## 2. Key Points of Objection

2.1 The main points of objection are as follows:

- a) The inclusion of the site within Green Gap 3 would represent an inefficient use of land that would frustrate and undermine the Council's strategic planning policies and those within the National Planning Policy Framework which seek to significantly boost the delivery of social development in plan-led, 'sustainable', locations.
- b) The land in question is not a meaningful gap between any two places which warrant separation or where coalescence would be undesirable
- c) The parish appear to be using Green Gaps overzealously and appear to be seeking to allocate them in a borderline Green Belt fashion forming a belt around the village, constraint growth, which need not exist.

## 3. Legal and Policy Environment

### *Neighbourhood Planning*

#### Basic Conditions

3.1 The basic conditions for neighbourhood plans are set out in paragraph 8(2) of Schedule 4B to the Localism Act 2011 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. Of the basic conditions the following three are relevant to this objection. These conditions are:

*"...a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan);*

*d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development; and*



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*e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)."*

- 3.2 With regard to the above, the NP must have regard to the delivery of national policy objectives within the Framework. A qualifying body should demonstrate how this Plan will contribute to improvements in environmental, economic and social conditions. Sufficient and proportionate evidence should be presented on how the draft NP guides development to sustainable solutions. Lastly, in terms of strategic policies, these set an overarching direction or objective and shape broad characteristics of development at a District wide scale. To be in general conformity with strategic policies, the NP must, amongst other things, support and uphold their general principles and not conflict with them.

### ***Planning Policy***

#### Local Policy

- 3.3 Whilst this objection does not relate to a planning application, it is relevant to note that these are considered in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004. Planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.4 The development plan for the District comprises the Local Plan 2031 Part 1: Strategic Sites and Policies and the Local Plan 2031 Part 2: Detailed Policies and Additional Sites. The Council is progressing a new Joint Local Plan 2041. However, this is at an early stage of preparation. Accordingly, its policies could be subject to change and objections following early consultation. Consequently, only limited weight can be given to the emerging Local Plan 2041 at this time, in line with paragraph 48 of the Framework.

#### *Local Plan 2031 Part 1: Strategic Sites and Policies*



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- 3.5 The Local Plan 2031 Part 1: Strategic Sites and Policies (LPP1) was adopted in December 2016. The following policies are considered strategic, with regard to paragraph 20 of the Framework shown below, and are relevant:
- 3.6 **Core Policy 1: Presumption in Favour of Sustainable Development** - Amongst other things, this policy states that applications that accord with this Local Plan 2031 will be approved, unless material considerations indicate otherwise.
- 3.7 **Core Policy 3: Settlement Hierarchy** - This policy directs housing to identified settlements. Larger Villages are defined as settlements with a more limited range of employment, services and facilities. Unallocated development will be limited to providing for local needs and to support employment, services and facilities within local communities.
- 3.8 **Core Policy 4: Meeting Our Housing Needs** – There is a presumption in favour of sustainable development within the existing built area of Market Towns, Local Service Centres and Larger Villages in accordance with Core Policy 1.
- 3.9 **Core Policy 15: Spatial Strategy for South East Vale Sub-Area** – This policy shows that the overarching priority for this Sub-Area is to secure the aligned delivery of housing and employment growth together with the infrastructure required to achieve sustainable development.
- 3.10 **Core Policy 33: Promoting Sustainable Transport and Accessibility** – Amongst other things, this policy seeks to minimise the impact of new developments on the local road network and ensure that developments are designed to promote sustainable transport access.

*Local Plan 2031 Part 2: Detailed Policies and Additional Sites*

- 3.11 The Local Plan 2031 Part 2: Detailed Policies and Additional Sites (LPP2) was adopted in October 2019. Given its relatively recent adoption, and that this Plan will have been tested against the most recent version of the Framework, paragraph 213 is not considered to be engaged and full weight can be assigned to the policies of the Plan. The following policies are relevant:



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3.12 **Core Policy 4a: Meeting our Housing Needs** – This policy shows the housing target for the Vale of White Horse is at least 22,760 homes over the plan period. These will be directed to existing and sustainable settlements. A significant number of these homes will be provided through windfall developments.

3.13 **Development Policy 29: Settlement Character and Gaps** – This policy seeks to retain the character of settlements and visual separation between them.

#### *National Planning Policy Framework*

3.14 The Framework sets out the Government’s planning policies for England and how these should be applied.

#### Approach to Sustainable Development

3.15 **Paragraph 7** of the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development.

3.16 **Paragraph 8** states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*



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*c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 3.17 **Paragraph 9** states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 3.18 Paragraph 10 states that, so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This is then detailed at **Paragraph 11**.
- 3.19 **Paragraph 38** makes it clear that decision-makers at every level should seek to approve applications for sustainable development where possible.

#### Housing

- 3.20 The Framework shows a clear Government intention to significantly boost the supply of housing. **Paragraph 60** states that it is important that sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.
- 3.21 **Paragraph 69** states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.
- 3.22 **Paragraph 130** seeks to ensure that developments optimise the potential of sites and function well.

#### Economic Strength

- 3.23 **Paragraph 81** states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity.

#### Strategic Policies



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- 3.24 **Paragraph 20** states that strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for, amongst other things, housing.
- 3.25 Specifically in relation to neighbourhood plans, **paragraph 29** states that such plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.

#### 4. Point of Objection

##### A: Failure of Basic Conditions

###### *Conflict with Local and National Planning Policy Relating to the Delivery of Social Development*

- 4.1 Core Policy 4a of the LPP2 shows the considerable housing targets for the local authority area over the plan period. These will be met through allocated development sites and windfall developments at existing, sustainable, settlements. This strategy is echoed by Core Policies 3, 4 and 15 of the LPP1. This overarching housing strategy is supported by Core Policy 33 of the LPP1 which promotes sustainable transport. In terms of national planning policy, the Framework specifically seeks to boost the delivery of housing on small and medium sites. This is to be done by making efficient use of land.
- 4.2 Taking everything together, the main objectives of the strategic local strategy and national policy advice are to boost housing, but to restrict isolated and remote developments in open countryside locations. This is to ensure that the character of the countryside is preserved and to provide future residents with convenient access to services and facilities so that they support the vitality and viability of communities and minimise environmental harm resulting from travel. Sustainability is at the heart of housing objectives and land use for residential purposes must be maximised in appropriate locations to foster this.
- 4.3 The site is located in-between the Larger Villages of Drayton and Sutton Courtenay. These settlements offer a considerable number of services and facilities including; shops, village halls, restaurants, public houses and primary schools. They also provide public transport links (bus services) to larger settlements. There is a pedestrian footway along Drayton Road from the



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boundary of the site all the way into Drayton. This would be around a 7 minute walk. Furthermore, a public right of way runs from the base of the site to the south into both Drayton and Sutton Courtenay. Again, it is less than a 10 minute walk into these settlements along this route.

- 4.4 Importantly, the site and village is located 1.7 miles (an 8 minute cycle ride) north of Oxfordshire's largest employment park; Milton Park. Milton Park employs 9,000 people (Source Milton Park Fact Sheet October 2021) and has some plans to expand this over the next few years with brownfield regeneration. The site is one of the closer points in the village to the Park. This has not been recognised in the NP which doesn't appear to embrace the opportunities presented by such a close relationship.
- 4.4 Consequently, the site represents an ideal location for housing in terms of providing future residents with access to a range of services, particularly employment, both locally and wider afield, that are necessary for day-to-day living. These would be accessible by means of travel other than private vehicles, as Drayton is easily accessible from the site via direct and clear walking routes along footpaths and named streets with active frontages.
- 4.5 This conclusion is reinforced given that there is also a pedestrian footway partway along Drayton Road providing access into Sutton Courtenay partially by foot. Even if one chose to drive into Sutton Courtenay or Drayton, this would be less than a 2-minute drive and any associated environmental harm would be negligible. Moreover, the Council has already found that this site is a suitable location for housing as it has recently granted permission for three dwellings at Peewit Farm under application Ref. P16/V11111/FUL.

### *Conclusion*

- 4.6 Drawing the threads of the above assessment together, residential development at the site would assist with meeting the Council's housing need within this Sub-Area. There can be no doubt that new houses would be in an accessible location, close to a range of existing local services and facilities. These include public transport facilities to link to larger settlements. Accordingly, new residents would not be reliant on the use of private vehicles to get around. Given the accessible nature of the site, and with regard to the presence of nearby physical built form, the proposed



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dwellings could not be considered to be isolated for the purposes of paragraph 80 of the Framework<sup>1</sup>. Accordingly, residential development at the site would be in line with the fundamental objectives of the Council's housing strategy and would therefore accord with Core Policies 3, 4, 15 and 33 of the LPP1 and Core Policy 4a of the LPP2.

4.7 At best, the Council has a marginal, and precarious, supply of deliverable housing land. This is marginally over the requisite 5 years supply (5.04 years). Should the site be allocated as Green Gap 3 as proposed by the NP this would be likely to preclude acceptable residential development upon it. Such development would be specifically in accordance with local strategic policies and with national planning policy. This designation would therefore restrict an important form of sustainable social development.

*Conflict with National Policy and Advice Contained in Guidance Issued by the Secretary of State Relating to Economic Growth*

4.8 The Framework places significant emphasis on the need to build a strong competitive economy, with paragraph 81 attributing significant weight to the need to support economic growth and productivity and attempts to ensure that decision takers regard the economics of house building activity positive in weighing decisions.

4.9 Indeed, the former coalition Government stated shortly after the Framework was launched that *"its number one priority is to get the economy moving again"* (Ministerial statement 6th Sept 2012). This strategic ambition remains the case once more nine years later, in a post-EU Exit and COVID economic environment. As a barometer to the wider economic outlook, interest rates have been at a historic low of 0.1%, and we have faced the greatest contraction of the economy since records began with around a 20% drop in GDP.

4.10 Housing, whilst no panacea, is universally regarded as being a driver to growth and prosperity at the micro and macro level as well as serving a social role and allowing better movement of labour. Previous Planning White Papers and modifications to the Framework were aimed at further

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<sup>1</sup> With particular regard to case law *Braintree DC v SSCLG (2018) EWCA Civ 610; (2018)* and *City & Country Bramshill Limited and SOSHCLG (2019) EWHC 3437 (Admin)*.



bolstering housing land supply and introducing better competition in the housing market by assisting smaller builders.

- 4.11 The July 2020 White Paper carries the above sentiments forward and states that “*Millions of jobs depend on the construction sector and in every economic recovery, it has played a crucial role.*” In addition, the Royal Institute of Chartered Surveyors have recently highlighted that for every £1 spend on construction a further £2.84 is generated across the wider economy (Build Back Better May 2020, University of Birmingham Paper).
- 4.12 Overall, there would be clear short and medium term economic benefits associated with residential development at this site both at local and regional levels, even if in a decades time. This is through factors such as the creation of a wide variety of jobs associated with the construction of the units and increased local expenditure to support local services and those further afield. Such development would specifically assist with the maintenance of the vitality of rural communities as required by the Framework.
- 4.13 Should the site form part of Green Gap 3, it would no doubt be sterilised. The inclusion of the site in this allocation fails to have regard to the identified national planning policy concerning the economy and would restrict a form of development that would contribute to economic sustainability.

*Failure to Contribute to the Sustainable Use of Land and Conflict with National Policy in this Regard*

- 4.14 Parcel A3d of Green Gap 3 is sizeable. The site forms only a small part of this draft allocation, in an area that arcs in between a pocket of development set along the southern side of Drayton Road. This pocket of existing development urbanises the immediate setting, including the site, which has a greater affiliation with built form rather than open fields beyond. Furthermore, the pocket of development is not itself an individual settlement. As a consequence of the site’s positioning, it makes no meaningful contribution to the character of the countryside or any green gap between settlements.
- 4.15 Residential development at the site would represent infill development and would consolidate a pocket of development in a logical and proportionate manner. It would not lead to the erosion of



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the countryside or threaten to merge two settlements. There would therefore be no conflict with Development Policy 29 of the LPP2 insofar as it seeks to retain the character of settlements and visual separation between them.

4.16 Moreover, there is no public right of access over the site, and it cannot be legally used for recreational purposes as incorrectly stated at paragraph 6.1.10 to the NP. To require its use for such purposes as the NP suggests would therefore be highly unreasonable and could not be delivered through this mechanism.

4.17 For these reasons, the sterilisation of this site by virtue of its inclusion in Green Gap 3 is not justified by the NP in terms of preventing two settlements merging. In addition, the site has no public recreational value. To proceed to include the site in such a designation, would unreasonably restrict other forms of sustainable social development and would fail to accord with Section 11 of the Framework which seeks to make efficient use of land. It could also preclude public access to the site as discussed below.

## **Other Matters**

### *Archaeology*

4.18 The NP alludes to the archaeological value of Green Gap 3. However, as discussed, the site forms only a small part of this expansive draft designation. An Archaeological Evaluation of Peewit Farm has been recently conducted and has been submitted with applications that have been approved for residential development at this site. This is therefore not a barrier to development of the site.

4.19 Overall, features of archaeological significance can be suitably managed through a condition requiring their recording and preservation in situ should development be allowed at the site. Accordingly, features of archaeological significance, if indeed they are present, are not a reason to sterilise the site should it be included within Green Gap 3.

### *Alternate Uses*

4.20 For reasons given in this objection, the site's inclusion in Green Gap 3 fails to adhere to the basic conditions that a draft neighbourhood plan must meet if it is to proceed to referendum. However,



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there is the opportunity for the landowner to work with the Parish Council to deliver community benefits.

- 4.21 It is considered that a compressive scheme for both housing and new public open space (on presently private land) could be delivered. Through such a development, housing could be provided in line with the Council's settlement strategy, whilst infilling a pocket of built form without resulting in the merging of settlements, since the collection of dwelling to the west of the site are not a separate named location. Such housing would be of a type to address local needs. Simultaneously, a large area of new open space, that is currently private land, would be provided for community use this could include ecology measures and perhaps community allotments. This could be suitably managed or transferred to the Parish Council if it so wishes.
- 4.22 Moreover, this development could provide other off-site improvements to surrounding footways, cycleways and public rights of way which would in turn improve highway safety. In particular a new green route through the site, linking to the public right of way to the south, could obviate several hundred meters of on-road cycling presently which involves a reasonably dangerous T-junction with relatively poor visibility at the junction of Drayton and Milton Roads. This is an opportunity for betterment which an allocation of the type suggested would preclude. This potential new route is shown below in a blue hashed line. This is not only shorter, but also a safer route to Didcot for all.



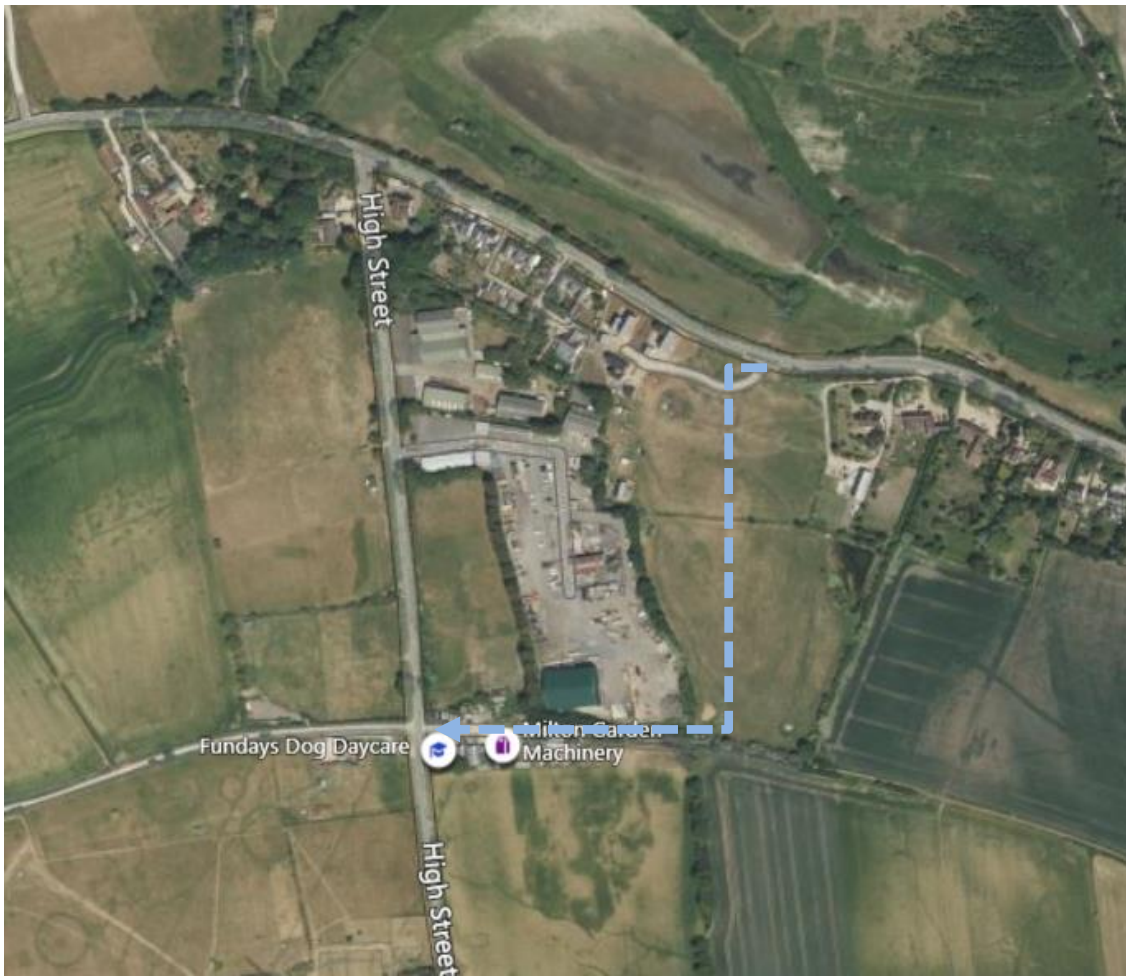
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4.23 Overall, it is considered that such a scheme represents a far more appropriate use of this site and would deliver considerable public benefits for local communities. The Parish Council is encouraged to engage with the landowner to enable a scheme to be collaboratively formed.

## 5. Conclusion

5.1 For the reasons given in this statement, the proposed draft allocation to include the site in Green Gap 3 would undermine the Council's housing strategy and would frustrate the supply of much needed social development that would accord with the Council's strategic policies in a part of the District which has been identified by the District as being more suitable for housing growth when compared to the western vale. This is specifically contrary to paragraph 29 of the Framework. It would also restrict development that would be economically important to the area and would fail to make efficient use of land.



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- 5.2 The site does not contribute in any meaningful way to the separation of settlements and its development would not facilitate this in any event. Its inclusion in Green Gap 3 is not justified by the NP. The Parish fail to identify any public benefits would arise from a housing allocation including highway betterment.
- 5.3 This would sterilise the site in a manner that does not have regard to national policies and guidance issued by the Secretary of State. Neither does it contribute to the achievement of sustainable development. Moreover, the site's inclusion in Green Gap 3 is not in conformity with the Council's strategic development plan policies. Arguably the NP exercise itself seeks to do just this; stop any further growth of the settlement by creating a pseudo-Green Belt.
- 5.4 Whilst some of the same arguments as above may be advanced on other sites it is for the Inspector and District Policy officers to determine which if any are worthy of such a heavy weight, permanent allocation.
- 5.5 Consequently, the inclusion of the site within this draft designation results in the NP's failure to adhere to basic conditions a, d and e of part 8(2) of Schedule 4B to the Localism Act 2011. The draft NP cannot proceed to referendum with this inclusion.

## End of Objection

[Redacted Signature]  
Director



Cc; File, Client, Parish Council



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# Response 6

## Respondent Details

Information
[Redacted]

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Thank you for your notification of 19 April 2023 regarding the Sutton Courtenay Neighbourhood Plan.</p> <p>The Coal Authority is only a statutory consultee for coalfield Local Authorities. As Vale of White Horse District Council lies outside the coalfield, the Planning team at the Coal Authority has no specific comments to make.</p> <p>Kind regards</p> <p>The Coal Authority Planning Team</p>

## Your details and future contact preferences

<p>Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.</p>
<p><b>Title</b> -</p> <p><b>Name</b> -</p>

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Job title (if relevant)</b>	-
<b>Organisation (if relevant)</b>	The Coal Authority
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	-
<b>Address line 2</b>	-
<b>Address line 3</b>	-
<b>Postal town</b>	-
<b>Postcode</b>	-
<b>Telephone number</b>	-
<b>Email address</b>	TheCoalAuthority-planning@coal.gov.uk

# Response 7

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>Dear [REDACTED],</p> <p>PSA an objection to the SC NP.</p> <p>Kind regards,</p> <p>[REDACTED]</p> <p>MDP</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>• File: Objection Letter to NP Allocaton.pdf - [REDACTED]</li><li>• File: Site Red Line Drawing.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	[REDACTED]
<b>Job title (if relevant)</b>	-
<b>Organisation (if relevant)</b>	Mark Doodes Planning
<b>Organisation representing (if relevant)</b>	[REDACTED]
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<b>Address line 2</b>	The Old Barn
<b>Address line 3</b>	Wicklesham Lodge Park, Farringdon
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<b>Postcode</b>	SN7 7PN
<b>Telephone number</b>	07970 241 671
<b>Email address</b>	info@markdoodesplanning.co.uk





## Chartered Town Planners Clear, Professional Town Planning

██████████  
Planning Policy Officer (Neighbourhood)  
Policy and Programmes  
Vale of White Horse District Council  
Abbey House, Abbey Close, Abingdon, OX14 3JE

**Subject:** Objection to the inclusion of the site within 'Green Gap 3' shown in Figure 6.3 to the submission Sutton Courtenay Neighbourhood Plan. This objection is made pursuant to Regulation 16 of The Neighbourhood Planning (General) Regulations 2012

**Site:** Land North of Drayton Road, Sutton Courtenay, Abingdon, OX14 4HB

**MDP Ref:** DT02

25 May 2023

### The Neighbourhood Planning (General) Regulations 2012

Dear ██████████

#### 1. Introduction

*Summary*



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1.1 This letter has been submitted on behalf of [REDACTED], my client, the landowner of the land shown at Figure 1 below. The OS extract may not be entirely clear, but for clarity the What Three Words location for the centre of the site is /// riders.grain.dinner.

Figure 1 – Site shown in Red



- 1.2 This correspondence is in response to consultation on the Sutton Courtenay Neighbourhood Plan Initial Draft for Submission to 2031 (henceforth referred to as 'The NP') that has been performed in accordance with Regulation 16 of The Neighbourhood Planning (General) Regulations 2012. This consultation runs until 7 June 2022.
- 1.3 Figure 6.3 to the NP shows the site identified above to fall within 'Green Gap 2'. This is shown in Figure 2 below.



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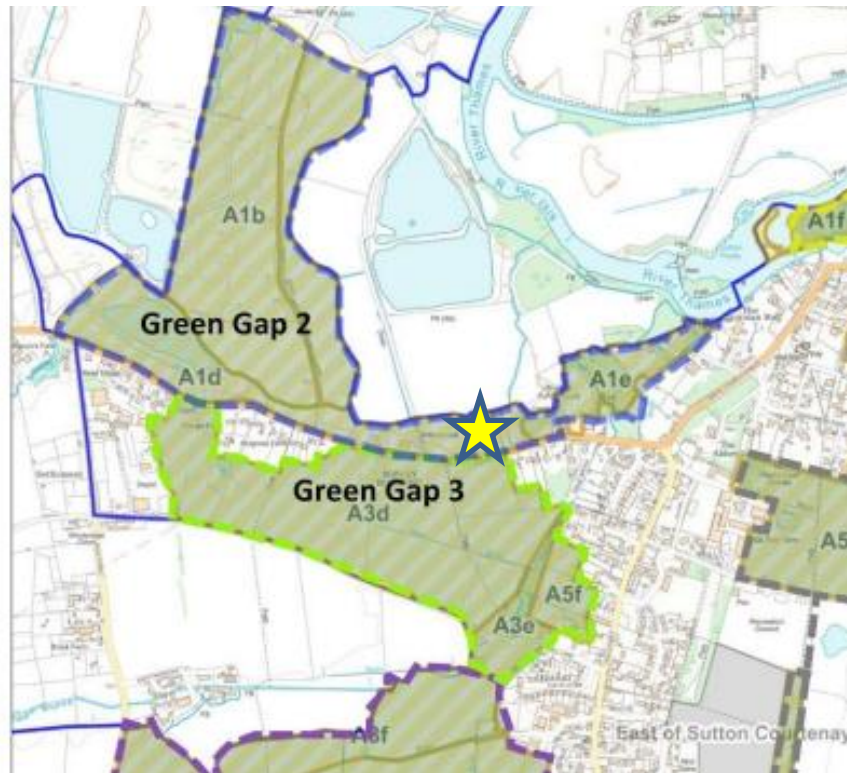


Figure 2: Map showing draft designation of site (as a star) within SC Neighbourhood Plan

Initial Draft for Submission to 2031 as Green Gap 3.

- 1.4 My client, the landowner, is **strongly opposed** to the proposed inclusion of this site within this draft designation.
- 1.5 This document seeks to draw attention to the fundamental issues associated with this designation and seeks to support and steer the Parish Council toward the only reasonable conclusion; removal of the site from Green Gap 3 in any subsequent submission draft of the NP.



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1.6 In summary, the inclusion of the site within this designation results in the NP's failure to adhere to several of the basic needs that a draft neighbourhood plan must meet if it is to proceed to referendum stage. It undermines policies within the 2021 National Planning Policy Framework (the Framework) and is not in general conformity with the strategic policies contained within the Council's development plan. In essence, the making of this neighbourhood plan with the site shown in Green Gap 3 would not contribute to the achievement of sustainable development.

## 2. Key Points of Objection

2.1 The main points of objection are as follows:

- a) The inclusion of the site within Green Gap 3 would represent an inefficient use of land that would frustrate and undermine the Council's strategic planning policies and those within the National Planning Policy Framework which seek to significantly boost the delivery of social development in plan-led, 'sustainable', locations.
- b) The land in question is not a meaningful gap between any two places which warrant separation or where coalescence would be undesirable
- c) The parish appear to be using Green Gaps overzealously and appear to be seeking to allocate them in a borderline Green Belt fashion forming a belt around the village, constraint growth, which need not exist.
- d) Whilst much off the land is within flood zone 3 policy officers will be aware that this need not be a barrier to an allocation given that such an allocation would engage the requirements for flood mitigation measures to be incorporated into proposals. Given the value of allocated land (for housing) such measures are rarely a viability barrier.

## 3. Legal and Policy Environment

### *Neighbourhood Planning*

#### Basic Conditions



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3.1 The basic conditions for neighbourhood plans are set out in paragraph 8(2) of Schedule 4B to the Localism Act 2011 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. Of the basic conditions the following three are relevant to this objection. These conditions are:

*“...a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan);*

*d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development; and*

*e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).”*

3.2 With regard to the above, the NP must have regard to the delivery of national policy objectives within the Framework. A qualifying body should demonstrate how this Plan will contribute to improvements in environmental, economic and social conditions. Sufficient and proportionate evidence should be presented on how the draft NP guides development to sustainable solutions. Lastly, in terms of strategic policies, these set an overarching direction or objective and shape broad characteristics of development at a District wide scale. To be in general conformity with strategic policies, the NP must, amongst other things, support and uphold their general principles and not conflict with them.

### ***Planning Policy***

#### Local Policy

3.3 Whilst this objection does not relate to a planning application, it is relevant to note that these are considered in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004. Planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.



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3.4 The development plan for the District comprises the Local Plan 2031 Part 1: Strategic Sites and Policies and the Local Plan 2031 Part 2: Detailed Policies and Additional Sites. The Council is progressing a new Joint Local Plan 2041. However, this is at an early stage of preparation. Accordingly, its policies could be subject to change and objections following early consultation. Consequently, only limited weight can be given to the emerging Local Plan 2041 at this time, in line with paragraph 48 of the Framework.

#### *Local Plan 2031 Part 1: Strategic Sites and Policies*

3.5 The Local Plan 2031 Part 1: Strategic Sites and Policies (LPP1) was adopted in December 2016. The following policies are considered strategic, with regard to paragraph 20 of the Framework shown below, and are relevant:

3.6 **Core Policy 1: Presumption in Favour of Sustainable Development** - Amongst other things, this policy states that applications that accord with this Local Plan 2031 will be approved, unless material considerations indicate otherwise.

3.7 **Core Policy 3: Settlement Hierarchy** - This policy directs housing to identified settlements. Larger Villages are defined as settlements with a more limited range of employment, services and facilities. Unallocated development will be limited to providing for local needs and to support employment, services and facilities within local communities.

3.8 **Core Policy 4: Meeting Our Housing Needs** – There is a presumption in favour of sustainable development within the existing built area of Market Towns, Local Service Centres and Larger Villages in accordance with Core Policy 1.

3.9 **Core Policy 15: Spatial Strategy for South East Vale Sub-Area** – This policy shows that the overarching priority for this Sub-Area is to secure the aligned delivery of housing and employment growth together with the infrastructure required to achieve sustainable development.

3.10 **Core Policy 33: Promoting Sustainable Transport and Accessibility** – Amongst other things, this policy seeks to minimise the impact of new developments on the local road network and ensure that developments are designed to promote sustainable transport access.



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## *Local Plan 2031 Part 2: Detailed Policies and Additional Sites*

- 3.11 The Local Plan 2031 Part 2: Detailed Policies and Additional Sites (LPP2) was adopted in October 2019. Given its relatively recent adoption, and that this Plan will have been tested against the most recent version of the Framework, paragraph 213 is not considered to be engaged and full weight can be assigned to the policies of the Plan. The following policies are relevant:
- 3.12 **Core Policy 4a: Meeting our Housing Needs** – This policy shows the housing target for the Vale of White Horse is at least 22,760 homes over the plan period. These will be directed to existing and sustainable settlements. A significant number of these homes will be provided through windfall developments.
- 3.13 **Development Policy 29: Settlement Character and Gaps** – This policy seeks to retain the character of settlements and visual separation between them.

## *National Planning Policy Framework*

- 3.14 The Framework sets out the Government’s planning policies for England and how these should be applied.

## Approach to Sustainable Development

- 3.15 **Paragraph 7** of the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 3.16 **Paragraph 8** states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support*



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*growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 3.17 **Paragraph 9** states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 3.18 Paragraph 10 states that, so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This is then detailed at **Paragraph 11**.
- 3.19 **Paragraph 38** makes it clear that decision-makers at every level should seek to approve applications for sustainable development where possible.

### Housing

- 3.20 The Framework shows a clear Government intention to significantly boost the supply of housing. **Paragraph 60** states that it is important that sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.
- 3.21 **Paragraph 69** states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.



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3.22 **Paragraph 130** seeks to ensure that developments optimise the potential of sites and function well.

#### Economic Strength

3.23 **Paragraph 81** states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity.

#### Strategic Policies

3.24 **Paragraph 20** states that strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for, amongst other things, housing.

3.25 Specifically in relation to neighbourhood plans, **paragraph 29** states that such plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.

### 4. Point of Objection

#### A: Failure of Basic Conditions

##### *Conflict with Local and National Planning Policy Relating to the Delivery of Social Development*

4.1 Core Policy 4a of the LPP2 shows the considerable housing targets for the local authority area over the plan period. These will be met through allocated development sites and windfall developments at existing, sustainable, settlements. This strategy is echoed by Core Policies 3, 4 and 15 of the LPP1. This overarching housing strategy is supported by Core Policy 33 of the LPP1 which promotes sustainable transport. In terms of national planning policy, the Framework specifically seeks to boost the delivery of housing on small and medium sites. This is to be done by making efficient use of land.

4.2 Taking everything together, the main objectives of the strategic local strategy and national policy advice are to boost the delivery of sustainable housing, and to restrict isolated and remote developments in open countryside locations. This is to ensure that the character of the countryside



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is preserved and to provide future residents with convenient access to services and facilities so that they support the vitality and viability of communities and minimise environmental harm resulting from travel. Sustainability (ie; connectivity) is at the heart of housing objectives and land use for residential purposes must be maximised in appropriate locations to foster this.

- 4.3 The site is located in-between the “Larger Villages” (according to Core Policy 3 of the Part One Plan) of Drayton and Sutton Courtenay. These settlements offer a considerable number of services and facilities including; shops, village halls, restaurants, public houses and primary schools. They also provide public transport links (bus services) to larger settlements. There is a pedestrian footway along Drayton Road from the boundary of the site all the way into Drayton. This would be around a 7 minute walk. A public right of way runs from the southern boundary of the site to the west into both Drayton and Sutton Courtenay. Again, it is less than a 10 minute walk into these settlements along this route.
- 4.4 Importantly, the site and village is located 1.7miles (an 8 minute cycle ride) north of Oxfordshire’s largest employment park; Milton Park. Milton Park employs 9,000 people (Source Milton Park Fact Sheet October 2021) and has some plans to expand this over the next few years with brownfield regeneration. It must be noted that the site, being on the western side of the village, is one of the closer points in the village to the Park. This has not been recognised in the NP which doesn’t appear to embrace the opportunities presented by such a close relationship.
- 4.4 Consequently, the site represents an ideal location for housing or employment land in terms of providing future residents with access to a range of services, particularly employment, both locally and wider afield, that are necessary for day-to-day living. These would be accessible by means of travel other than private vehicles, as Drayton is easily accessible from the site via direct and clear walking routes along footpaths and named streets with active frontages.
- 4.5 This conclusion is reinforced given that there is also an exiting pedestrian footway which runs along Drayton Road providing access into Sutton Courtenay by foot. The footway is separated from the carriage way by a grass verge making safer and more desirable to use. Even if one chose to drive into Sutton Courtenay or Drayton, this would be less than a 1-minute drive (to SC) and any associated environmental harm would be negligible. Moreover, the Council has already found that



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this site is a suitable location for housing as it has recently granted permission for three dwellings at Peewit Farm, opposite the site, under application Ref. P16/V1111/FUL. A further Class Q conversion was also granted under P22/V0929/N4B. This changes the context of the site by introducing urbanising features in the area.

### *Conclusion*

- 4.6 Drawing the threads of the above assessment together, residential development at the site could assist with meeting the Council's housing need within this Sub-Area. There can be no doubt that new houses would be in an accessible location, close to a range of existing local services and facilities. These include public transport facilities to link to larger settlements. Accordingly, new residents would not be reliant on the use of private vehicles to get around. Given the accessible nature of the site, and with regard to the presence of nearby physical built form, the proposed dwellings could not be considered to be isolated for the purposes of paragraph 80 of the Framework<sup>1</sup>. Accordingly, residential development at the site would sustainable development and be in line with the fundamental objectives of the Council's housing strategy and would therefore accord with Core Policies 3, 4, 15 and 33 of the LPP1 and Core Policy 4a of the LPP2.
- 4.7 At best, the Council has a marginal, and precarious, supply of deliverable housing land. It must be noted by Inspectors and the LPA that Vale are presently advertising in a "Call for Sites" to assist it in meeting its obligations. The present 5YLS is marginally over the requisite 5 years supply (5.04 years). Should the site be allocated as Green Gap 3 as proposed by the NP this would be likely to preclude acceptable residential development upon it. Such development would be specifically in accordance with local strategic policies and with national planning policy. This designation would therefore restrict an important form of sustainable social development.

### *Conflict with National Policy and Advice Contained in Guidance Issued by the Secretary of State Relating to Economic Growth*

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<sup>1</sup> With particular regard to case law *Braintree DC v SSCLG (2018) EWCA Civ 610; (2018)* and *City & Country Bramshill Limited and SOSHCLG (2019) EWHC 3437 (Admin)*.



- 4.8 The Framework places significant emphasis on the need to build a strong competitive economy, with paragraph 81 attributing significant weight to the need to support economic growth and productivity and attempts to ensure that decision takers regard the economics of house building activity positive in weighing decisions.
- 4.9 Indeed, the former coalition Government stated shortly after the Framework was launched that *“its number one priority is to get the economy moving again”* (Ministerial statement 6th Sept 2012). This strategic ambition remains the case once more nine years later, in a post-EU Exit and COVID economic environment. As a barometer to the wider economic outlook, interest rates have risen significantly and we may face a contraction of the economy since records began with around a 20% drop in GDP following higher inflationary results over 2022 and 2023 leading to a cost-of-living crisis.
- 4.10 Housing, whilst no panacea, is universally regarded as being a driver to growth and prosperity at the micro and macro level as well as serving a social role and allowing better movement of labour. Previous Planning White Papers and modifications to the Framework were aimed at further bolstering housing land supply and introducing better competition in the housing market by assisting smaller builders.
- 4.11 The July 2020 White Paper carries the above sentiments forward and states that *“Millions of jobs depend on the construction sector and in every economic recovery, it has played a crucial role.”* In addition, the Royal Institute of Chartered Surveyors have recently highlighted that for every £1 spend on construction a further £2.84 is generated across the wider economy (Build Back Better May 2020, University of Birmingham Paper).
- 4.12 Overall, there would be clear short and medium term economic benefits associated with residential development at this site both at local and regional levels, even if in a decades time. This is through factors such as the creation of a wide variety of jobs associated with the construction of the units and increased local expenditure to support local services and those further afield. Such development would specifically assist with the maintenance of the vitality of rural communities as required by the Framework.



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4.13 Should the site form part of Green Gap 3, it would no doubt be sterilised. The inclusion of the site in this allocation fails to have regard to the identified national planning policy concerning the economy and would restrict a form of development that would contribute to economic sustainability.

*Failure to Contribute to the Sustainable Use of Land and Conflict with National Policy in this Regard*

4.14 Parcel A3d of Green Gap 3 is sizeable. The site forms only a small part of this draft allocation, in an area that arcs in between a pocket of development set along the southern side of Drayton Road. This pocket of existing development urbanises the immediate setting, including the site, which has a greater affiliation with built form rather than open fields beyond. Furthermore, the pocket of development is not itself an individual settlement. As a consequence of the site's positioning, it makes no meaningful contribution to the character of the countryside or any green gap between settlements.

4.15 Residential development at the site would represent infill development and would consolidate a pocket of development in a logical and proportionate manner. It would not lead to the erosion of the countryside or threaten to merge two settlements. There would therefore be no conflict with Development Policy 29 of the LPP2 insofar as it seeks to retain the character of settlements and visual separation between them.

4.16 Moreover, there is no public right of access over the site, and it cannot be legally used for recreational purposes as incorrectly stated at paragraph 6.1.10 to the NP. To require its use for such purposes as the NP suggests would therefore be highly unreasonable and could not be delivered through this mechanism.

4.17 For these reasons, the sterilisation of this site by virtue of its inclusion in Green Gap 3 is not justified by the NP in terms of preventing two settlements merging. In addition, the site has no public recreational value. To proceed to include the site in such a designation, would unreasonably restrict other forms of sustainable social development and would fail to accord with Section 11 of the Framework which seeks to make efficient use of land. It could also preclude public access to the site as discussed below.



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## Other Matters

### *Archaeology*

- 4.18 The NP alludes to the archaeological value of Green Gap 3. However, as discussed, the site forms only a small part of this expansive draft designation. An Archaeological Evaluation of Peewit Farm, located south of my client's land, has been recently conducted and has been submitted with various applications that have been approved for residential development at Peewit. This is therefore not a barrier to development of the site as archaeological conditions are likely to be the same. Either way, assumptions must not be made by the Parish as to the prevalence of such buried heritage on any land without evidence.
- 4.19 Overall, features of archaeological significance can be suitably managed through a condition requiring their recording and preservation in situ should development be allowed at the site. Accordingly, features of archaeological significance, if indeed they are present, are not a reason to sterilise the site should it be included within Green Gap 3.

### *Alternate Uses*

- 4.20 For reasons given in this objection, the site's inclusion in Green Gap 3 fails to adhere to the basic conditions that a draft neighbourhood plan must meet if it is to proceed to referendum. However, there is the opportunity for the landowner to work with the Parish Council to deliver community benefits.
- 4.21 It is considered that a compressive scheme for both housing and new public open space (on presently private land) could be delivered. Through such a development, housing could be provided in line with the Council's settlement strategy, whilst infilling a pocket of built form without resulting in the merging of settlements, since the collection of dwelling to the west of the site are not a separate named location. Such housing would be of a type to address local needs. Simultaneously, a large area of new open space, that is currently private land, would be provided for community use this could include ecology measures and perhaps community allotments. This could be suitably managed or transferred to the Parish Council if it so wishes.



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- 4.22 Moreover, this development could provide other off-site improvements to surrounding footways, cycleways and public rights of way and open space within the site, which would in turn improve highway safety and provide a community asset. This is an opportunity for betterment which an allocation of the type suggested would preclude to the detriment of the village. For example a circular route could be formed around the village, delivered alongside development, to bring new opportunities for leisure routes to local people.
- 4.23 Overall, it is considered that the site represents a far more appropriate use of this site and would deliver considerable public benefits for local communities. The Parish Council is encouraged to engage with the landowner to enable a scheme to be collaboratively formed. As it presently stands the Parish appear to be taking an aggressive stance in not embracing the potential planning gains associated with development.

## 5. Conclusion

- 5.1 For the reasons given in this statement, the proposed draft allocation to include the site in Green Gap 3 would undermine the Council's housing strategy and would frustrate the supply of much needed housing and social development that would accord with the Council's strategic policies in a part of the District which has been identified by the District as being more suitable for housing growth, when compared to the western vale. This is specifically contrary to paragraph 29 of the Framework. It would also restrict development that would be economically important to the area and would fail to make efficient use of land.
- 5.2 The site does not contribute in any meaningful way to the separation of settlements, noting much focus of the NP Draft plan is on Didcot, and its development would not facilitate this in any event. Its inclusion in Green Gap 3 is not justified by the NP. The Parish fail to identify any public benefits would arise from a housing allocation including highway betterment.
- 5.3 An arbitrary allocation of inaccessible private Green Gap land would sterilise the site in a manner that does not have regard to national policies and guidance issued by the Secretary of State. Neither does it contribute to the achievement of sustainable development. Moreover, the site's inclusion in Green Gap 3 is not in conformity with the Council's strategic development plan policies.



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Arguably the NP exercise itself seeks to do just this; stop any further growth of the settlement by creating a form of pseudo-Green Belt.

- 5.4 Whilst some of the same arguments as above may be advanced on other sites it is for the Inspector and District Policy officers to determine which if any are worthy of such a heavy weight, permanent allocation. Indeed this response echoes the concerns of another adjacent landowner [REDACTED] of Peewit Farm who supports this clients motivation and views of the Green Gap policies.
- 5.5 Consequently, the inclusion of the site within this draft designation results in the NP's failure to adhere to basic conditions a, d and e of part 8(2) of Schedule 4B to the Localism Act 2011. The draft NP cannot proceed to referendum with this inclusion.

### End of Objection

[REDACTED]

Director



Cc; File, Client, Parish Council



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Drayton Road, Vale of White Horse, Oxfordshire, South East, England



Site Plan (also called a Block Plan) shows area bounded by: 449228.01, 193782.75 450024.25, 194473.99 (at a scale of 1:), OSGridRef: SU49629412. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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# Response 8

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>To whom it may concern,</p> <p>Please find attached representations to the Sutton Courtenay NP consultation in respect of the site known as Land to the sw of Millennium Common.</p> <p>I would be grateful if you would confirm receipt of this submission.</p> <p>Kind regards, [REDACTED]</p> <p>[REDACTED]</p> <p>Associate Director</p> <p>Turley</p> <p>[REDACTED]</p> <p>Office: 0118 902 2830</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Land to the sw of millennium.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner.

All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	[REDACTED]
<b>Job title (if relevant)</b>	Associate Director
<b>Organisation (if relevant)</b>	Turley
<b>Organisation representing (if relevant)</b>	Caudwell and Sons
<b>Address line 1</b>	-
<b>Address line 2</b>	-
<b>Address line 3</b>	-
<b>Postal town</b>	-
<b>Postcode</b>	-
<b>Telephone number</b>	[REDACTED]
<b>Email address</b>	[REDACTED]@turley.co.uk

**Representations to the Regulation 16 Sutton  
Courtney Neighbourhood Plan**  
Land to the south-west of Millennium Common,  
Sutton Courtney

May 2023

# Contents

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1.	Introduction	2
2.	Site and Planning Context	3
3.	Response to Draft Policies	8
4.	Conclusions	12

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**Appendix 1: Site Plan**

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██████████ ██████████@turley.co.uk

**Client**

Victoria Land

**Our reference**

VICS3004

May 2023



# 1. Introduction

- 1.1 These representations have been prepared on behalf of a Caudwell & Sons (herein referred to as 'our clients') in response to the Sutton Courtney Neighbourhood Plan to 2031 –Submission draft rev B examination consultation (Regulation 16).
- 1.2 The representations are provided in respect of our client's respective interests in land to the south-west of the Millennium Common (herein referred to as 'the Site'). A site plan is enclosed at **Appendix 1**.
- 1.3 These representations are prepared in response to the latest submission draft Neighbourhood Plan with particular regard to the proposed designation of the site as a Local Green Space.
- 1.4 These representations are structured as follows:
  - **Section 2:** A review of the planning background to the site including relevant strategic policies contained within the Vale of White Horse Development Plan;
  - **Section 3:** Provides a response to the relevant draft Neighbourhood Plan policies; and
  - **Section 4:** Sets out concluding thoughts on the Regulation 14 Neighbourhood Plan.
- 1.5 Particular reference is made to the strategic policies within the adopted Vale of White Horse Development Plan and the relevant policies and guidance contained within the National Planning Policy Framework ('the Framework') and National Planning Practice Guidance ('NPPG').



## 2. Site and Planning Context

- 2.1 This section of the representations seeks to provide an overview of the adopted planning policy position in relation to our client's site, based upon its existing Development Plan designations. In so doing, we conclude that the designation of the site as a Local Green Space would not be in general conformity with the adopted Vale of White Horse development plan and its strategic policies and therefore contrary to the Basic Conditions test.
- 2.2 This section therefore covers the following:
- An overview of the existing Site;
  - Identifies the Strategic Policies within the adopted Vale of White Horse Development Plan relating to the Site;
  - The relationship between the Sutton Courtney Neighbourhood Plan and strategic policies contained within the adopted Vale of White Horse Development Plan; and
  - The definition of 'general conformity' within the context of adopted and emerging Development Plans.

### Site Overview

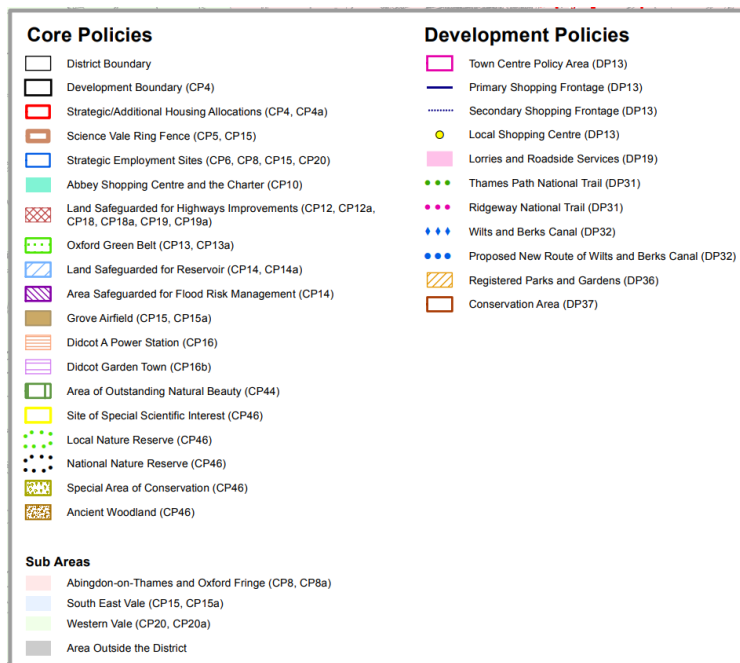
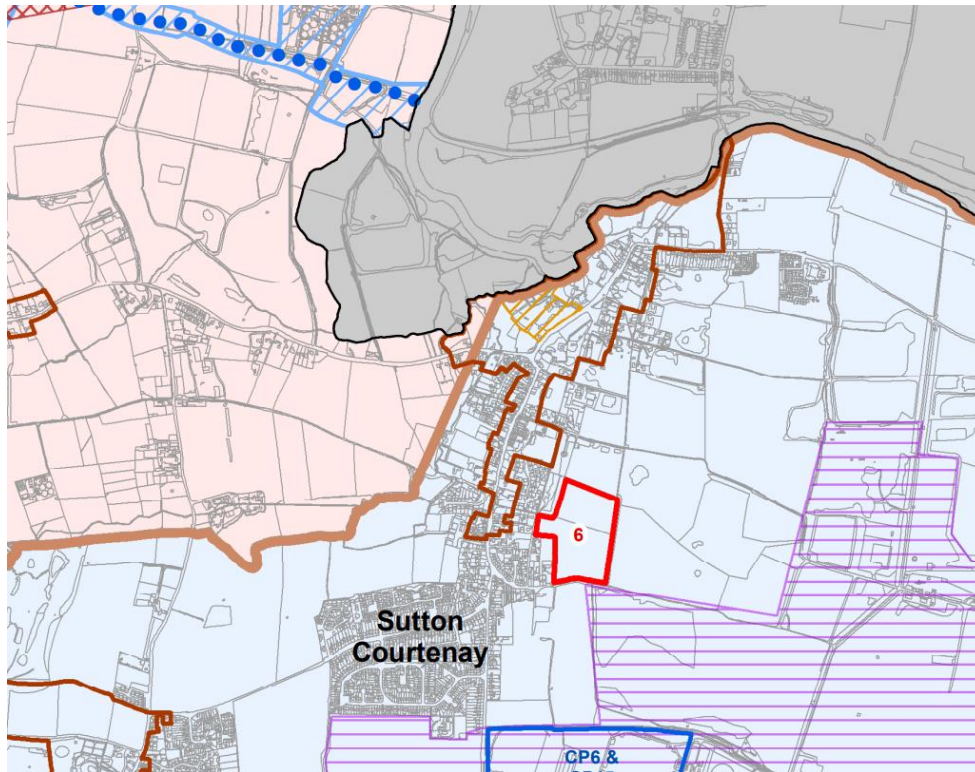
- 2.3 The Site (comprising approximately 2.7 hectares) as set out in **Appendix 1** is located to the east of Sutton Courtenay with direct access off Churchmere Road.
- 2.4 The site comprises a fishing lake with some periphery land around it with mature vegetation along its boundaries.
- 2.5 Local services and facilities are within walking distance and the site can connect into the existing footpath network in the village. This site is also within a short walking distance from local bus stops, which connect the village to Milton Park and Abingdon.

### Adopted Development Plan Context

- 2.6 The adopted Development Plan for Vale of White Horse currently comprises:
- *Vale of White Horse Local Plan 2031 Part One (adopted 2016); and*
  - *Local Plan 2031 Part 2: Detailed Policies and Additional Sites (adopted 2019)*
- 2.7 These documents provide the strategic context and policies that the emerging Neighbourhood Plan needs to support and must be in general conformity with.
- 2.8 The related policies map was adopted in October 2019, and is a consolidated plan showing all designations.

2.9 An extract of the adopted proposals map is provided at Figure 2.2 below.

**Figure 2.2: Extract of Policies Map (Not to Scale)**



2.10 The adopted development plan shows the site being located within the South East Vale sub area and therefore subject to policies CP15 and CP15a.

## The Requirements of the Framework and NPPG informing the Preparation of Neighbourhood Plans

- 2.11 The Framework requires at paragraph 13 that *“Neighbourhood Plans **should support the delivery of strategic policies or spatial development strategies; and should shape and direct development that is outside of these strategic policies**”*.
- 2.12 In addition, paragraph 30 states that *“Neighbourhood plans **should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies**”*.

[our emphasis]

- 2.13 The above references from the Framework are supported by further guidance within the PPG that advises on the role of the Neighbourhood Plans within the context of strategic policies:

- *Paragraph: 001 Reference ID: 41-001-20190509 - Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community’s needs and **where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.***
- *Paragraph: 004 Reference ID: 41-004-20190509 - A neighbourhood plan **should support the delivery of strategic policies set out in the local plan or spatial development strategy** and should shape and direct development that is outside of those strategic policies*
- *Paragraph: 009 Reference ID: 41-009-20190509 - A draft neighbourhood plan or Order must be in **general conformity with the strategic policies** of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.*
- *Paragraph: 044 Reference ID: 41-044-20190509 - **Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.***

[our emphasis]

- 2.14 It is necessary for a Neighbourhood Plan to demonstrate accordance with the Framework and PPG as referenced above. This is particularly relevant when considering the purpose and content of Neighbourhood Plan policies.
- 2.15 In respect to National Policy for the designation of Local Green Spaces (relevant for the consideration of this site) policy wording is set out as follows.

*101. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance*

*to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

*102. The Local Green Space designation should only be used where the green space is:*

*(a) in reasonably close proximity to the community it serves;*

*(b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*

*(c) local in character and is not an extensive tract of land.*

*103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.*

## **The Strategic Policies within the adopted Development Plan**

### **Vale of White Horse Local Plan 2031 Part One**

2.16 The Local Plan 2031 Part One was adopted on 14 December 2016. The policies of relevance to this site are considered to be as follows:

- *Core Policy 1: Presumption in Favour of Sustainable Development* - states that planning applications that accord with this Local Plan 2031 (and where relevant, with any subsequent Development Plan Documents or Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.
- *Core Policy 3: Settlement Hierarchy* – identifies that larger villages have an array of employment, services and facilities, albeit a more limited range than a larger settlement. Sutton Courtenay is identified as the Larger Village within the South East Vale Sub-Area.
- *Core Policy 15: Spatial Strategy for South East Vale Sub-Area* – identifies that at least 12,450 new homes will be delivered within the South East Vale during the plan period between 2011 and 2031. 9,055 dwellings will be delivered through strategic allocations.

### **Local Plan 2031 Part 2: Detailed Policies and Additional Sites**

2.17 Local Plan 2031 Part 2 complements the Part 1 plan and sets out policies and locations for housing for the Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries.

2.18 The Local Plan 2031 Part 2 also sets out detailed development management policies to complement Local Plan 2031: Part 1, with these replacing the saved policies of the Local Plan 2011.

2.19 The Local Plan 2031 Part 2 was adopted by Full Council on Wednesday 9 October 2019. Relevant policies include:

- *Development Policy 23 (Impact of Development on Amenity)* highlights that proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts, including matters such as loss of privacy, daylight or sunlight, external lighting, and noise or vibration.
- *Development Policy 33 (Open Space)* states that proposals for major residential developments will be required to provide or contribute towards safe, attractive and accessible open space.

#### **The Requirement for 'general conformity' within the strategic policies**

2.20 As noted above, there is a requirement for the Neighbourhood Plan to be in '*general conformity with the strategic policies of the Development Plan*'.

2.21 The PPG (Paragraph: 074 Reference ID: 41-074-20140306) clarifies the term 'general conformity' as follows:

- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach*

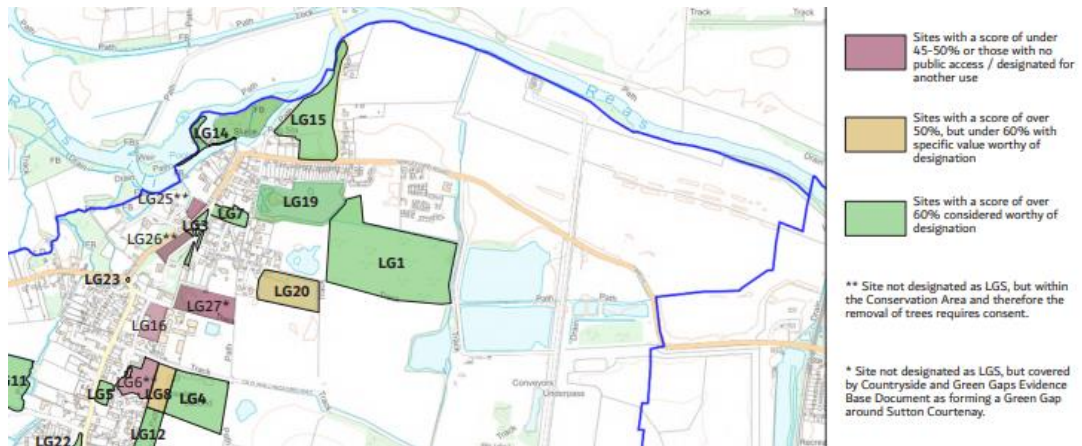
### 3. Response to Draft Policies

- 3.1 Proposed policy SC5 of the NP seeks to designate a number of sites as Local Green Spaces including the site referenced as LG20: Land to the south-west of the Millennium Common, our Clients Site.
- 3.2 The policy text goes on to state that for these designated sites: *“Development on the designated Local Green Spaces will only be considered acceptable in exceptional circumstances where it is compatible with the reasons for which the land was designated.”*
- 3.3 The sites proposed for designation were assessed through the Sutton Courtenay Neighbourhood Plan Local Green Space Assessment V1.7 Feb 2023 (LGSA) which is included in the evidence base to the NP.
- 3.4 The LGSA scores the site and then based upon the result of that score, then recommends designating the land as a Local Green Space. The score for this site is set out below.

	Name of site (as popularly known)	NPPF 1 - Close proximity to community (yes/no)	NPPF 2 - Demonstrably special to a local community					Total (out of 23)	NPPF 3 - Extensive Tract of land? (yes/no) site	Ownership - Owner aware? (yes/no)	Is this site allocated for any other use (yes/no)	Public access (yes/no)	Total out of 27	%	Recommendation	Comments
			Beauty/ Amenity value score	Recreation score	Historical score	Tranquillity score	Wildlife score									
		Y	4	1	3	4	2	14	N	Y	N	Y	18	67%	Designate	boundary
LG-20	Land to the south-west of the Millennium Common	Y	3	1	2	4	2	12	N	Y	N	Y	16	59%	Designate	Important to the setting of the Conservation Area

- 3.5 It is clear that the site scores very poorly in respect of its amenity score, recreation score and historical score. It’s tranquillity score and wildlife scores are a little higher, however, it does not achieve the highest rating in any category.
- 3.6 Furthermore, it states that there is public access to the site, which is not strictly true as it is a privately owned site that grants access to members for the use of the lake for fishing. The final comment on the score sheet is that the site is *“important to the setting of the Conservation Area”* however, no justification as to how or why it is important to the Conservation Area is provided. It is important to note that the nearest point of the Conservation Area to the site is approximately 160m away.
- 3.7 The low score of the site is further demonstrated in the LGSA through a wider plan (shown below) that shows the site in an amber colour of scoring between 50 and 60%. On this plan, sites with no public access are shown in red and not considered suitable for the Local Green Space designation.
- 3.8 The scoring criteria set out at the bottom of page 4 of the LGSA is illegible and it is not clear where it has been sourced from making it difficult to see the justification for each of the scores.





3.9 The LGSA assesses each site further and the assessment of LG20 is included on page 23 of the report. It is this section of the LGSA where the site is specifically assessed against the NPPF criteria.

3.10 In respect of the assessment against NPPF criteria 1:

***The designation should only be used where the green space is in reasonably close proximity to the community it serves.***

3.11 The report concludes:

*“The site is situated to the east of Sutton Courtenay Village and is accessed via Churchmere Road. The site is accessible to a large number of residents. A number of Public Rights of Way also lead to the site, but no formal access as it is a private fishing lake open to members. It is understood that the site is used by local residents.”*

3.12 By virtue that the site is located within the NP area would suggest that it is within reasonably close proximity to the community it serves, however, it is not a main destination point for recreation and is located very much on the periphery of the village, rather than in the heart of the community. Furthermore, the road, Churchmere Road, is not a main through road and once it reaches the site, becomes more of a single track lane before a gate closes the road to traffic and it becomes a footpath.

3.13 This NP text goes on to claim that the site is accessible to a large number of residents. It is unclear on what basis this conclusion has been made as it is a privately owned site with access to members for fishing only. Furthermore, the part of the site adjacent to the public right of way is densely screened by existing vegetation, so even views across it are fairly closed off to the wider public. The report acknowledges that public rights of ways lead up to the site, but do not cross it.

3.14 Finally, the report concludes that it is understood that the site is used by local residents, however, no proof or corroboration of this statement is provided.

3.15 In respect of NPPF Criteria 2 :

***The designation should only be used where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.***

3.16 The report concludes:

*To the south west of the recently designated Millennium Common Local Nature Reserve, the site benefits directly from the wide range of common species found in the local area. The lake itself also provides further ecological benefits. The site is quiet and due to its size can be relatively undisturbed. The site is an important setting to both the Conservation Area and a number of Listed Buildings.*

3.17 The key part of this assessment criteria is ***demonstrably special to a local community and holds a particular local significance***. In respect of this criteria, it is difficult to ascertain which elements of the site conform with this, bearing in mind it must be both 'demonstrably special' and hold a 'particular local significance'. There is no further information provided as to what the 'wide range of common species are' and therefore with no evidence, this is a tenuous claim to make. The site is quiet and 'relatively' undisturbed primarily due to its location being away from the main village urban area and through its lack of public access; neither of which are qualities that would warrant its designation as a Green Space.

3.18 The Ecological benefits that a site might have would be protected by protected species legislation and though Local Plan policies and therefore do not require additional protection by designating the site as a Local Green Space.

3.19 Finally, the assessment concludes that the site is an important setting to both the Conservation Area and a number of Listed Buildings. However, the site is located some way away from both the designated Conservation Area (approx. 160m from the nearest edge) and any listed building. In fact, the site is of a completely different, undeveloped nature, that it is difficult to understand how it relates to the setting of the heritage assets at all. No further evidence or narrative on the matter is provided and therefore it is considered that very little weight should be given to this.

3.20 Therefore, it is considered that the LGSA fails to justify why the site should be included against this NPPF criteria and for that reason it should not be designated as a Local Green Space.

3.21 In respect of NPPF Criteria 3: The designation should only be used where the green area concerned:

***“is local in character and is not an extensive tract of land “***



3.22 The report concludes:

*“The site extends to 2.7 ha. Planning History. There is no planning application currently for the site. The site is also not allocated for development in any adopted or emerging Local plan.”*

3.23 This conclusion has no assessment of the sites character in relation to the general local character of the area and therefore it is considered that this criterion has not been fully assessed.

3.24 Furthermore, this latest version of the LGSA (having been amended in February 2023) has now omitted the lake from the proposed designation. This significantly reduces the site area, however, this has not been amended in the site assessment. It is simply explained in a ‘Matters of note’ section which states *“Following Pre-submission consultation, the site boundary was amended to exclude the body of water”*.

3.25 Two sites proposed for green space designation have bodies of water that have been removed from the proposed designation from the previous pre-submission version of the LGSA. However, nowhere in the LGSA document does it state the process behind removing the water from the designation or what that action now achieves. It is simply stated that the change has occurred. The result of which is two sites, LG20 being one, that are now very small and irregular in shape, further eroding any justification for including them as a green space at all.

3.26 The report then concludes, in regard to parcel LG20, that:

*“Given the above, it is considered that further discussions should be had with the site owners with regard to any potential future development. There may be areas which would be acceptable for associated development in the form of low key recreation buildings with the remaining area to be designated as a Local Green Space.”*

3.27 Therefore, the report concludes that much of the site may be developable and further discussions should be had with the site owner. This wording has not changed since the 2022 pre-submission draft version, and discussions with the landowner have not taken place.

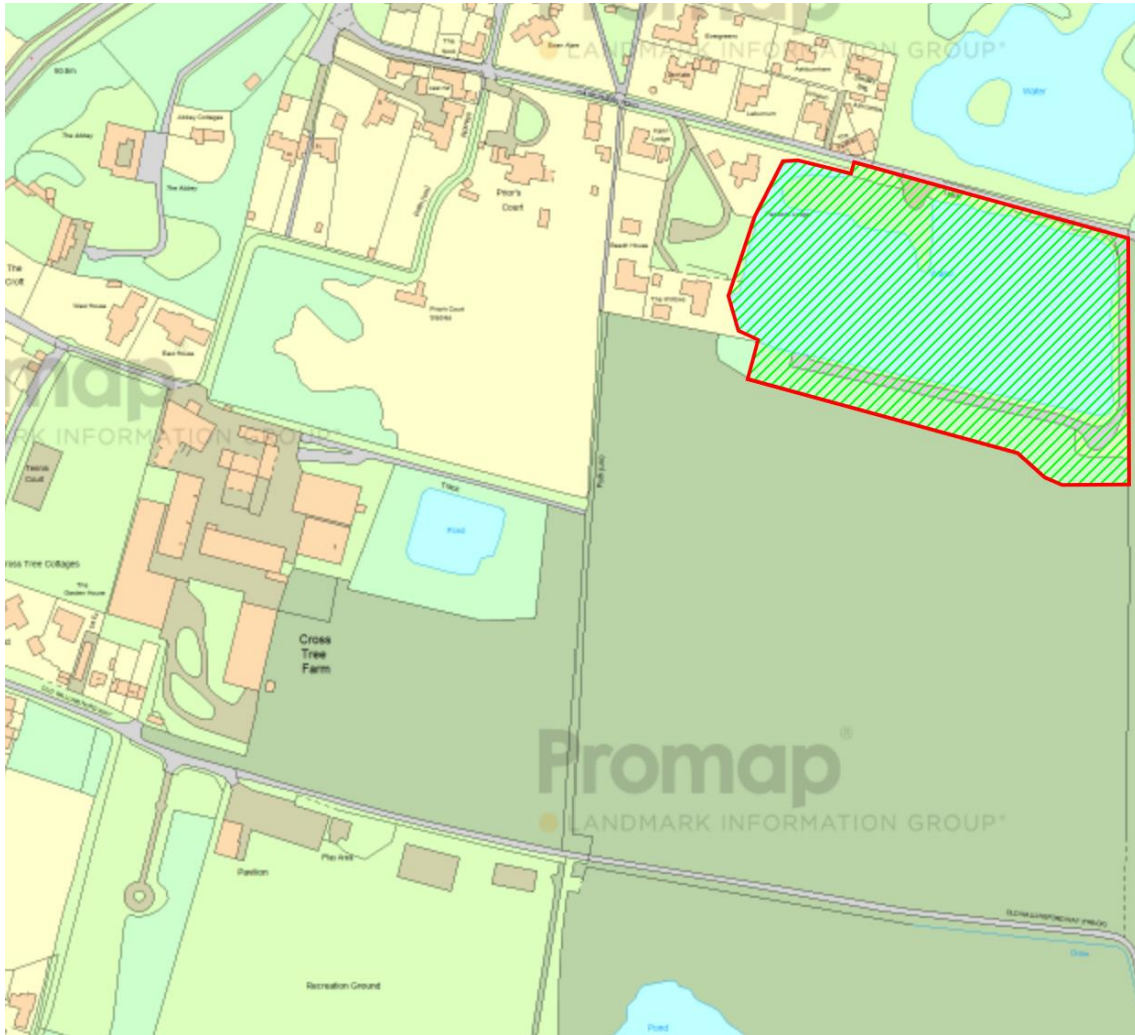
3.28 This conclusion undermines all the previous assessment of the site, including the assumed ecological benefits (which are already protected under alternative policies).

3.29 The site clearly does not comply with the required tests set out in the NPPF and should be removed from designation as a Local green Space.

## 4. Conclusions

- 4.1 There is a requirement for the Neighbourhood Plan to meet certain ‘basic conditions’ and other ‘legal requirements’ in line with Paragraph 37 of the Framework. We have assessed the Plan against the ‘basic conditions’ as identified within paragraph 8 (2) of Schedule 4B of the Town and County Planning Act 1990 and applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 4.2 The PPG requires that the basic conditions statement sets out ‘*how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national policies that it has considered, and how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice.*’
- 4.3 In order to have regard to a policy as a matter of law, that policy has to be interpreted properly by the decision maker. A decision maker who misinterprets policy does not have regard to it and errs in law: see *EC Gransden v Secretary of State* (1987) 54 P. & C.R. 86, as renewed in *Tesco Stores Ltd v Dundee City Council* [2012] PTSR 983:
- “The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies (see paragraph 16 and paragraph 184 of the National Planning Policy Framework).”* (Paragraph: 044 Reference ID: 41-044-20160519)
- 4.4 The Council should not accept this plan as currently drafted and it must be rejected as it fails to meet the Local Green Space test requirements set out in the NPPF.

# Appendix 1: Site Plan



# Response 9

## Respondent Details

Information
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>To whom it may concern,</p> <p>Please find attached representations to the Sutton Courtenay NP consultation in respect of the site known as Cross Trees.</p> <p>I would be grateful if you would confirm receipt of this submission.</p> <p>Kind regards, [REDACTED]</p> <p>[REDACTED]</p> <p>Associate Director</p> <p>Turley</p> <p>Mobile: +44 [REDACTED]</p> <p>Office: 0118 902 2830</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Cross trees FINAL with appendix.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	-
<b>Organisation (if relevant)</b>	Turley
<b>Organisation representing (if relevant)</b>	Victoria Land
<b>Address line 1</b>	-
<b>Address line 2</b>	-
<b>Address line 3</b>	-
<b>Postal town</b>	-
<b>Postcode</b>	-
<b>Telephone number</b>	██████████
<b>Email address</b>	██████████@turley.co.uk

**Representations to the Regulation 16 Sutton  
Courtney Neighbourhood Plan consultation  
Land at Cross Trees, Sutton Courtney**

May 2023



**Turley**

# Contents

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1.	Introduction	1
2.	Site and Planning Context	2
3.	Response to Draft Policies	7
4.	Conclusions	12

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**Appendix 1: Site Plan**

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████████████████████@turley.co.uk

**Client**

Victoria Land

**Our reference**

VICS3004

May 2023





# 1. Introduction

- 1.1 These representations have been prepared on behalf of Victoria Land (herein referred to as 'our clients') in response to the Sutton Courtney Neighbourhood Plan to 2031 – Submission draft rev B examination consultation (Regulation 16).
- 1.2 The representations are provided in respect of our client's respective interests in land at Cross Trees Farm (herein referred to as 'the Site'). A site plan is enclosed at **Appendix 1**.
- 1.3 Representations have been made previously at regulation 14 stage.
- 1.4 Our clients consider that the site represents a suitable and available development opportunity, and consequently should be positively allocated for development in the submission Neighbourhood Plan.
- 1.5 These representations are prepared in response to the submission draft Neighbourhood Plan. We consider that it is imperative that the document includes new housing allocations to meet local housing need, and specifically affordable housing.
- 1.6 These representations are structured as follows:
  - **Section 2:** A review of the planning background to the site including relevant strategic policies contained within the Vale of White Horse Development Plan;
  - **Section 3:** Provides a response to the relevant draft Neighbourhood Plan policies; and
  - **Section 4:** Sets out concluding thoughts on the Regulation 14 Neighbourhood Plan.
- 1.7 Particular reference is made to the strategic policies within the adopted Vale of White Horse Development Plan and the relevant policies and guidance contained within the National Planning Policy Framework ('the Framework') and National Planning Practice Guidance ('NPPG').

## 2. Site and Planning Context

- 2.1 This section of the representations seeks to provide an overview of the adopted planning policy position in relation to our client's site, based upon its existing Development Plan designations. In so doing, we conclude that the allocation of the site would be in general conformity with the adopted Vale of White Horse development plan and its strategic policies (as required by the Basic Conditions test).
- 2.2 This section therefore covers the following:
- An overview of the existing Site;
  - Identifies the Strategic Policies within the adopted Vale of White Horse Development Plan relating to the Site;
  - The relationship between the Sutton Courtney Neighbourhood Plan and strategic policies contained within the adopted Vale of White Horse Development Plan; and
  - The definition of 'general conformity' within the context of adopted and emerging Development Plans.

### Site Overview

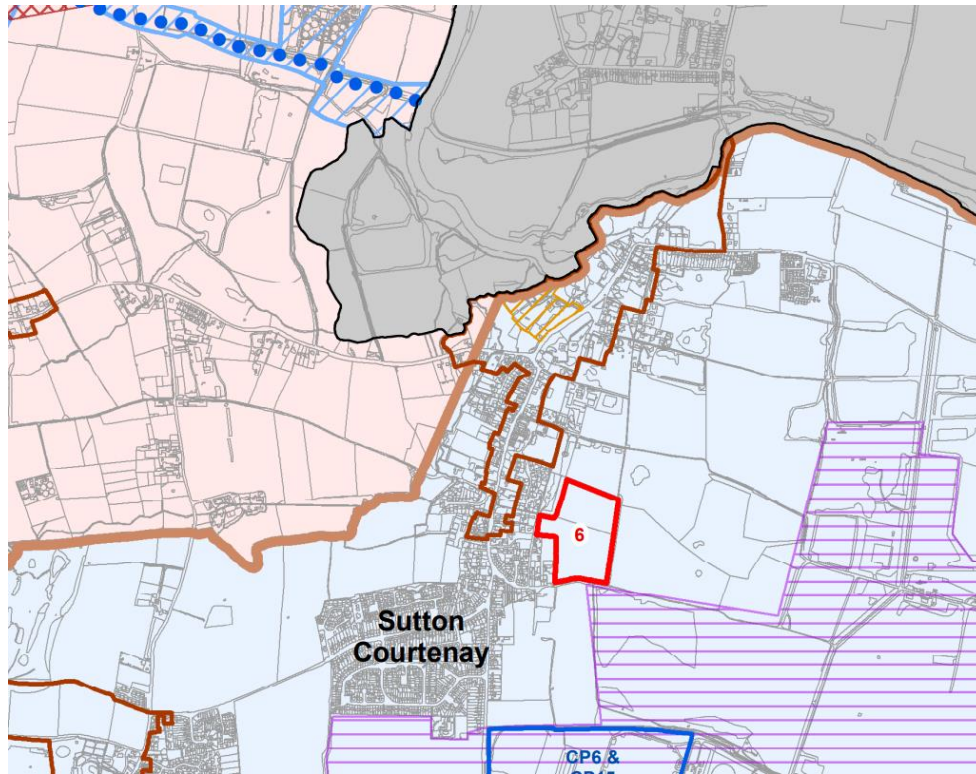
- 2.3 The Site (comprising approximately 12.12 hectares) as set out in **Appendix 1** is located to the east of Sutton Courtenay with direct access off of Old Wallingford Way to the south of the site and access from a farm tract off of the High Street to the north of the site.
- 2.4 There is a pond located adjacent to the farm buildings to the north of the site and a further body of water located adjacent to the northern most area of the site.
- 2.5 The site comprises an area of open farmland and an area of previously developed land where the existing farm buildings are sited. The part of the site located nearest the farm buildings has been divided up into paddocks for animals with the land beyond remaining open and undivided.
- 2.6 Local services and facilities are within walking distance and the site can connect into the existing footpath network in the village. This site is also within a short walking distance from local bus stops, which connect the village to Milton Park and Abingdon.

### Adopted Development Plan Context

- 2.7 The adopted Development Plan for Vale of White Horse currently comprises:
- *Vale of White Horse Local Plan 2031 Part One (adopted 2016); and*
  - *Local Plan 2031 Part 2: Detailed Policies and Additional Sites (adopted 2019)*

- 2.8 These documents provide the strategic context and policies that the emerging Neighbourhood Plan needs to support and must be in general conformity with.
- 2.9 The related policies map was adopted in October 2019, and is a consolidated plan showing all designations.
- 2.10 An extract of the adopted proposals map is provided at Figure 2.2 below.

**Figure 2.2: Extract of Policies Map (Not to Scale)**



Core Policies	Development Policies
District Boundary	Town Centre Policy Area (DP13)
Development Boundary (CP4)	Primary Shopping Frontage (DP13)
Strategic/Additional Housing Allocations (CP4, CP4a)	Secondary Shopping Frontage (DP13)
Science Vale Ring Fence (CP5, CP15)	Local Shopping Centre (DP13)
Strategic Employment Sites (CP6, CP8, CP15, CP20)	Lorries and Roadside Services (DP19)
Abbey Shopping Centre and the Charter (CP10)	Thames Path National Trail (DP31)
Land Safeguarded for Highways Improvements (CP12, CP12a, CP18, CP18a, CP19, CP19a)	Ridgeway National Trail (DP31)
Oxford Green Belt (CP13, CP13a)	Wilts and Berks Canal (DP32)
Land Safeguarded for Reservoir (CP14, CP14a)	Proposed New Route of Wilts and Berks Canal (DP32)
Area Safeguarded for Flood Risk Management (CP14)	Registered Parks and Gardens (DP36)
Grove Airfield (CP15, CP15a)	Conservation Area (DP37)
Didcot A Power Station (CP16)	
Didcot Garden Town (CP18b)	
Area of Outstanding Natural Beauty (CP44)	
Site of Special Scientific Interest (CP46)	
Local Nature Reserve (CP46)	
National Nature Reserve (CP46)	
Special Area of Conservation (CP46)	
Ancient Woodland (CP46)	
<b>Sub Areas</b>	
Abingdon-on-Thames and Oxford Fringe (CP8, CP8a)	
South East Vale (CP15, CP15a)	
Western Vale (CP20, CP20a)	
Area Outside the District	

## The Requirements of the Framework and NPPG informing the Preparation of Neighbourhood Plans

2.11 The Framework requires at paragraph 13 that *“Neighbourhood Plans **should support the delivery of strategic policies or spatial development strategies; and should shape and direct development that is outside of these strategic policies**”*.

2.12 In addition, paragraph 30 states that *“Neighbourhood plans **should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies**”*.

[our emphasis]

2.13 The above references from the Framework are supported by further guidance within the PPG that advises on the role of the Neighbourhood Plans within the context of strategic policies:

- *Paragraph: 001 Reference ID: 41-001-20190509 - Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community’s needs and **where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.***
- *Paragraph: 004 Reference ID: 41-004-20190509 - A neighbourhood plan **should support the delivery of strategic policies set out in the local plan or spatial development strategy** and should shape and direct development that is outside of those strategic policies*
- *Paragraph: 009 Reference ID: 41-009-20190509 - A draft neighbourhood plan or Order must be in **general conformity with the strategic policies** of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.*
- *Paragraph: 044 Reference ID: 41-044-20190509 - **Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.***

[our emphasis]

2.14 It is necessary for a Neighbourhood Plan to demonstrate accordance with the Framework and PPG as referenced above. This is particularly relevant when considering the purpose and content of Neighbourhood Plan policies.

## The Strategic Policies within the adopted Development Plan

### Vale of White Horse Local Plan 2031 Part One

2.15 The Local Plan 2031 Part One was adopted on 14 December 2016. The policies of relevance to this site are considered to be as follows:

- *Core Policy 1: Presumption in Favour of Sustainable Development* - states that planning applications that accord with this Local Plan 2031 (and where relevant, with any subsequent Development Plan Documents or Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.
- *Core Policy 3: Settlement Hierarchy* – identifies that larger villages have an array of employment, services and facilities, albeit a more limited range than a larger settlement. Sutton Courtenay is identified as the Larger Village within the South East Vale Sub-Area.
- *Core Policy 4: Meeting our housing need* - states that the housing target for the Vale of White Horse District is at least 20,560 homes to be delivered in the plan period 2011 to 2031.

Development will be supported at strategic site allocations where it meets the requirements set out within the Site Development Templates shown by Appendix A of the Local Plan and in accordance with the policies of the Development Plan taken as a whole.

- *Core Policy 15: Spatial Strategy for South East Vale Sub-Area* – identifies that at least 12,450 new homes will be delivered within the South East Vale during the plan period between 2011 and 2031. 9,055 dwellings will be delivered through strategic allocations.
- *Core Policy 22: Housing Mix* - emphasises that a mix of dwelling types and sizes to meet the needs of current and future households will be required on all new residential developments. This should be in accordance with the Council's current Strategic Housing Market Assessment unless an alternative approach can be demonstrated to be more appropriate.
- *Core Policy 23: Housing Density* – states that higher densities will be encouraged in locations where it will result in the optimum use of land, where there is good access to services and public transport routes, and where it would contribute to enhancing the character and legibility of a place.
- *Core Policy 24: Affordable Housing* – emphasises that the Council will seek 35% affordable housing on all sites capable of a net gain of eleven or more dwellings.
- *Core Policy 42: Flood Risk* - The risk and impact of flooding will be minimised by directing new development to areas with the lowest probability of flooding and ensuring that all new development addresses the effective management of all sources of flood risk.

### **Local Plan 2031 Part 2: Detailed Policies and Additional Sites**

- 2.16 Local Plan 2031 Part 2 complements the Part 1 plan and sets out policies and locations for housing for the Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries.
- 2.17 The Local Plan 2031 Part 2 also sets out detailed development management policies to complement Local Plan 2031: Part 1, with these replacing the saved policies of the Local Plan 2011.
- 2.18 The Local Plan 2031 Part 2 was adopted by Full Council on Wednesday 9 October 2019. Relevant policies include:
- *Development Policy 23 (Impact of Development on Amenity)* highlights that proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts, including matters such as loss of privacy, daylight or sunlight, external lighting, and noise or vibration.
  - *Development Policy 33 (Open Space)* states that proposals for major residential developments will be required to provide or contribute towards safe, attractive and accessible open space.

### **The Requirement for 'general conformity' within the strategic policies**

- 2.19 As noted above, there is a requirement for the Neighbourhood Plan to be in '*general conformity with the strategic policies of the Development Plan*'.
- 2.20 The PPG (Paragraph: 074 Reference ID: 41-074-20140306) clarifies the term 'general conformity' as follows:
- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
  - *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
  - *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
  - *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach*

### 3. Response to Draft Policies

#### Housing

- 3.1 Section 4 of the draft plan sets out the main vision statement and core objectives of the plan. These include, protecting and enhancing the character, maintaining positive community spirit and to provide a built environment that promotes the wellbeing through amenities. These aims set out the theme of the plan as being very preserving of the village as it is, rather than embracing the requirement to meet the needs of future residents.
- 3.2 The text goes on to list out some housing objectives as follows:
- 12. To give priority for new housing to meet local needs including a greater availability range of affordable housing for residents.*
- 13. To seek to ensure new developments are of high-quality design, built to a high sustainability standard and reinforce local distinctiveness.*
- 14. To ensure all new developments are appropriate and integrated within the built up area.*
- 15. To ensure that the design and location of new development is resilient to the effects of climate change and flooding.*
- 3.3 We note that Policy SC8: Residential development Within the Built-up Area and Policy SC9: Housing Needs set out a general acceptance of residential development but only where it meets a specific local need as set out in their Housing Summary, the Sutton Courtenay Residents' Survey and the Strategic Housing Market Assessment. In addition policy SC9 sets out a preference for smaller units, older people homes and affordable homes.
- 3.4 The Neighbourhood Plan refers to the development of 300 dwellings across the Local Plan Period. However, the sites being relied upon to deliver the housing date back 10 years with no new growth since 2017. Vale of White Horse Council are now progressing a new Local Plan and therefore future growth needs to be planned for now.
- 3.5 Yet it is important to note that neither policy seeks to allocate **any** sites for housing. The Housing Topic Paper is entirely silent on this matter, and there is apparently no assessment of any potential sites for housing (or other development) within the NDP area.
- 3.6 Given the scale of housing need in the NDP area, this is somewhat surprising, and is contrary to the strategic policies of LPP2, which states at Core Policy 4a: Meeting our Housing Needs states that "*Additional dwellings (for example, windfalls) will be delivered through Neighbourhood Development Plans or through the Development Management Process.*" Paragraph 4.12 of LPP2 also recognises that there are a number of sources of housing supply which will ensure a continuous supply of housing delivery



across the plan period. These sources include additional sites to be identified through neighbourhood plans.

- 3.7 Further, the NPPG states that *“Neighbourhood plans can support the provision of affordable homes for sale that meet the needs of local people by including relevant policies and site allocations. Depending on the content of relevant strategic policies in the local plan or spatial development strategy, neighbourhood plans may be able to vary the types of affordable housing that will be expected, or to allocate additional sites that will provide affordable housing, where this will better meet the needs of the neighbourhood area.”* (Paragraph: 100 Reference ID: 41-100-20190509)
- 3.8 The NPPG advises that *“Where neighbourhood planning bodies have decided to make provision for housing in their plan, the housing requirement figure and its origin are expected to be set out in the neighbourhood plan as a basis for their housing policies and any allocations that they wish to make. Neighbourhood planning bodies are encouraged to plan to meet their housing requirement, and where possible to exceed it.”* (Paragraph: 103 Reference ID: 41-103-20190509)
- 3.9 Sutton Courtenay is located within the Science Vale Ring Fence area and is therefore an area that supports new development and where strategic policy seeks to focus sustainable growth.
- 3.10 Within the Science Vale Ring Fence area, the Local Plan’s settlement hierarchy identifies Sutton Courtenay as a Larger Village.
- 3.11 The neighbourhood plan sets out that:
- “Sutton Courtenay benefits from a range of local services and facilities including the primary school, local shop, place of worship, public houses, petrol station, post office and village hall. In terms of public transport, the no. 33 Thames Travel Connector provides an hourly service (5:30am to 7:30 pm) between Abingdon and Wallingford, via Milton and Didcot. The nearest railway station is located in Appleford which is located approximately 2.5km driving distance from The Green, Sutton Courtenay. In addition, Didcot Parkway station is situated 6.3km from The Green.”* (para 3.4.7)
- 3.12 Therefore, as a larger village it would appear to be very sustainable as a development location and should be supporting and providing for a number of new homes to support the housing target requirements of the Science Vale Ring Fence area.
- 3.13 Looking at the proposed housing policy text (as outlined above) they do not go far enough to acknowledge the need for new residential development to support the growth of the village or the wider area.
- 3.14 There is a single Local Plan allocation at land of Hobbyhorse Lane for around 220 dwellings to the east of the village. Of these 35% will be affordable homes in accordance with Adopted Local Plan Policy CP24. On this basis the allocation would provide up to a further 77 affordable units. However, applications for this site have so far been unsuccessful and the Neighbourhood Plan cites flooding issues as contributing to that. Furthermore, the current application for this site is for just 175 dwellings;



significantly less than the Local Plan is relying on and will therefore not provide the level of housing needed for the village's current need, let alone future need.

- 3.15 The Housing Summary paper notes that Plan Area has received 126 new affordable homes since 2011. Yet this is meeting past needs, not future requirements. It however states that the Affordable Housing Officer at Vale of White Horse confirmed that as of 30.03.2021 there were 111 people on the Housing Register waiting list who had specified Sutton Courtenay as an area of preference.
- 3.16 It is apparent that the NDP as drafted will fail to meet the identified housing need in the area.
- 3.17 The NPPG is clear that a neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy. Neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans.
- 3.18 In the absence of any housing allocations being included in the draft NDP, the document will fail to provide any 'protection' under paragraph 14(b) of the NPPF, when the presumption in favour of sustainable development is engaged. As such, it would appear prudent for the Council to positively allocate sites for development in the Plan.

### **Green Gap**

- 3.19 The site is located within the proposed Green Gap 6 with reference A5c and as such is affected by proposed policy SC1 which states that *"Development proposal will not be supported where they, either individually or cumulatively, affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters."*
- 3.20 Much of the supporting text for A5c refers to land beyond to the east that had been used for gravel extraction or is allocated for new infrastructure work (new river crossing/roads) and lies outside the NP area. In reference to the site in particular the supporting text suggests that the land provides important habitat and green links for fauna connecting through water bodies and green spaces. However, there is no indication that habitat surveys have been undertaken that would demonstrate that the land is undevelopable. In addition, the site is privately owned and therefore public access for green links cannot be relied upon. Furthermore, the Nature Conservation map at Appendix 2 of the Sutton Courtenay Landscape Appraisal shows the land in 'white' as having no features of nature conservation.
- 3.21 The objectives of proposed policy SC1: Green Gaps are:
- *To maintain appropriate separation between the village and neighbouring settlements.*
  - *To maintain and enhance access to Public Rights of Way, Local Green Spaces, views and waterways.*

- *Use land efficiently and preserve agricultural land.*

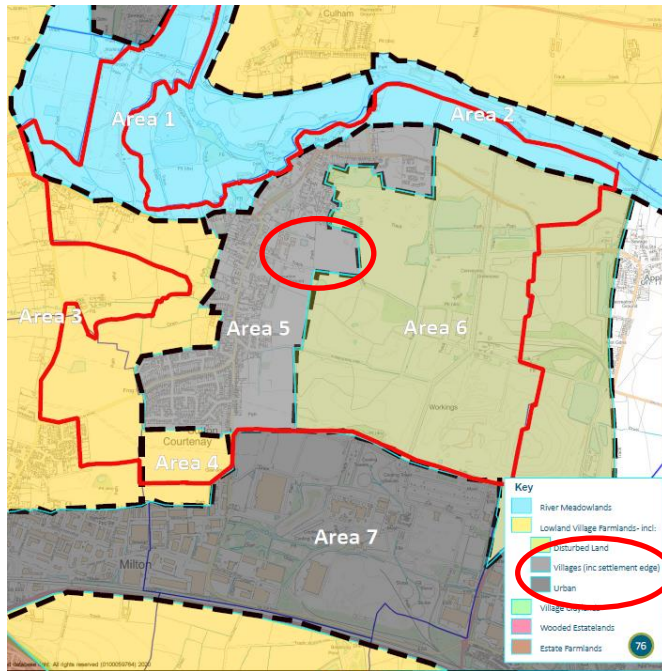
- 3.22 Furthermore, supporting text to the policy sets out the concern of development pressures as being the primary reason for a green gap designation. Pressures for future development is not a reason in its own right to designate land to prevent future development as any such proposals would be assessed against the development plan as and when it is proposed. The land beyond the site to the east is landfill and unlikely to come forward for development, which automatically provides a green buffer to the village and as there is no public access to the site and no important views that need protecting.
- 3.23 It would appear that the proposed Green Gap designation is a broad-brush exercise to prevent any development on previously undeveloped land. The supporting text simply concludes that as it is currently green, it should remain so.
- 3.24 This is a very rigid stance that prevents development of any sort coming forward in these areas, even if they were to be sensitively designed and would address a current need within the area. Furthermore, it fails to demonstrate the harm, if any, that development in these areas would have and therefore why they must remain open and undeveloped. It is entirely contrary to the approach taken at paragraph 174 of the NPPF which requires that planning policies and decisions should recognise *“the intrinsic character and beauty of the countryside.”*
- 3.25 The Sutton Courtenay Neighbourhood Plan Countryside & Green Gap Assessment, v0.1 April 2022 does not make any reference to the site A5c. Therefore, it has not been assessed as having any landscape importance, and should therefore not be designated as a part of a Green Gap.
- 3.26 The landscape quality of the site is therefore of no specific or identifiable value and does not merit any further protection. It is not subject to any specific designations in the local plan. It is inappropriate to try to impose landscape restrictions that do not reflect the strategic landscape policies in the development plan.
- 3.27 This policy therefore is not supportive of the principle of development and therefore contrary to the NPPF’s presumption in favour of sustainable development.

### **Flooding**

- 3.28 The site is located within flood zone 1 and therefore at low risk from flooding.

### **Plans and evidence base**

- 3.29 The Sutton Courtenay Neighbourhood Plan Design Code v1.3 April 2022 map 76 included within the NP evidence base which shows the site as being within the village urban area.



3.30 This plan contradicts what the NP concludes for the site and therefore the NP conclusions are deemed to be invalid and inconsistent and contrary to the evidence base upon which assessments have been made.

## 4. Conclusions

- 4.1 It is appreciated that the Neighbourhood Plan is being prepared to allow the community an opportunity to deliver a 'shared vision for the area' and is evolving with input from the local community and relevant stakeholders.
- 4.2 However, in forming and delivering this vision, there is a requirement for the Neighbourhood Plan to meet certain 'basic conditions' and other 'legal requirements' in line with Paragraph 37 of the Framework. We have assessed the Plan against the 'basic conditions' as identified within paragraph 8 (2) of Schedule 4B of the Town and County Planning Act 1990 and applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 4.3 The PPG requires that the basic conditions statement sets out '*how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national policies that it has considered, and how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice.*'
- 4.4 In order to have regard to a policy as a matter of law, that policy has to be interpreted properly by the decision maker. A decision maker who misinterprets policy does not have regard to it and errs in law: see *EC Gransden v Secretary of State* (1987) 54 P. & C.R. 86, as renewed in *Tesco Stores Ltd v Dundee City Council* [2012] PTSR 983:
- "The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies (see paragraph 16 and paragraph 184 of the National Planning Policy Framework)." (Paragraph: 044 Reference ID: 41-044-20160519)*
- 4.5 The Council should not accept this plan as currently drafted and it must be rejected as it fails to meet the local housing requirements of the NDP Area.

## **Appendix 1: Site Plan**

# Land at Cross Trees Farm, Sutton Courtenay, OX14 4AR



# Response 10

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>To whom it may concern,</p> <p>Please find attached representations to the Sutton Courtenay NP consultation in respect of the site known as Long Barns.</p> <p>I would be grateful if you would confirm receipt of this submission.</p> <p>Kind regards, [REDACTED]</p> <p>[REDACTED]</p> <p>Associate Director</p> <p>Turley</p> <p>Mobile: [REDACTED]</p> <p>Office: 0118 902 2830</p>

Q5. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Long Barns FINAL with appendices.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

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<b>Title</b>	-
<b>Name</b>	[REDACTED]
<b>Job title (if relevant)</b>	Associate Director
<b>Organisation (if relevant)</b>	Turley
<b>Organisation representing (if relevant)</b>	Victoria Land
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<b>Address line 2</b>	-
<b>Address line 3</b>	-
<b>Postal town</b>	-
<b>Postcode</b>	-
<b>Telephone number</b>	[REDACTED]
<b>Email address</b>	[REDACTED]@turley.co.uk



**Representations to the Regulation 16 Sutton  
Courtney Neighbourhood Plan consultation  
Land at Long Barns, Sutton Courtney**

May 2023



**Turley**

# Contents

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1.	Introduction	1
2.	Site and Planning Context	2
3.	Response to Draft Policies	7
4.	Conclusions	14

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## **Appendix 1: Site Plan**

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## **Appendix 2: Glanville flooding report**

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████████████████████@turley.co.uk

**Client**

Victoria Land

**Our reference**

VICS3004

May 2023



# 1. Introduction

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- 1.2 These representations are provided in respect of our client's respective interests in land directly to the west of High St known as Long Barns (herein referred to as 'the Site'). A site plan is enclosed at **Appendix 1**.
- 1.3 Representations have been made previously at regulation 14 stage.
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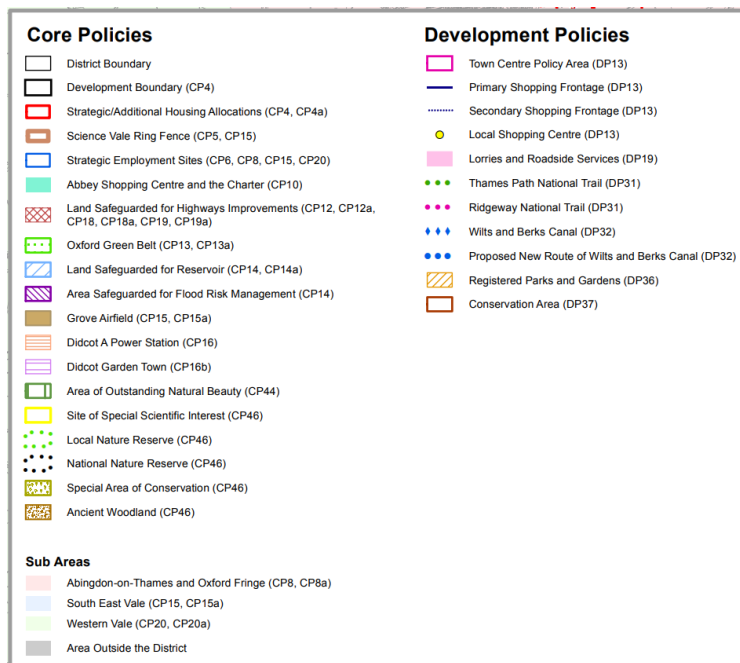
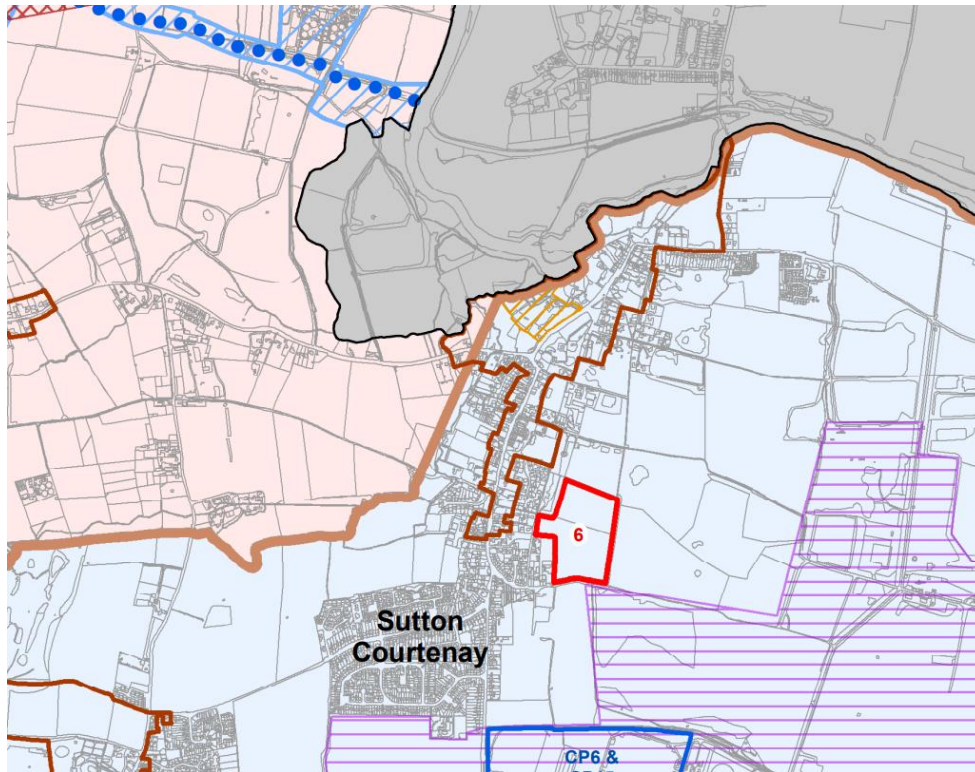
- 2.3 The Site (comprising approximately 1.3 hectares) as set out in **Appendix 1** is located to the west of Sutton Courtenay with direct access off of the High Street.
- 2.4 The site comprises agricultural land divided into paddocks. The Ginge Brook runs south to north along the western boundary of the site. To the north and south of the site lies residential properties and further agricultural land.
- 2.5 Local services and facilities are within walking distance and the site can connect into the existing footpath network in the village. This site is also within a short walking distance from local bus stops, which connect the village to Milton Park and Abingdon.

### Adopted Development Plan Context

- 2.6 The adopted Development Plan for Vale of White Horse currently comprises:
- *Vale of White Horse Local Plan 2031 Part One (adopted 2016); and*
  - *Local Plan 2031 Part 2: Detailed Policies and Additional Sites (adopted 2019)*
- 2.7 These documents provide the strategic context and policies that the emerging Neighbourhood Plan needs to support and must be in general conformity with.
- 2.8 The related policies map was adopted in October 2019, and is a consolidated plan showing all designations.

2.9 An extract of the adopted proposals map is provided at Figure 2.2 below.

**Figure 2.2: Extract of Policies Map (Not to Scale)**



2.10 The adopted development plan designates the eastern most part of the Site as being within the conservation area and the remainder of the site being located within the South East Vale sub area and therefore subject to policies CP15 and CP15a.

## The Requirements of the Framework and NPPG informing the Preparation of Neighbourhood Plans

2.11 The Framework requires at paragraph 13 that *“Neighbourhood Plans **should support the delivery of strategic policies or spatial development strategies; and should shape and direct development that is outside of these strategic policies**”*.

2.12 In addition, paragraph 30 states that *“Neighbourhood plans **should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies**”*.

[our emphasis]

2.13 The above references from the Framework are supported by further guidance within the PPG that advises on the role of the Neighbourhood Plans within the context of strategic policies:

- *Paragraph: 001 Reference ID: 41-001-20190509 - Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community’s needs and **where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.***
- *Paragraph: 004 Reference ID: 41-004-20190509 - A neighbourhood plan **should support the delivery of strategic policies set out in the local plan or spatial development strategy** and should shape and direct development that is outside of those strategic policies*
- *Paragraph: 009 Reference ID: 41-009-20190509 - A draft neighbourhood plan or Order must be in **general conformity with the strategic policies** of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.*
- *Paragraph: 044 Reference ID: 41-044-20190509 - **Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy.***

[our emphasis]

2.14 It is necessary for a Neighbourhood Plan to demonstrate accordance with the Framework and PPG as referenced above. This is particularly relevant when considering the purpose and content of Neighbourhood Plan policies.

## The Strategic Policies within the adopted Development Plan

### Vale of White Horse Local Plan 2031 Part One

2.15 The Local Plan 2031 Part One was adopted on 14 December 2016. The policies of relevance to this site are considered to be as follows:

- *Core Policy 1: Presumption in Favour of Sustainable Development* - states that planning applications that accord with this Local Plan 2031 (and where relevant, with any subsequent Development Plan Documents or Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.
- *Core Policy 3: Settlement Hierarchy* – identifies that larger villages have an array of employment, services and facilities, albeit a more limited range than a larger settlement. Sutton Courtenay is identified as the Larger Village within the South East Vale Sub-Area.
- *Core Policy 4: Meeting our housing need* - states that the housing target for the Vale of White Horse District is at least 20,560 homes to be delivered in the plan period 2011 to 2031.

Development will be supported at strategic site allocations where it meets the requirements set out within the Site Development Templates shown by Appendix A of the Local Plan and in accordance with the policies of the Development Plan taken as a whole.

- *Core Policy 15: Spatial Strategy for South East Vale Sub-Area* – identifies that at least 12,450 new homes will be delivered within the South East Vale during the plan period between 2011 and 2031. 9,055 dwellings will be delivered through strategic allocations.
- *Core Policy 22: Housing Mix* - emphasises that a mix of dwelling types and sizes to meet the needs of current and future households will be required on all new residential developments. This should be in accordance with the Council's current Strategic Housing Market Assessment unless an alternative approach can be demonstrated to be more appropriate.
- *Core Policy 23: Housing Density* – states that higher densities will be encouraged in locations where it will result in the optimum use of land, where there is good access to services and public transport routes, and where it would contribute to enhancing the character and legibility of a place.
- *Core Policy 24: Affordable Housing* – emphasises that the Council will seek 35% affordable housing on all sites capable of a net gain of eleven or more dwellings.
- *Core Policy 42: Flood Risk* - The risk and impact of flooding will be minimised by directing new development to areas with the lowest probability of flooding and ensuring that all new development addresses the effective management of all sources of flood risk.

#### **Local Plan 2031 Part 2: Detailed Policies and Additional Sites**

- 2.16 Local Plan 2031 Part 2 complements the Part 1 plan and sets out policies and locations for housing for the Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries.



- 2.17 The Local Plan 2031 Part 2 also sets out detailed development management policies to complement Local Plan 2031: Part 1, with these replacing the saved policies of the Local Plan 2011.
- 2.18 The Local Plan 2031 Part 2 was adopted by Full Council on Wednesday 9 October 2019. Relevant policies include:
- *Development Policy 23 (Impact of Development on Amenity)* highlights that proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses when considering both individual and cumulative impacts, including matters such as loss of privacy, daylight or sunlight, external lighting, and noise or vibration.
  - *Development Policy 33 (Open Space)* states that proposals for major residential developments will be required to provide or contribute towards safe, attractive and accessible open space.

### **The Requirement for ‘general conformity’ within the strategic policies**

- 2.19 As noted above, there is a requirement for the Neighbourhood Plan to be in ‘*general conformity with the strategic policies of the Development Plan*’.
- 2.20 The PPG (Paragraph: 074 Reference ID: 41-074-20140306) clarifies the term ‘general conformity’ as follows:
- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
  - *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
  - *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
  - *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach*

### 3. Response to Draft Policies

#### Housing

- 3.1 Section 4 of the draft plan sets out the main vision statement and core objectives of the plan. These include, protecting and enhancing the character, maintaining positive community spirit and to provide a built environment that promotes the wellbeing through amenities. These aims set out the theme of the plan as being very preserving of the village as it is, rather than embracing the requirement to meet the needs of future residents.
- 3.2 The text goes on to list out some housing objectives as follows:
- 12. To give priority for new housing to meet local needs including a greater availability range of affordable housing for residents.*
- 13. To seek to ensure new developments are of high-quality design, built to a high sustainability standard and reinforce local distinctiveness.*
- 14. To ensure all new developments are appropriate and integrated within the built up area.*
- 15. To ensure that the design and location of new development is resilient to the effects of climate change and flooding.*
- 3.3 We note that Policy SC8: Residential development Within the Built-up Area and Policy SC9: Housing Needs set out a general acceptance of residential development but only where it meets a specific local need as set out in their Housing Summary, the Sutton Courtenay Residents' Survey and the Strategic Housing Market Assessment. In addition policy SC9 sets out a preference for smaller units, older people homes and affordable homes.
- 3.4 The Neighbourhood Plan refers to the development of 300 dwellings across the Local Plan Period. However, the sites being relied upon to deliver the housing date back 10 years with no new growth since 2017. Vale of White Horse Council are now progressing a new Local Plan and therefore future growth needs to be planned for now.
- 3.5 Yet it is important to note that neither policy seeks to allocate **any** sites for housing. The Housing topic paper is entirely silent on this matter, and there is apparently no assessment of any potential sites for housing (or other development) within the NDP area.
- 3.6 Given the scale of housing need in the NDP area, this is somewhat surprising, and is contrary to the strategic policies of LPP2, which states at Core Policy 4a: Meeting our Housing Needs states that "*Additional dwellings (for example, windfalls) will be delivered through Neighbourhood Development Plans or through the Development Management Process.*" Paragraph 4.12 of LPP2 also recognises that there are a number of sources of housing supply which will ensure a continuous supply of housing delivery

across the plan period. These sources include additional sites to be identified through neighbourhood plans.

- 3.7 Further, the NPPG states that *“Neighbourhood plans can support the provision of affordable homes for sale that meet the needs of local people by including relevant policies and site allocations. Depending on the content of relevant strategic policies in the local plan or spatial development strategy, neighbourhood plans may be able to vary the types of affordable housing that will be expected, or to allocate additional sites that will provide affordable housing, where this will better meet the needs of the neighbourhood area.”* (Paragraph: 100 Reference ID: 41-100-20190509)
- 3.8 The NPPG advises that *“Where neighbourhood planning bodies have decided to make provision for housing in their plan, the housing requirement figure and its origin are expected to be set out in the neighbourhood plan as a basis for their housing policies and any allocations that they wish to make. Neighbourhood planning bodies are encouraged to plan to meet their housing requirement, and where possible to exceed it.”* (Paragraph: 103 Reference ID: 41-103-20190509)
- 3.9 Sutton Courtenay is located within the Science Vale Ring Fence area and is therefore an area that supports new development and where strategic policy seeks to focus sustainable growth.
- 3.10 Within the Science Vale Ring Fence area, the Local Plan’s settlement hierarchy identifies Sutton Courtenay as a Larger Village.
- 3.11 The neighbourhood plan sets out that:
- “Sutton Courtenay benefits from a range of local services and facilities including the primary school, local shop, place of worship, public houses, petrol station, post office and village hall. In terms of public transport, the no. 33 Thames Travel Connector provides an hourly service (5:30am to 7:30 pm) between Abingdon and Wallingford, via Milton and Didcot. The nearest railway station is located in Appleford which is located approximately 2.5km driving distance from The Green, Sutton Courtenay. In addition, Didcot Parkway station is situated 6.3km from The Green”. (para 3.4.7)*
- 3.12 Therefore, as a larger village it would appear to be very sustainable as a development location and should be supporting and providing for a number of new homes to support the housing target requirements of the Science Vale Ring Fence area.
- 3.13 Looking at the proposed housing policy text (as outlined above) they do not go far enough to acknowledge the need for new residential development to support the growth of the village or the wider area.
- 3.14 There is a single Local Plan allocation at land of Hobbyhorse Lane for around 220 dwellings to the east of the village. Of these 35% will be affordable homes in accordance with Adopted Local Plan Policy CP24. On this basis the allocation would provide up to a further 77 affordable units. However, applications for this site have so far been unsuccessful and the Neighbourhood Plan cites flooding issues as contributing to that. The latest application for just 175 homes on this site was refused in November 2022 and no appeal has been lodged. Therefore, there is no current prospect of this site coming forward for development at present.

- 3.15 The Housing Summary paper notes that the Plan Area has received 126 new affordable homes since 2011. Yet this is meeting past needs, not future requirements. It however states that the Affordable Housing Officer at Vale of White Horse confirmed that as of 30.03.2021 there were 111 people on the Housing Register waiting list who had specified Sutton Courtenay as an area of preference. It is apparent that the NDP as drafted will fail to meet the identified housing need in the area.
- 3.16 The NPPG is clear that a neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy. Neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans. Given that the only allocation in the village is not likely to come forward in the short term, the NP should be proactively looking to allocate further sites to meet its housing need.
- 3.17 In the absence of any housing allocations being included in the draft NDP, the document will fail to provide any 'protection' under paragraph 14(b) of the NPPF, when the presumption in favour of sustainable development is engaged. As such, it would appear prudent for the Council to positively allocate sites for development in the Plan.

### **Green Gap**

- 3.18 The site is located within the proposed Green Gap 3 with reference A5f and as such is affected by proposed policy SC1 which states that "*Development proposals will not be supported where they, either individually or cumulatively, affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters.*" However, no further mention or reference to the site is made in the supportive text which is either indicative of how little contribution the site makes to the green gap or there appears to be an error. This has been raised through representations submitted previously, and yet no amendment has been made. Therefore, it can be assumed that the site makes little to no contribution to the green gap as any errors would have been corrected in this submission draft.
- 3.19 The supporting text to the policy sets out the concern of development pressures as being the primary reason for a green gap designation. Pressures for future development is not a reason in its own right to designate land to prevent future development as any such proposals would be assessed against the development plan as and when it is proposed. It would appear that the proposed Green Gap designation is a broad-brush exercise to prevent any development on previously undeveloped land. The supporting text simply concludes that as it is currently green, it should remain so.
- 3.20 This is a very rigid stance that prevents development of any sort coming forward in these areas, even if they were to be sensitively designed and would address the current housing need within the area. Furthermore, it fails to demonstrate the harm, if any, that development in these areas would have and therefore why they must remain open and undeveloped. It is entirely contrary to the approach taken at paragraph 174 of the NPPF which requires that planning policies and decisions should recognise "*the intrinsic character and beauty of the countryside.*"

- 3.21 The Sutton Courtenay Neighbourhood Plan Countryside & Green Gap Assessment, v0.1 April 2022 states that Parcel A5f (the site) *“encompasses the patchwork of farm buildings, paddocks and orchards that remain close to or immediately adjoining the village core. These features are testament to the relationship of the village with the wider landscape. Elsewhere in the village, many of these open spaces have been infilled and developed, however Parcel A5f continues to be used as pony paddocks.”*
- 3.22 Therefore, it seems that the NP is trying to pre-emptively determine possible future planning applications by stating development is unacceptable with little, to no, justification. Whereas this is wholly contrary to the main theme of the NPPF where sustainable development is acceptable in principle. Therefore, assessments of planning merit should be left to the planning application process when there is a detailed proposal to assess.
- 3.23 The objectives of proposed policy SC1: Green Gaps are:
- *To maintain appropriate separation between the village and neighbouring settlements.*
  - *To maintain and enhance access to Public Rights of Way, Local Green Spaces, views and waterways.*
  - *Use land efficiently and preserve agricultural land.*
- 3.24 In relation to this site, the Ginge river provides a natural buffer to any potential development to the west. Furthermore, land both north and south of the site are developed and project westward further than the site promoted in this document as can be clearly seen in figure 6.3. Therefore, should development come forward on this site, it would act more like an infill parcel to the existing built-up limits of the western edge of the village without extending beyond its furthest point, with no risk of coalescence with the village of Drayton beyond.
- 3.25 The landscape quality of the site is therefore of no specific or identifiable value and does not merit any further protection. It is not subject to any specific designations in the local plan. It is inappropriate to try to impose landscape restrictions that do not reflect the strategic landscape polices in the development plan.
- 3.26 There is no public access to the site and no important views that need protecting.
- 3.27 Therefore, it is considered that development on this site would not conflict with the proposed policy objectives. Furthermore, this policy is not supportive of the principle of development and therefore contrary to the NPPF’s presumption in favour of sustainable development.

## **Flooding**

- 3.28 This site has been submitted to the Vale of White Horse Council through a previous call for sites consultation and subsequently assessed through the 2017 HELAA. However, it was discounted due to 50% of the site being indicated to be of risk of flooding and located in flood zones 2 and 3. However, since then, in 2018, the Environment Agency

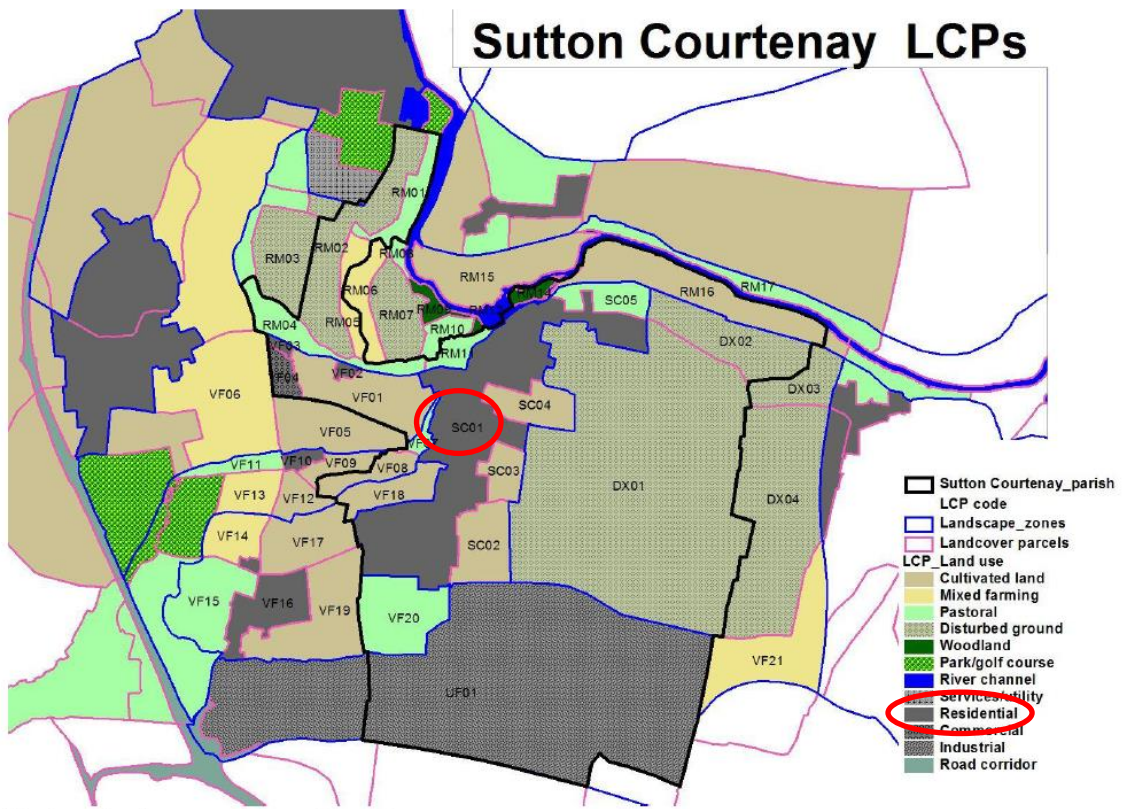
have updated their data and released new flood maps which show just 20% of the site is at risk of flooding, meaning the developable area has significantly increased. Indeed the site can be developed entirely outside of flood zones 2 and 3.

- 3.29 The majority of the flood zone 3 is now limited to the area immediately around Ginge Brook with a small amount of flood zone 2 extending out into the site. The remainder of the site lies within flood zone 1 (the lowest risk of flooding). Development for 'more vulnerable uses' are considered to be acceptable within flood zone 1.
- 3.30 A note on the flood risk of the site has been prepared by Glanville and is included at **Appendix 2**.
- 3.31 Proposed policy SC7: Flooding and drainage confirmed that development will be acceptable where it can be demonstrated that there will be no adverse impact from flooding (pluvial or fluvial). It is considered that the development of this site would comply with this policy and therefore, flood risk should not prevent this site coming forward for development or from being allocated for development.

**Plans and evidence base**

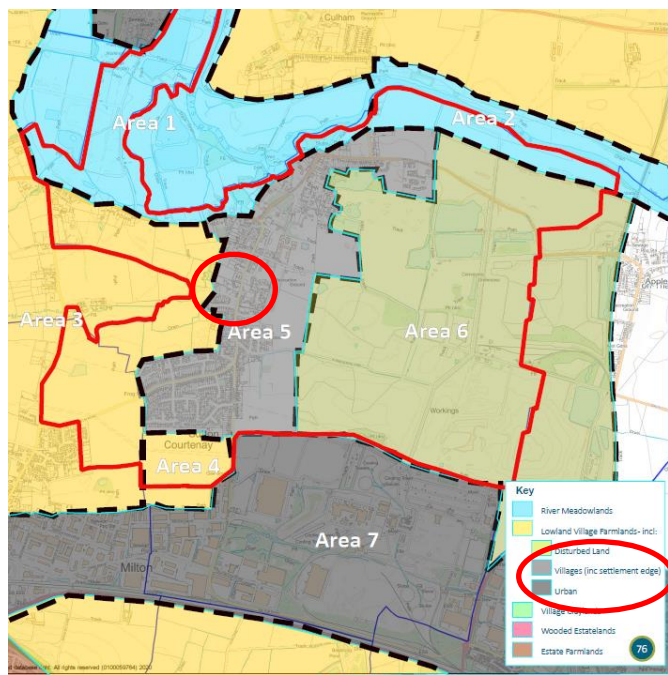
- 3.32 There are a number of plans included within the NP evidence base which appear to designate the site as within the village urban area and as residential land.
- 3.33 Firstly Map 6 in the Sutton Courtenay Landscape Study June 2019 shows the site as residential character:



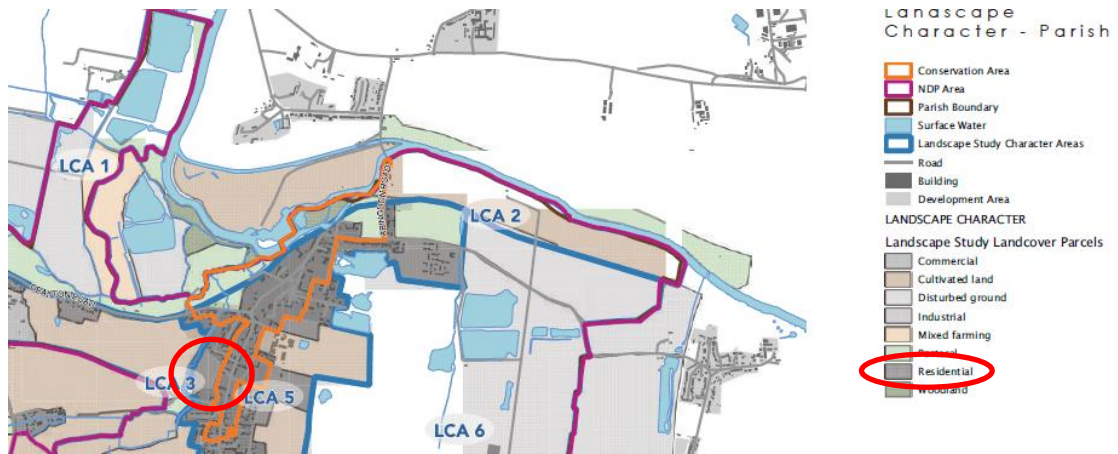


Map 6 Landcover parcels map of Sutton Courtenay

3.34 The “Sutton Courtenay Neighbourhood Plan Design Code v1.3 April 2022 map 76” shows the site as villages (inc settlement boundary). Therefore, the site is within the village and settlement boundary and therefore shouldn’t be designated as a green gap.



3.35 The Sutton Courtenay Landscape Appraisal Appendix 2 Landscape Character – Parish plan shows the site as residential land:



3.36 All of these plans and assessments contradict what the NP concludes for the site, and therefore the NP conclusions are deemed to be invalid and inconsistent and contrary to the evidence base upon which assessments have been made.



## 4. Conclusions

- 4.1 It is appreciated that the Neighbourhood Plan is being prepared to allow the community an opportunity to deliver a 'shared vision for the area' and has evolved with input from the local community and relevant stakeholders.
- 4.2 However, in forming and delivering this vision, there is a requirement for the Neighbourhood Plan to meet certain 'basic conditions' and other 'legal requirements' in line with Paragraph 37 of the Framework. We have assessed the Plan against the 'basic conditions' as identified within paragraph 8 (2) of Schedule 4B of the Town and County Planning Act 1990 and applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 4.3 The PPG requires that the basic conditions statement sets out '*how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national policies that it has considered, and how the policies in a draft neighbourhood plan or the development proposals in an Order take account of national policy and advice.*'
- 4.4 In order to have regard to a policy as a matter of law, that policy has to be interpreted properly by the decision maker. A decision maker who misinterprets policy does not have regard to it and errs in law: see *EC Gransden v Secretary of State* (1987) 54 P. & C.R. 86, as renewed in *Tesco Stores Ltd v Dundee City Council* [2012] PTSR 983:
- "The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies (see paragraph 16 and paragraph 184 of the National Planning Policy Framework)." (Paragraph: 044 Reference ID: 41-044-20160519)*
- 4.5 The Council should not accept this plan as currently drafted and it must be rejected as it fails to meet the local housing requirements of the NDP Area.

## **Appendix 1: Site Plan**

NOTES:  
DIMENSIONS ARE NOT TO BE SCALED FROM THIS DRAWING  
ALL DIMENSIONS ARE TO BE CHECKED AGAINST ACTUAL SITE  
DIMENSIONS BEFORE ANY WORK IS FABRICATED

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REVISIONS

Rev.	Date	Description

Client :  
Victoria Land

Job :  
Long Barns  
Sutton Courtenay  
OX14 4BQ

Drawing Title:  
Location Plan

Scale:  
1:1000 @A3

Date: May 2022    Drawn By: MM    Checked: \*\*\*

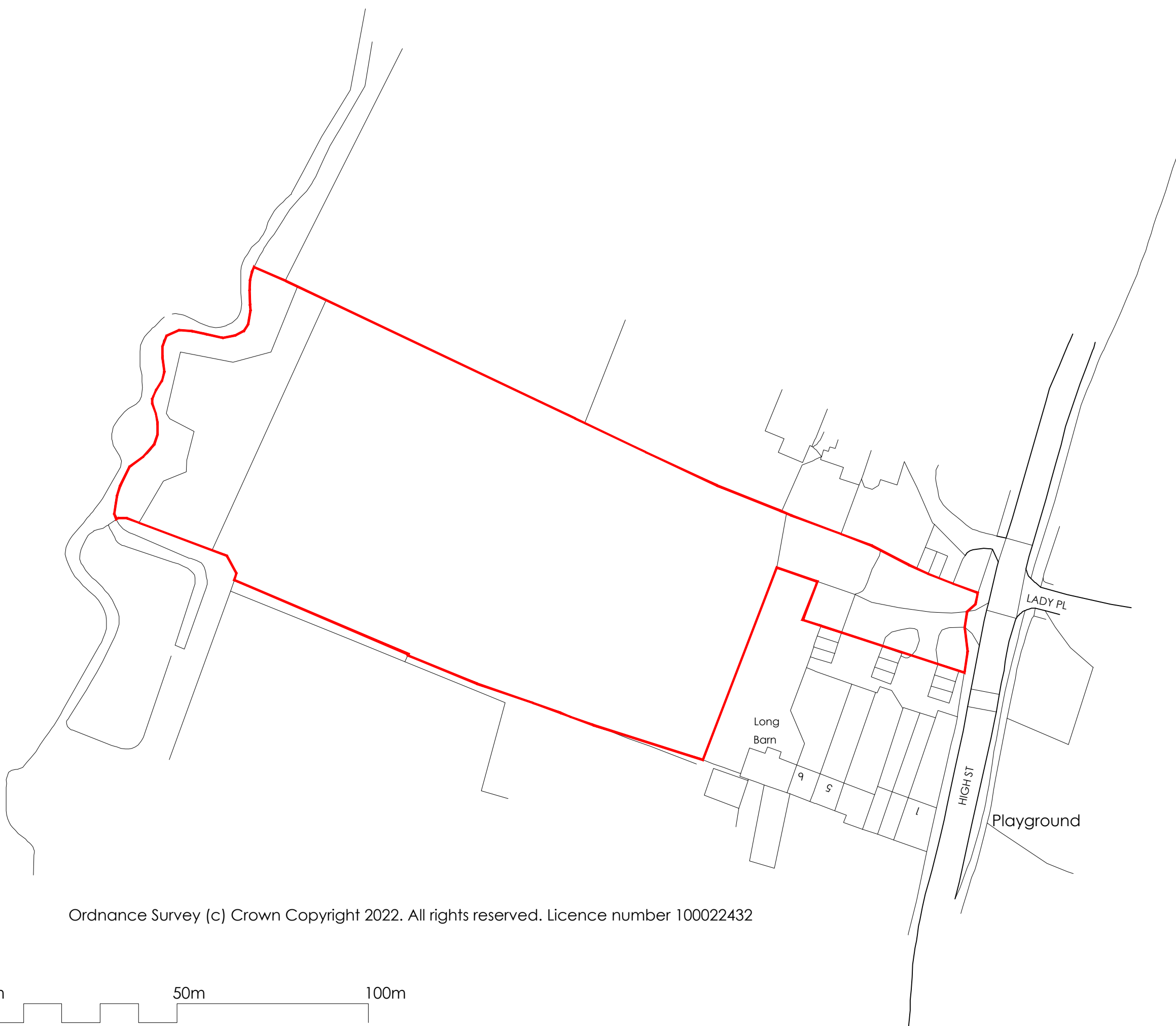
Drawing No: LB.100    Revision: -

**PRELIMINARY**

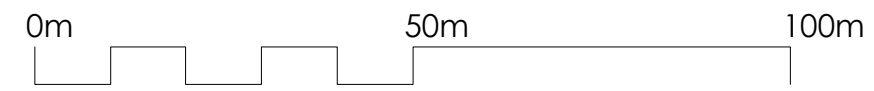
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NORTH

## **Appendix 2: Glanville flooding report**

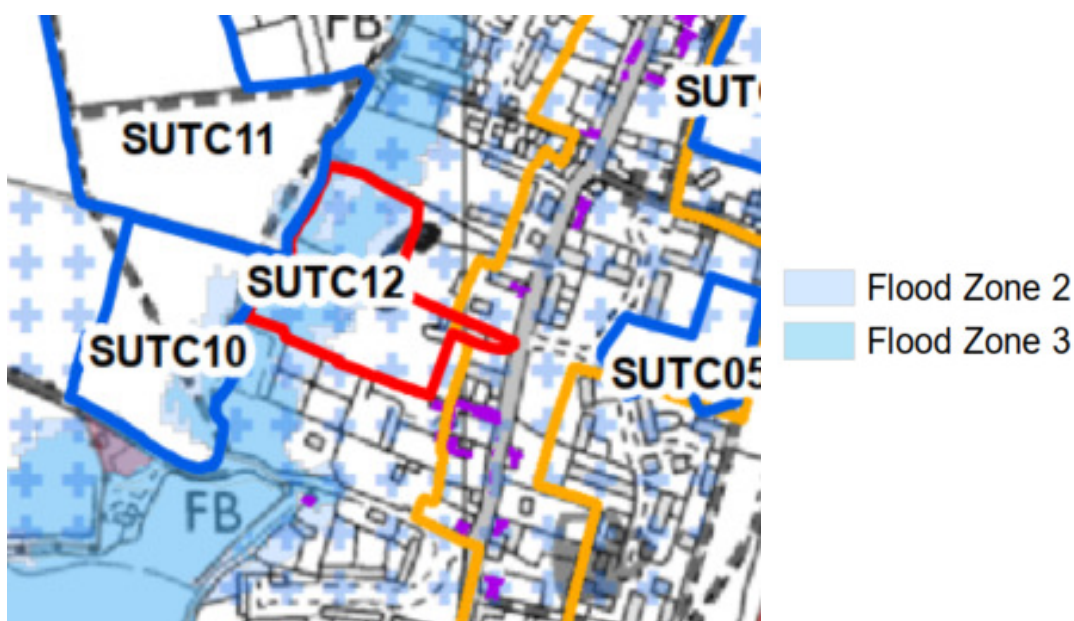
## Land at Long Barns, Sutton Courtenay Technical Note - Flood Risk

### 1.0 Introduction

- 1.1 This Technical Note has been produced by Glanville Consultants in support of a pre-application consultation for land at Long Barns, Sutton Courtenay.
- 1.2 The site is on the west side of the village of Sutton Courtenay in Oxfordshire, within the Vale of White Horse District Council area. A site location plan is appended to this Technical Note. The Ginge Brook, a Main River, runs from south to north at the western boundary of the site.
- 1.3 The site was previously considered for development as part of the 2017 HELAA. At that time the site was considered unsuitable for development on flood risk grounds, as greater than 50% of the site was considered to be within Flood Zones 2 & 3.

### 2.0 Flood Risk

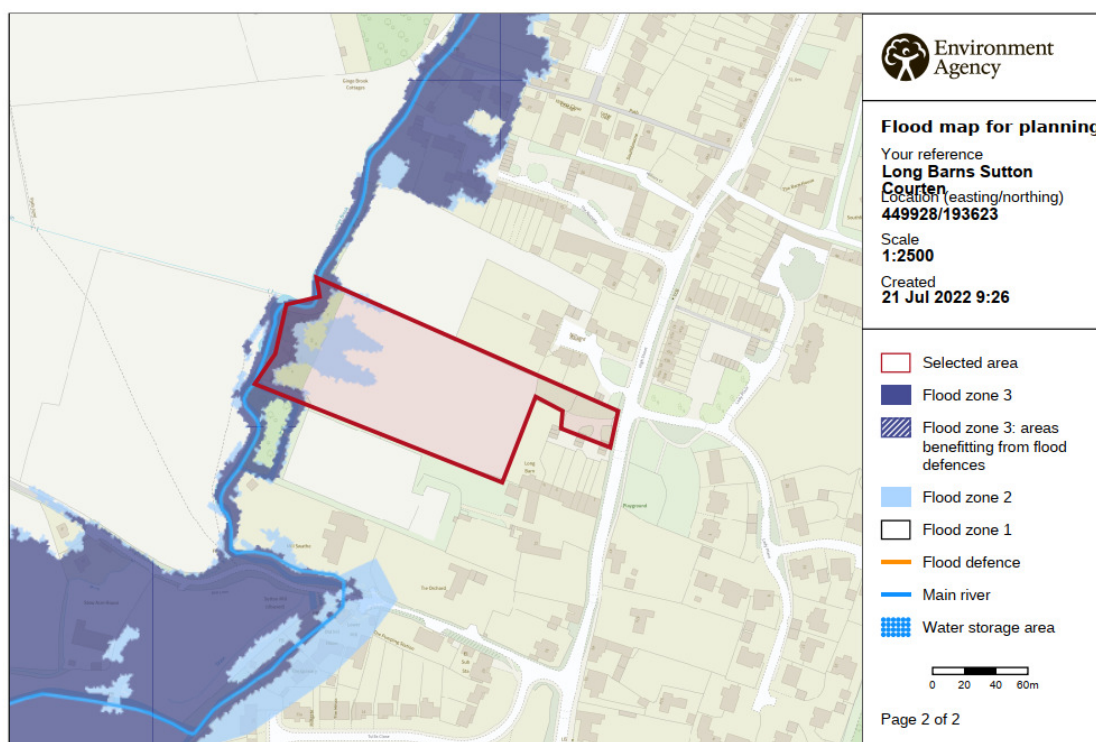
- 2.1 An extract from the map used in the HELAA assessment is given in figure 1:



*Figure 1: Extract from HELAA map (2017)*

- 2.2 The flood zones shown on this map were taken from the Flood Map for Planning at the time.
- 2.3 The Flood Map for Planning was originally published as a static set of maps, but in recent years the hydraulic modelling data held by the Environment Agency has evolved rapidly as increased focus and concern on flooding issues have driven significant improvements to the availability of background data (eg. aerial LIDAR surveys), the consistency and detail of models, and guidance on climate change and future predictions.

- 2.4 As a result the Flood Map for Planning is now published as a live dataset available at [Flood map for planning - GOV.UK \(flood-map-for-planning.service.gov.uk\)](https://www.gov.uk/flood-map-for-planning.service.gov.uk).
- 2.5 The new online Flood Map for Planning is updated regularly whenever the Environment Agency undertakes new or revised detailed flood modelling for a watercourse, or when they validate and adopt modelling undertaken by a third party. This allows planning and development decisions to be carried out with the most accurate and up to date knowledge.
- 2.6 Figure 2 shows an extract from the updated Flood Map for Planning showing the site:



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Figure 2: Extract from Flood Map for Planning (2022)

- 2.7 It can be seen that the flood model for the Ginge Brook has been updated since the 2017 assessment. The area of Flood Zone 3 at the site is now considered to be restricted to a narrow corridor along the Ginge Brook at the western side of the site. There is a small area of Flood Zone 2 in the western third of the site, and the majority of the site is now considered to be in Flood Zone 1.
- 2.8 According to the Flood risk vulnerability and flood zone 'compatibility' table given in the guidance to the NPPF, "More Vulnerable" development such as housing is appropriate in Flood Zones 1 and 2.
- 2.9 Therefore, it is considered appropriate to develop the site for a "More Vulnerable" use such as housing provided the Flood Zone area at the western edge is respected by the site layout.
- 2.10 Development proposed at the site would still require a detailed site specific flood risk assessment as part of its planning submission.

### **3.0 Summary and Conclusion**

- 3.1 This Technical Note has been produced by Glanville Consultants in support of a pre-application consultation for land at Long Barns, Sutton Courtenay.
- 3.2 The site was previously considered for development as part of the 2017 HELAA. At that time the site was considered unsuitable for development on flood risk grounds, as greater than 50% of the site was considered to be within Flood Zones 2 & 3.
- 3.3 However since the time of the HELAA assessment the Flood Map for Planning has been updated. The area of Flood Zone 3 at the site is now considered to be restricted to a narrow corridor along the Ginge Brook at the western side of the site. There is a small area of Flood Zone 2 in the western third of the site, and the majority of the site is now considered to be in Flood Zone 1.
- 3.4 Therefore, it is considered appropriate to develop the site for a "More Vulnerable" use such as housing provided the Flood Zone area at the western edge is respected by the site layout.
- 3.5 Development proposed at the site would still require a detailed site specific flood risk assessment as part of its planning submission.



**NOTES**

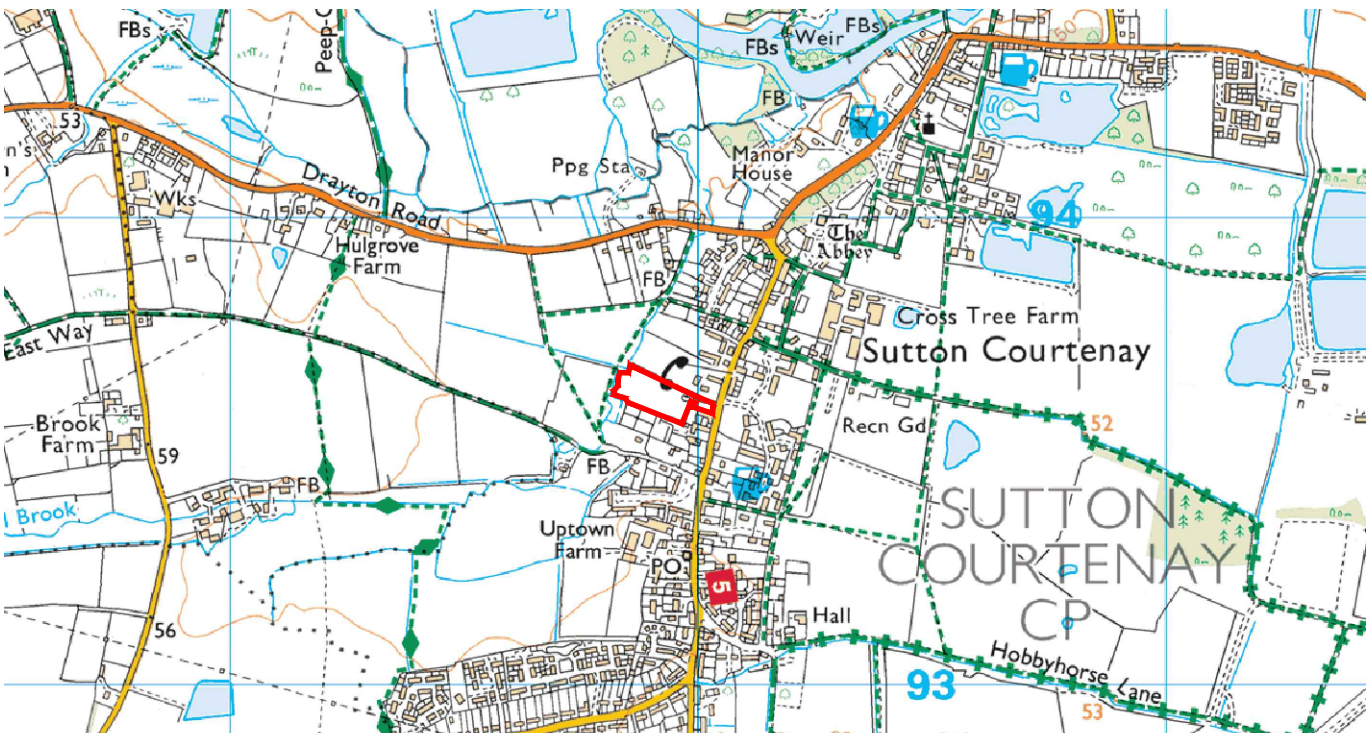
1. This drawing is to be read in conjunction with all other documents and specifications
2. Dimensions not to be scaled from drawing

**LOCATION**

Nearby postcode: OX14 4UA  
 Grid reference: Easting: 449928  
 Northings: 193623

**KEY**

Approximate site boundary ▬




**Glanville**  
 Cornerstone House  
 62 Foxhall Road, Didcot  
 Oxon, OX11 7AD  
 Tel: (01235) 515550 Fax: (01235) 817799  
 postbox@glanvillegroup.com www.glanvillegroup.com

Project :		Land at Long Barns, Sutton Courtenay	
Title :		Site Location Plan	
Project Engineer :	L. Moxon	Scale :	NTS
Project Director :	J. Hanlon	Date :	July 2022
		Drawing No.	822-422- SK01
			Rev



## Product 4 (Detailed Flood Risk) for 449930 193620 Our Ref: THM271552

Product 4 is designed for developers where Flood Risk Standing Advice FRA (Flood Risk Assessment) Guidance Note 3 Applies. This is:

- i) "all applications in Flood Zone 3, other than non-domestic extensions less than 250 sq metres; and all domestic extensions", and
- ii) "all applications with a site area greater than 1 ha" in Flood Zone 2.

### Product 4 includes the following information:

Ordnance Survey 1:25k colour raster base mapping;  
Flood Zone 2 and Flood Zone 3;  
Relevant model node locations and unique identifiers (for cross referencing to the water levels, depths and flows table);  
Model extents showing *defended* scenarios;  
FRA site boundary (where a suitable GIS layer is supplied);  
Flood defence locations (where available/relevant) and unique identifiers; (supplied separately)  
Flood Map areas benefiting from defences (where available/relevant);  
Flood Map flood storage areas (where available/relevant);  
Historic flood events outlines (where available/relevant, not the Historic Flood Map) and unique identifiers;  
Statutory (Sealed) Main River (where available within map extents);

### A table showing:

- i) Model node X/Y coordinate locations, unique identifiers, and levels and flows for *defended* scenarios.
- ii) Flood defence locations unique identifiers and attributes; (supplied separately)
- iii) Historic flood events outlines unique identifiers and attributes; and
- iv) Local flood history data (where available/relevant).

### Please note:

If you will be carrying out computer modelling as part of your Flood Risk Assessment, please request our guidance which sets out the requirements and best practice for computer river modelling.

This information is based on that currently available as of the date of this letter. You may feel it is appropriate to contact our office at regular intervals, to check whether any amendments/ improvements have been made. Should you re-contact us after a period of time, please quote the above reference in order to help us deal with your query.

This information is provided subject to the enclosed notice which you should read.

This letter is not a Flood Risk Assessment. The information supplied can be used to form part of your Flood Risk Assessment. Further advice and guidance regarding Flood Risk Assessments can be found on our website at:

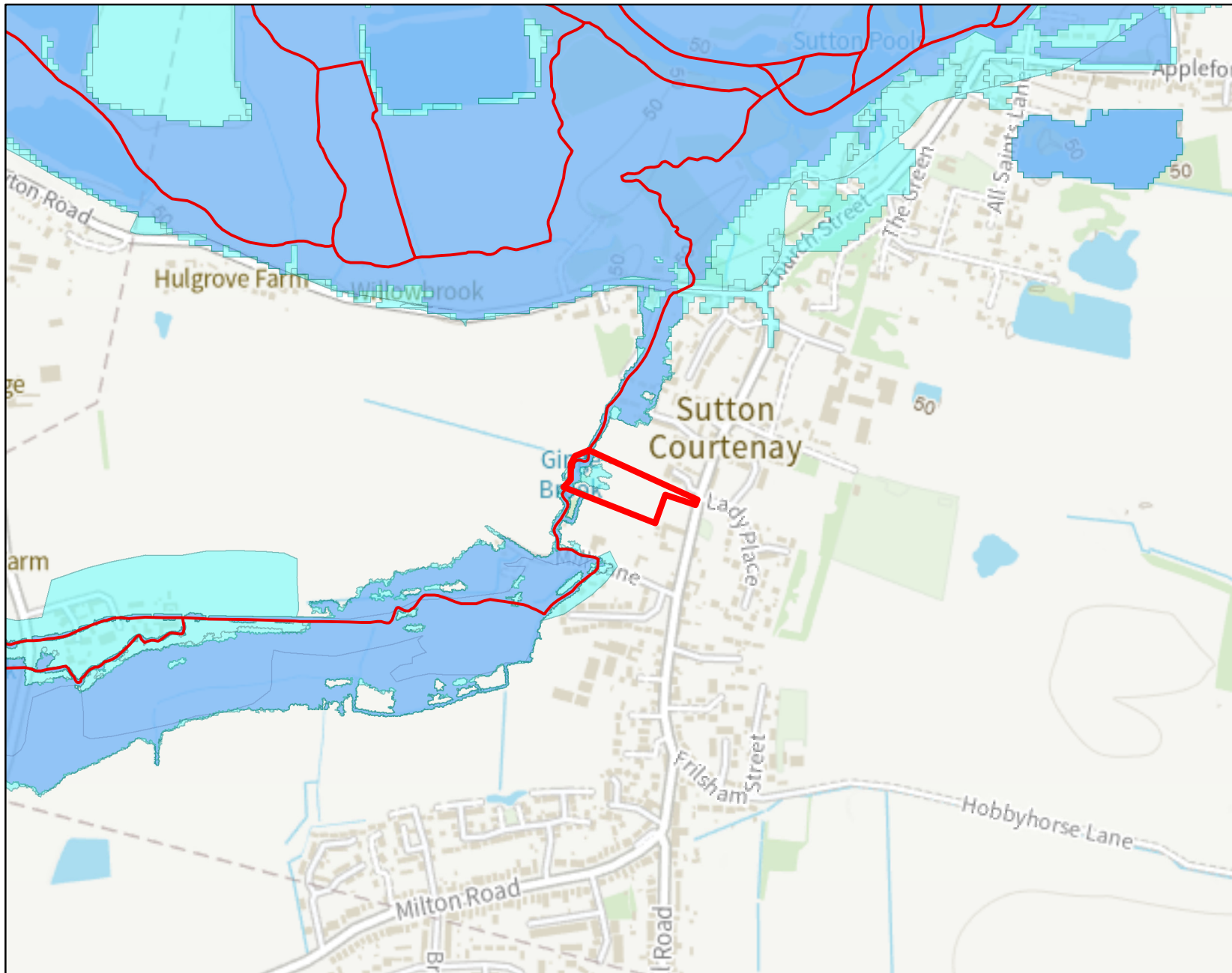
<https://www.gov.uk/guidance/flood-risk-assessment-local-planning-authorities>

If you would like advice from us regarding your development proposals you can complete our pre application enquiry form which can be found at:

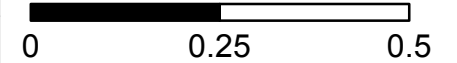
<https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion>

# Flood Map for Planning centred on 449930 193620

Created on 21/07/2022 REF: THM271552



Kilometres



## Legend

- Main River
- Flood defences
- ▨ Areas benefiting from flood defences
- Flooding from rivers or sea (FZ3)
- Extent of extreme flood (FZ2)
- - - Flood Map - flood storage areas

Flooding from rivers or sea without defences (Flood Zone 3) shows the area that could be affected by flooding:  
- from the sea with a 1 in 200 or greater chance of happening each year  
- or from a river with a 1 in 100 or greater chance of happening each year.

The Extent of an extreme flood (Flood Zone 2) shows the extent of an extreme flood from rivers or the sea with up to a 1 in 1000 chance of occurring each year.

## Defence information

Defence Location:

Description: This location is not currently protected by any formal defences and we do not currently have any flood alleviation works planned for the area. However we continue to maintain certain watercourses and the schedule of these can be found on our internet pages.

## Model information

THM271552

Model:

Description: The information provided is from the Ginge Brook mapping completed in March 2018. The study was carried out using 1D-2D modelling software (Flood modeller-Tuflow).

Model design runs:

1 in 5 / 20% AEP, 1 in 20 / 5% AEP, 1 in 30 / 3.3% AEP, 1 in 75 / 1.3% AEP, 1 in 100 / 1% AEP and 1 in 1000 / 0.1% in addition the impact of climate change was assessed for the 1% AEP using the anticipated potential change factors +15%, +25%, +35% and +70%.

Mapped outputs:

1 in 5 / 20% AEP, 1 in 20 / 5% AEP, 1 in 30 / 3.3%AEP, 1 in 75 / 1.3% AEP, 1 in 100 / 1% AEP and 1 in 1000 / 0.1% in addition the impact of climate change was assessed for the 1% AEP using the anticipated potential change factors +15%, +25%, +35% and +70%.

## Modelled in-channel flood flows and levels

THM271552

The modelled flood levels and flows for the closest most appropriate model node points for your site that are within the river channel are provided below:

Node label	Model	Easting	Northing	Flood Levels (mAOD)						
				20% AEP	5% AEP	1% AEP	1% AEP (+25% increase in flows)	1% AEP (+35% increase in flows)	1% AEP (+70% increase in flows)	0.1% AEP
061_18_2018_011.02	Ginge Brook 2018	449904	193781	51.03	51.26	51.37	51.41	51.42	51.45	51.44
061_18_2018_011.021	Ginge Brook 2018	449854	193683	51.17	51.37	51.49	51.54	51.56	51.60	51.59
061_18_2018_011.022	Ginge Brook 2018	449818	193631	51.25	51.43	51.56	51.62	51.64	51.69	51.67
061_18_2018_011.023	Ginge Brook 2018	449802	193563	51.44	51.58	51.71	51.78	51.81	51.86	51.84
061_18_2018_011.024	Ginge Brook 2018	449797	193524	51.57	51.70	51.84	51.92	51.95	52.00	51.98
061_18_2018_011.034	Ginge Brook 2018	449785	193409	53.23	53.26	53.29	53.30	53.31	53.32	53.31

Node label	Model	Easting	Northing	Flood Flows (m3/s)						
				20% AEP	5% AEP	1% AEP	1% AEP (+25% increase in flows)	1% AEP (+35% increase in flows)	1% AEP (+70% increase in flows)	0.1% AEP
061_18_2018_011.02	Ginge Brook 2018	449904	193781	2.79	3.55	4.46	5.05	5.28	5.81	5.61
061_18_2018_011.021	Ginge Brook 2018	449854	193683	2.47	3.28	4.45	5.10	5.41	6.17	5.86
061_18_2018_011.022	Ginge Brook 2018	449818	193631	2.86	3.65	4.77	5.55	5.97	6.40	6.22
061_18_2018_011.023	Ginge Brook 2018	449802	193563	2.81	3.64	4.85	5.67	5.96	6.73	6.41
061_18_2018_011.024	Ginge Brook 2018	449797	193524	2.87	3.91	5.29	6.15	6.50	7.56	7.03
061_18_2018_011.034	Ginge Brook 2018	449785	193409	1.53	1.62	1.71	1.76	1.78	1.83	1.82

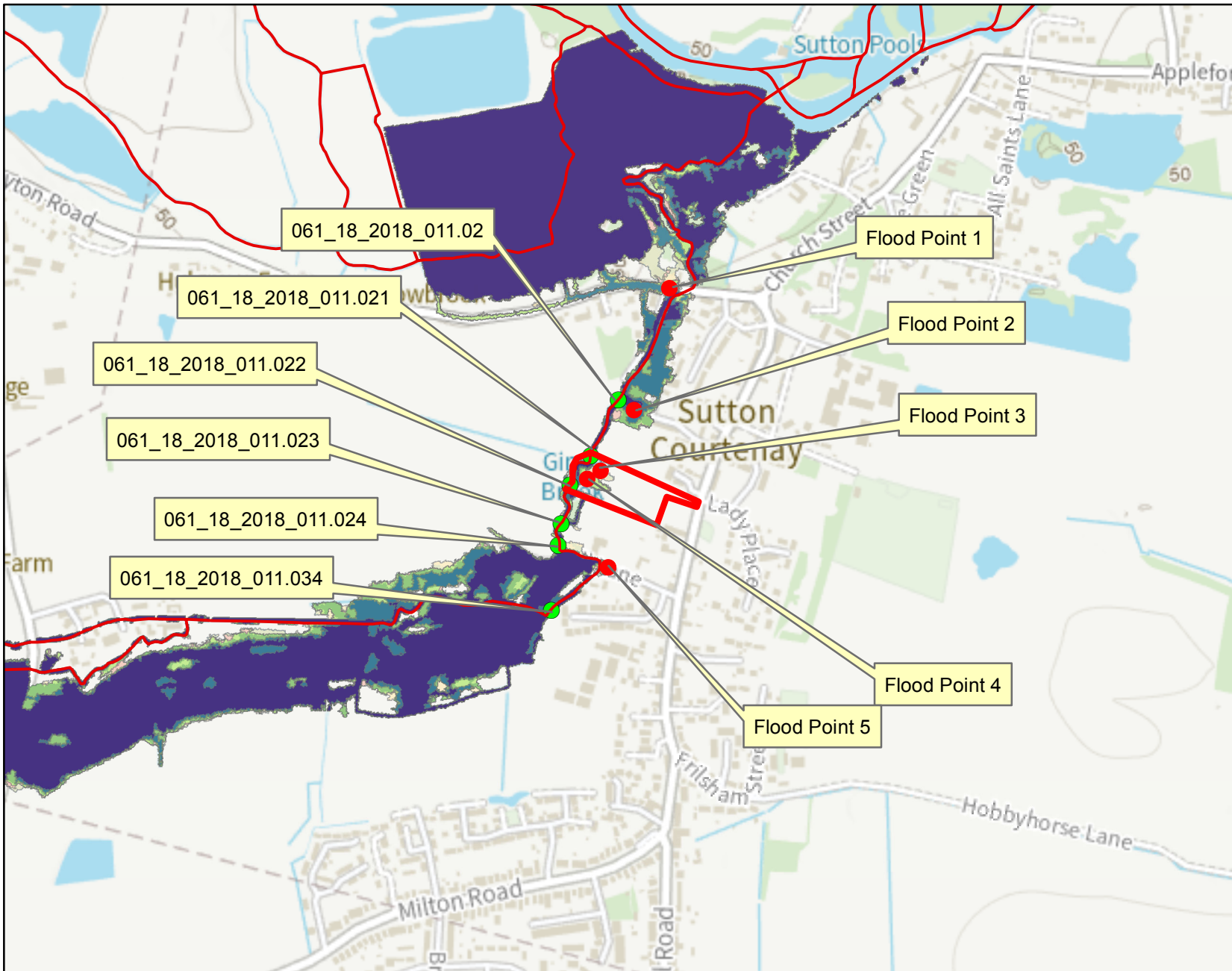
Note:

Due to changes in guidance on the allowances for climate change, the percentage increase in river flows above should no longer to be used for development design purposes. The data included in this Product can be used for interpolation of levels as part of an intermediate level assessment.

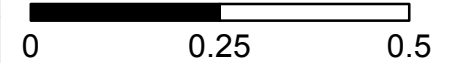
For further advice on the new allowances please visit <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

# Detailed FRA Map centred on 449930 193620

Created on 21/07/2022 REF: THM271552



Kilometres



## Legend

- Main River
- Model Nodes
- 20% AEP Flood Outline
- 5% AEP Flood Outline
- 1% AEP Flood Outline
- 1%+25% AEP Flood Outline
- 1%+35% AEP Flood Outline
- 1%+70% AEP Flood Outline
- 0.1% AEP Flood Outline

AEP = Annual Exceedance Probability  
The probability of a flood of a particular magnitude, or greater, occurring in any given year

Where available climate change extents have been calculated with an additional flow added to an AEP event. An example of how this is written is 1%+20% AEP.



## Modelled floodplain flood levels

THM271552

The modelled flood levels for the closest most appropriate model grid cells for your site are provided below:

2D grid cell reference	Model	Easting	Northing	flood levels (mAOD)						
				20% AEP	5% AEP	1% AEP	1% AEP (+25% increase in flows)	1% AEP (+35% increase in flows)	1% AEP (+70% increase in flows)	0.1% AEP
Flood Popint 1	Ginge Brook 2018	449,998	193,977	No data	50.39	50.47	50.54	50.55	50.59	50.58
Flood Popint 2	Ginge Brook 2018	449,933	193,761	No data	51.26	51.36	51.40	51.41	51.44	51.42
Flood Popint 3	Ginge Brook 2018	449,849	193,663	51.19	51.38	51.50	51.56	51.58	51.62	51.61
Flood Popint 4	Ginge Brook 2018	449,845	193,640	No data	No data	No data	51.60	51.62	51.67	51.65
Flood Popint 5	Ginge Brook 2018	449,878	193,485	No data	No data	52.08	52.18	52.21	52.31	52.26

This flood model has represented the floodplain as a grid.  
The flood water levels have been calculated for each grid cell.

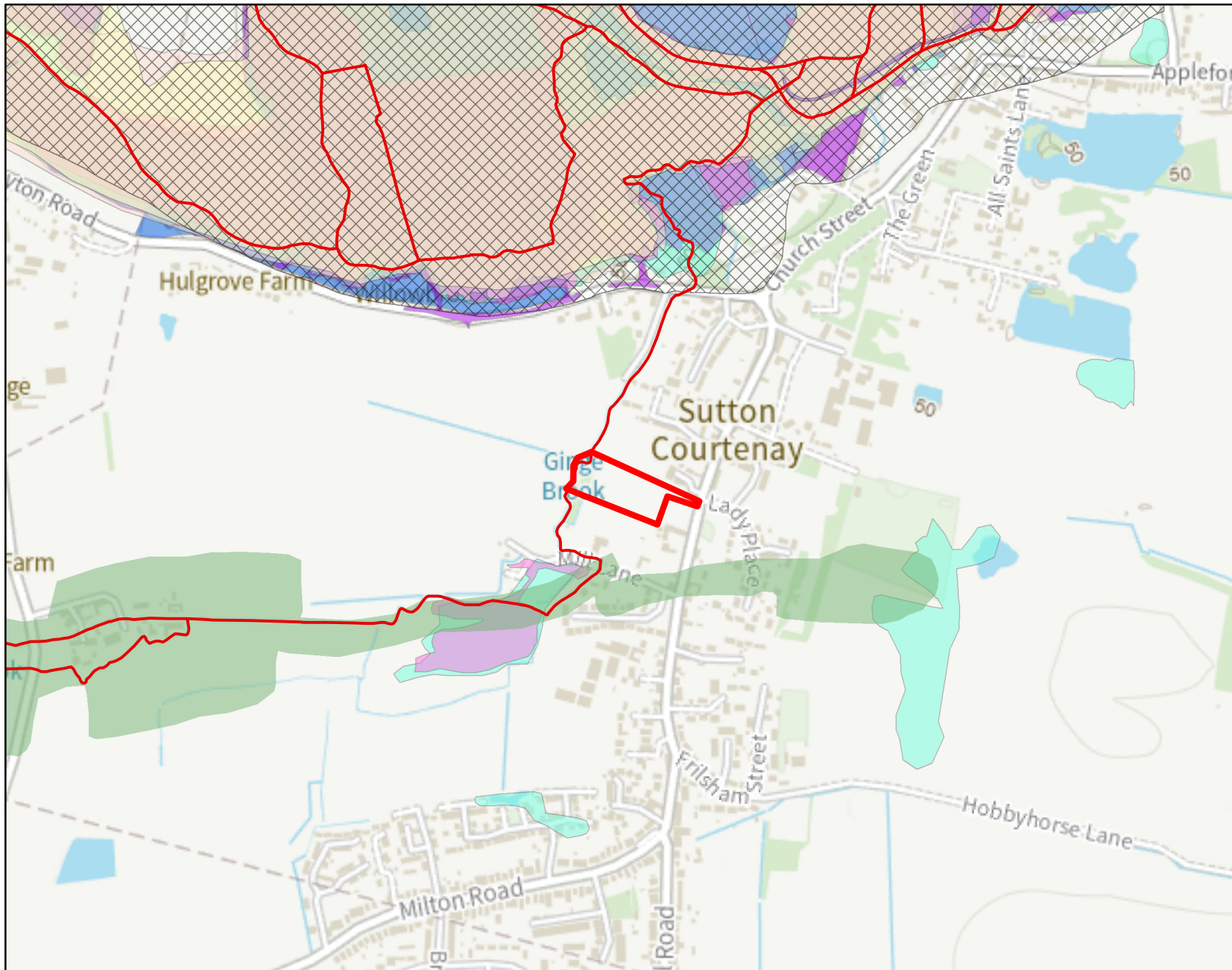
**Note:**

Due to changes in guidance on the allowances for climate change, the percentage increase in river flows above should no longer to be used for development design purposes. The data included in this Product can be used for interpolation of levels as part of an intermediate level assessment.

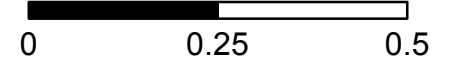
For further advice on the new allowances please visit <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

# Historic Flood Map centred on 449930 193620

Created on 21/07/2022 REF: THM271552











Kilometres



## Legend

— Main River

### year

-  1947
-  1977
-  1979
-  1992
-  2000
-  2002
-  2007
-  2008

Flooding from rivers or sea without defences (Flood Zone 3) shows the area that could be affected by flooding:

- from the sea with a 1 in 200 or greater chance of happening each year
- or from a river with a 1 in 100 or greater chance of happening each year.

The Extent of an extreme flood (Flood Zone 2) shows the extent of an extreme flood from rivers or the sea with up to a 1 in 1000 chance of occurring each year.



## Historic flood data

**THM271552**

Our records show that the area of your site has been affected by flooding.  
Information on the floods that have affected your site is provided in the table below:

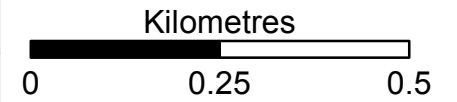
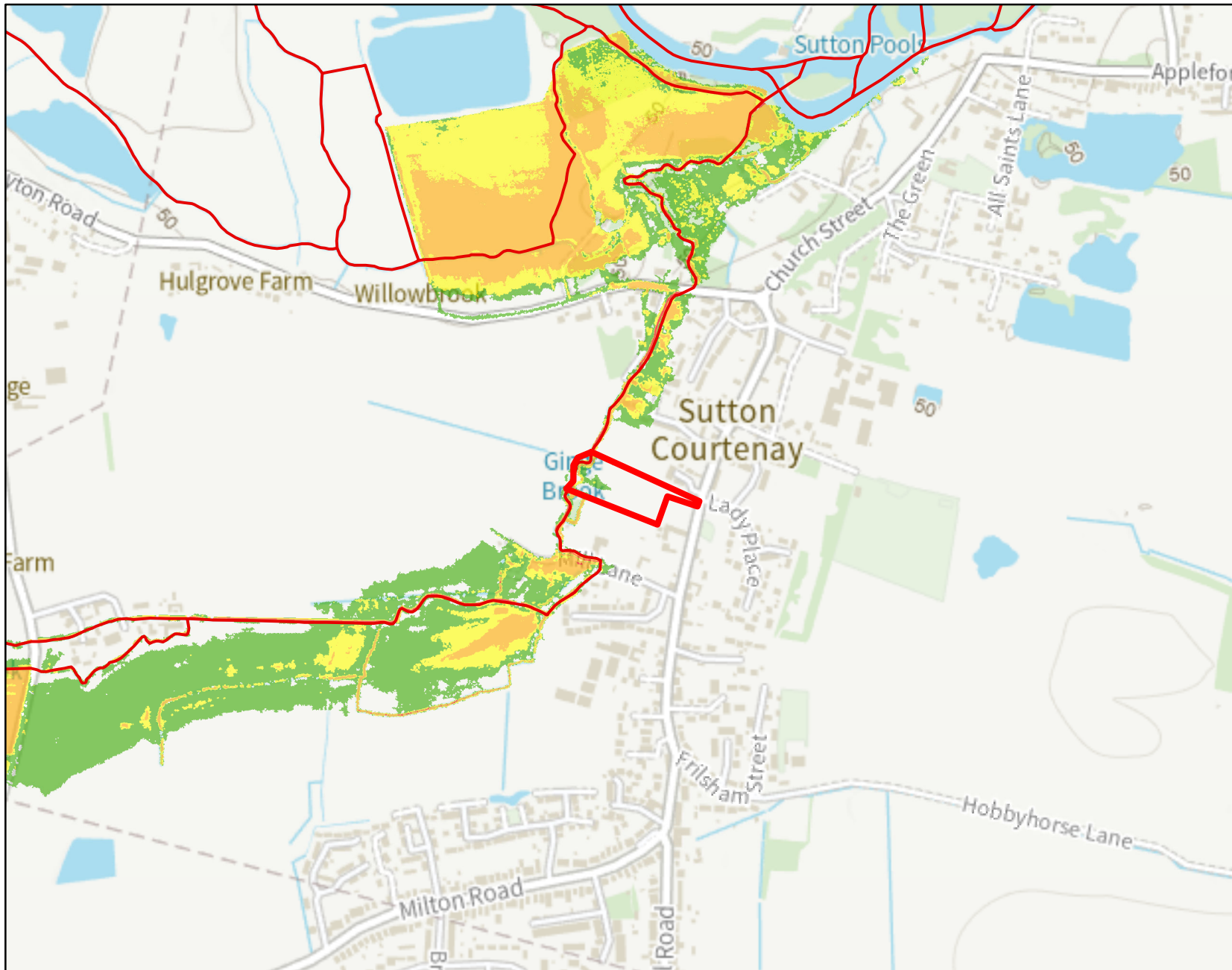
Flood Event Code	Flood Event Name	Start Date	End Date	Source of Flooding	Cause of Flooding
EA0619470300026	06MarchSpring1947	01/01/1947	12/12/1947	main river	channel capacity exceeded (no raised defences)
EA0619770800869	06AugustSummer1977	01/01/1977	12/12/1977	main river	channel capacity exceeded (no raised defences)
EA0619790200068	06FebruaryWinter1979	01/01/1979	12/12/1979	main river	channel capacity exceeded (no raised defences)
EA0619920900382	06SeptemberAutumn1992	01/01/1992	12/12/1992	main river	channel capacity exceeded (no raised defences)
EA0620001200935	06DecemberWinter2000	01/01/2000	12/12/2000	main river	channel capacity exceeded (no raised defences)
EA0620030101688	06JanuaryNewYear2003	23/12/2002	12/01/2003	main river	channel capacity exceeded (no raised defences)
ea061182166	Appleford-on-Thames CP	19/07/2007	29/07/2007	main river	channel capacity exceeded (no raised defences)
ea061181048	Abingdon CP_Fluvial Wat	12/01/2008	20/01/2008	main river	channel capacity exceeded (no raised defences)

Please note the Environment Agency maps flooding to land not individual properties. Floodplain extents are an indication of the geographical extent of a historic flood. They do not provide information regarding levels of individual properties, nor do they imply that a property has flooded internally.

Start and End Dates shown above may represent a wider range where the exact dates are not available.

# Hazard Map centred on 449930 193620

Created on 21/07/2022 REF: THM271552



### Legend

- Main River
- Low Hazard
- Hazard to some
- Hazard for most
- Hazard to all

For hazard and debris factor we used HR Wallingford and Environment Agency (May 2008) supplementary note on flood hazard ratings and thresholds for development planning and control purpose. The following calculation is used:

$$HR = d \times (v+0.5) + DF$$

HR = flood hazard rating  
d = depth of flooding (m)  
v = velocity of floodwaters (m/sec)  
DF = debris factor calculated (0, 0.5, 1 depending on probability that debris will lead to a hazard)

## Hazard Mapping (for the 1%+35% climate change scenario)

THM271552

### Hazard Mapping methodology:

To calculate flood hazard with the debris factor we have used the supplementary note to Flood Risk to People Methodology (see below).

The following calculation is used:

$$HR = d \times (v+0.5) + DF$$

Where HR = flood hazard rating

d = depth of flooding (m)

v = velocity of floodwaters (m/sec)

DF = debris factor calculated (0, 0.5, 1 depending on probability that debris will lead to a hazard)

The resultant hazard rating is then classified according to:

Flood Hazard	Colour	Hazard to People Classification
Less than 0.75	Green	Very low hazard - Caution
0.75 to 1.25	Yellow	Danger for some - includes children, the elderly and the infirm
1.25 to 2.0	Orange	Danger for most - includes the general public
More than 2.0	Red	Danger for all - includes the emergency services

REF: HR Wallingford and Environment Agency (May 2008) Supplementary note of flood hazard ratings and thresholds for development planning and control purpose – Clarification of the Table 113.1 of FD2320/TR2 and Figure 3.2 of FD2321/TR1

# Response 11

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Dear Sir/Madam</p> <p>Please find attached our response to the above consultation.</p> <p>Regards</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Property Town Planner</p> <p>[REDACTED]@thameswater.co.uk</p> <p>1st Floor West, Clearwater Court, Vastern Road, Reading, Berkshire, RG1 8DB</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>• File: 23.06 Sutton Courtenay NP sites table.pdf - [REDACTED]</li><li>• File: 23.06 Sutton Courtenay NP issued.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Property Town Planner
<b>Organisation (if relevant)</b>	Thames Water
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	1st Floor West
<b>Address line 2</b>	Clearwater Court
<b>Address line 3</b>	Vastern Road
<b>Postal town</b>	Reading
<b>Postcode</b>	RG1 8DB
<b>Telephone number</b>	██████████
<b>Email address</b>	██████████@thameswater.co.uk

Site ID	Site Name	Net Gain to System (l/day)	Net Foul Water Increase to System (l/s)	Net Property Equivalent Increase - Waste	Net Increase in Demand (l/day)	Net Increase in Peak Demand (l/s)	Net Property Equivalent Increase - Water	Water	Waste	Additional comments
37039	LAND NORTH OF HOBBYHORSE LANE, SUTTON COURTENAY	235224	2.72	220	77000	2.67	220	The scale of development/s in this catchment is likely to require upgrades of the water supply network infrastructure. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to agree a housing phasing plan. Failure to liaise with Thames Water will increase the risk of planning conditions being sought at the application stage to control the phasing of development in order to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of development. The housing phasing plan should determine what phasing may be required to ensure development does not outpace delivery of essential network upgrades to accommodate future development/s in this catchment. The developer can request information on network infrastructure by visiting the Thames Water website <a href="https://developers.thameswater.co.uk/Developing-a-large-">https://developers.thameswater.co.uk/Developing-a-large-</a>	On the information available to date we do not envisage infrastructure concerns regarding wastewater network or wastewater treatment infrastructure capability in relation to this site/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email <a href="mailto:Devcon.team@thameswater.co.uk">Devcon.team@thameswater.co.uk</a> tel: 02035779998 or in writing Thames Water Utilities Ltd, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire, WD3 9SQ	Comments based on the assumption that foul flows will connect to the public network via gravity. Surface water flows from the proposed development are not considered in this assessment. It is expected that surface water will not be discharged to the public sewer.



E: [REDACTED]@thamewater.co.uk  
M: +44 (0) 7747 647031

Issued via email:  
planning.policy@southandvale.gov.uk

1<sup>st</sup> Floor West  
Clearwater Court  
Vastern Road  
Reading  
RG1 8DB

01 June 2023

## Vale of White Horse District – Sutton Courtenay Neighbourhood Plan Submission Version

Dear Sir/Madam,

Thank you for allowing Thames Water to comment on the above.

As you may be aware, Thames Water are the water and sewerage undertaker for the District and hence are a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments on the consultation document:

### **11.1 Utilities and Services - Water Supply and Wastewater/Sewerage Infrastructure**

We support the reference to water supply and sewerage at paragraph 11.1.2, but consider the section should be strengthened in line with the following:

Wastewater/sewerage and water supply infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure.

Thames Water seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of sewerage/wastewater treatment and water supply infrastructure.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2021, states: “Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...”

Paragraph 11 states: “Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”

Paragraph 28 relates to non-strategic policies and states: “Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”

Paragraph 26 of the revised NPPF goes on to state: “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that “Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).

It is important to consider the net increase in wastewater and water supply demand to serve the development and also any impact that developments may have off site, further down the network. The Neighbourhood Plan should therefore seek to ensure that there is adequate wastewater and water supply infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

The provision of water treatment (both wastewater treatment and water supply) is met by Thames Water’s asset plans and from the 1st April 2018 network improvements will be from infrastructure charges per new dwelling.

From 1st April 2018, the way Thames Water and all other water and wastewater companies charge for new connections has changed. The economic regulator Ofwat has published new rules, which set out that charges should reflect: fairness and affordability; environmental protection; stability and predictability; and transparency and customer-focused service.

The changes mean that more of Thames Water’s charges will be fixed and published, rather than provided on application, enabling you to estimate your costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers (requisitions), traffic management costs, income offsetting and infrastructure charges.

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for water supply infrastructure;
- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and



- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements:

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

In light of the above comments and Government guidance we consider that Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy to support section 11.1. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend the Neighbourhood Plan include the following policy/supporting text:

#### **PROPOSED NEW WATER/WASTEWATER INFRASTRUCTURE TEXT**

***“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”***

***“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”***

#### **11.2 Mitigation of Effects of Development on Climate Change - Water Efficiency/Sustainable Design**

The Environment Agency has designated the Thames Water region to be “seriously water stressed” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change.

Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water support the mains water consumption target of 110 litres per head per day (105 litres per head per day plus an allowance of 5 litres per head per day for gardens) as set out in the NPPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in the Policy.

Thames Water promote water efficiency and have a number of water efficiency campaigns which aim to encourage their customers to save water at local levels. Further details are available on the our website via the following link:

<https://www.thameswater.co.uk/Be-water-smart>

It is our understanding that the water efficiency standards of 105 litres per person per day is only applied through the building regulations where there is a planning condition requiring this standard (as set out at paragraph 2.8 of Part G2 of the Building Regulations). As the Thames Water area is defined as water stressed it is considered that such a condition should be attached as standard to all planning approvals for new residential development in order to help ensure that the standard is effectively delivered through the building regulations.

Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the 'Calculation Method' or the 'Fittings Approach' (Table 2.2). The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from our smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance levels.

Policy CNP13 part 252 should be updated as follows:

***“Development must be designed to be water efficient and reduce water consumption. Refurbishments and other non-domestic development will be expected to meet BREEAM water-efficiency credits. Residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption) using the ‘Fittings Approach’ in Table 2.2 of Part G of Building Regulations. Planning conditions will be applied to new residential development to ensure that the water efficiency standards are met.”***

#### **Policy SC7 & 7.1.15-7.1.16 Flooding from Sewers - Comments in relation to Flood Risk and SUDS**

Sutton Courtenay is served by Drayton Sewage Treatment Works situated to the West.

Policy SC7 only refers to surface water and fluvial flooding. It doesn't refer to sewer/foul flooding and this should be changed.

The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".

When reviewing development and flood risk it is important to recognise that water and/or sewerage infrastructure may be required to be developed in flood risk areas. By their very nature water and sewage treatment works are located close or adjacent to rivers (to abstract water for treatment and supply or to discharge treated effluent). It is likely that these existing works will need to be upgraded or extended to provide the increase in treatment capacity required to service new development. Flood risk sustainability objectives should therefore accept that water and sewerage infrastructure development may be necessary in flood risk areas.

Flood risk sustainability objectives should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.

Policy SC7 also refers to groundwater flooding due to a high water table, however we have nothing on record which shows we have sewer infiltration in the area.

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan: ***“It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”***

## Development Sites

The information contained within the neighbourhood plan will be of significant value to Thames Water as we prepare for the provision of future wastewater and water supply infrastructure.

The attached table provides Thames Water’s site specific comments from desktop assessments on water supply and sewerage/wastewater network and wastewater treatment infrastructure in relation to the proposed sites, but more detailed modelling may be required to refine the requirements.

We recommend Developers contact Thames Water to discuss their development proposals by using our pre app service via the following link: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

It should be noted that in the event of an upgrade to our sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade. As a developer has the automatic right to connect to our sewer network under the Water Industry Act we may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured wastewater and water supply matters for the development are being addressed.

Where developers do not engage with Thames Water prior to submitting their application, this will more likely lead to the recommendation that a Grampian condition is attached to any planning permission to resolve any infrastructure issues.

We trust the above is satisfactory, but please do not hesitate to contact [REDACTED] on the above number if you have any queries.

Yours faithfully,

[REDACTED]  
Thames Water Property Town Planner

# Response 12

## Respondent Details

Information
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Dear Sir / Madam</p> <p>We write to you with regards to the current consultations as detailed above in respect of our client, National Gas.</p> <p>Please find attached our letter of representation. Please do not hesitate to contact me via <a href="mailto:nationalgas.uk@avisonyoung.com">nationalgas.uk@avisonyoung.com</a> if you require any further information or clarification.</p> <p>Kind Regards [REDACTED]</p> <p>[REDACTED] Graduate Planner +44 01912690052 Mobile +44 [REDACTED] [REDACTED]@avisonyoung.com   <a href="http://avisonyoung.com">avisonyoung.com</a> Central Square South, Orchard Street, 3rd Floor, Newcastle upon Tyne NE1 3AZ</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: 05-06 National Gas.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Graduate Planner
<b>Organisation (if relevant)</b>	Avison Young
<b>Organisation representing (if relevant)</b>	National Gas
<b>Address line 1</b>	Central Square South
<b>Address line 2</b>	Orchard Street
<b>Address line 3</b>	3rd floor
<b>Postal town</b>	Newcastle-upon-Tyne
<b>Postcode</b>	NE1 3AZ
<b>Telephone number</b>	07985483600
<b>Email address</b>	██████████@avisonyoung.com

Our Ref: MV/ 15B901605



05 June 2023

Vale of White Horse District Council  
[planning.policy@southandvale.gov.uk](mailto:planning.policy@southandvale.gov.uk)  
**via email only**

Dear Sir / Madam

**Sutton Courtenay Neighbourhood Plan - Regulation 16 Consultation  
April - June 2023  
Representations on behalf of National Gas Transmission**

National Gas Transmission has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Gas Transmission**

National Gas Transmission owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

**Proposed sites crossed or in close proximity to National Gas Transmission assets:**

An assessment has been carried out with respect to National Gas Transmission's assets which include high-pressure gas pipelines and other infrastructure.

National Gas Transmission has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

National Gas Transmission provides information in relation to its assets at the website below.

- <https://www.nationalgas.com/land-and-assets/network-route-maps>

Please also see attached information outlining guidance on development close to National Gas Transmission infrastructure.

**Distribution Networks**

Information regarding the gas distribution network is available by contacting:  
[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

**Further Advice**

Please remember to consult National Gas Transmission on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:



[REDACTED], Director

[nationalgas.uk@avisonyoung.com](mailto:nationalgas.uk@avisonyoung.com)

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

[REDACTED], Asset Protection Lead

[REDACTED]@nationalgas.com

National Gas Transmission  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

[REDACTED]

[REDACTED]

**Director**

[REDACTED]

**[\[REDACTED\]@avisonyoung.com](mailto:[REDACTED]@avisonyoung.com)**

**For and on behalf of Avison Young**



National Gas Transmission is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

#### Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Gas Transmission's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Gas Transmission have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Gas Transmission's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Gas Transmission's '*Guidelines when working near National Gas Transmission assets*' can be downloaded here: <https://www.nationalgas.com/document/82951/download>

#### How to contact National Gas Transmission

If you require any further information in relation to the above and/or if you would like to check if National Gas Transmission's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgas.uk@avisonyoung.com](mailto:nationalgas.uk@avisonyoung.com)

# Response 13

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Dear Sir / Madam</p> <p>We write to you with regards to the current consultations as detailed above in respect of our client, National Grid.</p> <p>Please find attached our letter of representation. Please do not hesitate to contact me via <a href="mailto:nationalgrid.uk@avisonyoung.com">nationalgrid.uk@avisonyoung.com</a> if you require any further information or clarification.</p> <p>Kind Regards</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Graduate Planner +44 01912690052 Mobile +44 [REDACTED] [REDACTED]@avisonyoung.com   <a href="http://avisonyoung.com">avisonyoung.com</a> Central Square South, Orchard Street, 3rd Floor, Newcastle upon Tyne NE1 3AZ</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: 05-06 National Grid.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Graduate Planner
<b>Organisation (if relevant)</b>	Avison Young
<b>Organisation representing (if relevant)</b>	National Grid
<b>Address line 1</b>	Central Square South
<b>Address line 2</b>	Orchard Street
<b>Address line 3</b>	3rd floor
<b>Postal town</b>	Newcastle-upon-Tyne
<b>Postcode</b>	NE1 3AZ
<b>Telephone number</b>	██████████
<b>Email address</b>	██████████@avisonyoung.com

Our Ref: MV/ 15B901605



05 June 2023

Vale of White Horse District Council  
[planning.policy@southandvale.gov.uk](mailto:planning.policy@southandvale.gov.uk)  
**via email only**

Dear Sir / Madam

**Sutton Courtenay Neighbourhood Plan - Regulation 16 Consultation  
April - June 2023  
Representations on behalf of National Grid Electricity Transmission**

National Grid Electricity Transmission has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Grid Electricity Transmission**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid no longer owns or operates the high-pressure gas transmission system across the UK. This is the responsibility of National Gas Transmission, which is a separate entity and must be consulted independently.

National Grid Ventures (NGV) develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. NGV is separate from National Grid's core regulated businesses. Please also consult with NGV separately from NGET.

**Proposed development sites crossed or in close proximity to NGET assets:**

An assessment has been carried out with respect to NGET assets which include high voltage electricity assets and other electricity infrastructure.

NGET has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

NGET provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)



Please also see attached information outlining guidance on development close to NGET infrastructure.

**Distribution Networks**

Information regarding the electricity distribution network is available at the website below:  
[www.energynetworks.org.uk](http://www.energynetworks.org.uk)

**Further Advice**

Please remember to consult NGET on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

**[Redacted], Director**

[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

**[Redacted], Development Liaison Officer**

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

National Grid Electricity Transmission  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

[Redacted signature]

[Redacted name]

**Director**

**0191 269 0094**

**[Redacted]@avisonyoung.com**

**For and on behalf of Avison Young**

NGET is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Developers of sites crossed or in close proximity to NGET assets should be aware that it is NGET policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

NGET's *'Guidelines for Development near pylons and high voltage overhead power lines'* promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgrid.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

NGET's statutory safety clearances are detailed in their *'Guidelines when working near National Grid Electricity Transmission assets'*, which can be downloaded here: [www.nationalgrid.com/network-and-assets/working-near-our-assets](http://www.nationalgrid.com/network-and-assets/working-near-our-assets)

#### How to contact NGET

If you require any further information in relation to the above and/or if you would like to check if NGET's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

# Response 14

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Organisation

## Your comments

Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>Please find attached our response to the above consultation</p> <p>Best wishes</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Historic Places Advisor , Historic England , London and South East Region</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: 2023 Sutton Coutenay NP Reg 16 (N) .pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Advisor
<b>Organisation (if relevant)</b>	Historic England
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	4th floor
<b>Address line 2</b>	The Atrium
<b>Address line 3</b>	Cannon Bridge House, 25 Dowgate Hill
<b>Postal town</b>	London
<b>Postcode</b>	EC4R 2YA
<b>Telephone number</b>	020 7973 3700
<b>Email address</b>	e-seast@historicengland.org.uk





Historic England

By email only to: [planning.policy@southandvale.gov.uk](mailto:planning.policy@southandvale.gov.uk)

Our ref: [REDACTED]

Your ref Sutton Courtenay Neighbourhood Plan

Main: 020 7973 3700

[e-seast@historicengland.org.uk](mailto:e-seast@historicengland.org.uk)

[REDACTED]@historicengland.org.uk

Date: 13/06/2023

Dear Sir or Madam

### **Sutton Courtenay Neighbourhood Plan Regulation 16 Consultation**

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you to previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

We would be grateful if you would notify us on [eastplanningpolicy@historicengland.org.uk](mailto:eastplanningpolicy@historicengland.org.uk) if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Yours sincerely

[REDACTED]

**Historic Places Advisor**



Historic England, 4th Floor, The Atrium, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3700 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



# Response 15

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Organisation

## Your comments

Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>Dear Sir or Madam</p> <p>Please find attached our response to the Submission Draft Neighbourhood Plan (in PDF and Word format).</p> <p>Regards</p> <p>[REDACTED] m: [REDACTED] e: [REDACTED]@roebuckland.co.uk Roebuck Land and Planning</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Reg 16 Response Roebuck JR Rev.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	-
<b>Organisation (if relevant)</b>	Roebuck Land and Planning
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	-
<b>Address line 2</b>	-
<b>Address line 3</b>	-
<b>Postal town</b>	-
<b>Postcode</b>	-
<b>Telephone number</b>	██████████
<b>Email address</b>	████@roebuckland.co.uk

<b>Policy Number</b>	Policy SC1: Green Gaps
<b>Page Number</b>	36

As a general point, we feel that the Submission Draft Sutton Courtenay Neighbourhood Plan does not contribute to the achievement of sustainable development. The combination of the proposed policies focus disproportionately on protecting/restricting land from future development (including part of the strategic allocation on land East of Sutton Courtenay), which may constrain the delivery of important national policy objectives over the medium to long term.

The Neighbourhood Plan allocates numerous 'green gaps' which encircle the village in a manner reminiscent of a Green Belt. In essence, this is a strategic policy to prevent development outside of the existing built-up parts of the village. The NPPF (para 21) is clear, strategic policies should not be contained within neighbourhood plans.

One of the justifications offered for the creation of a strategic green gap policy is the Didcot Garden Town Delivery Plan (DGTDP) and its proposed green buffers around villages- with an encouragement for neighbourhood plans to include this within them. The status of the DGTDP is not that of a development plan document and it has not been subject to independent examination. The Delivery Plan is not a higher order planning policy and does not even have the status of a Supplementary Planning Document. The Neighbourhood Plan should be prepared having regard to the NPPF and be in conformity with the Development Plan.

It should be noted that there is already a strategic policy in the Local Plan 2031 Part 2 which seeks to protect the character of individual settlements and their physical and visual separation (Development Policy 29: Settlement Character and Gaps). The wording of Policy SC1 is virtually identical to Policy 29 and it is hard to see what more it adds. Neighbourhood Plan policies should not merely repeat other policies within the Development Plan. The Guidance states: *"A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific*

*neighbourhood area for which it has been prepared”* (National Planning Practice Guidance Para 041).

Whilst we appreciate that the Neighbourhood Plan must be in conformity with the Development Plan, it is not clear what is achieved by re-wording existing adopted policies. This is neither ‘concise’ or ‘unique’ to the context in which the Neighbourhood Plan has been prepared.

The proposed ‘green gap’ on the east side of the East of Sutton Courtenay Strategic Allocation does not meet one of the basic conditions for a neighbourhood plan to progress to referendum; namely, to be in general conformity with the strategic policies in the development plan. East of Sutton Courtenay is a housing allocation in the adopted Vale of White Horse Local Plan 2031 Part 1 Strategic Sites and Policies. The site area is defined in the Local Plan as are certain parameters for its development- including a capacity for 220 homes.

In accordance with Para 29 of the NPPF, *“Neighbourhood Plans should not promote less development than set out in strategic policies, or undermine those strategic policies”*. There are numerous instances where the Neighbourhood Plan seeks to undermine the strategic policy which allocates land East of Sutton Courtenay for development. This is in conflict with one of the basic conditions. By allocating part of the allocated site as a ‘green gap’, the Neighbourhood Plan is seeking to reduce the size of the allocated area and its capacity for housing development as well as prejudicing the eventual form of development on the site; bringing the Neighbourhood Plan into conflict with the Local Plan Part 1.

It is non-sensical to identify part of a housing allocation as a Green Gap where policy SC1 States, “development proposals will not be supported”. Given that the primary purpose of the Strategic Gap is to achieve physical and visual separation it is unclear what the green gap designation on the land allocation will achieve. Why is a physical and visual separation needed between a land allocation and a restored landfill site which is open land in any case? If a Green Gap is judged necessary to the east of the strategic allocation, it should be on the land to the east of (and outside) the strategic allocation. To identify part of the strategic allocation as a green gap will preclude what uses can be located within that zone. Some of that area is subject to surface water flood risk at the present time but not all. Associated development such as public open space uses including play parks and youth provision could be located in that area. To identify it as a

Green Gap is to prejudge the development of the strategic allocation which has not yet progressed through the planning process as a development proposal (it is the subject of a live Appeal).

The justification for the green gaps is primarily related to ensuring sufficient physical and visual separation between the villages surrounding Didcot Garden Town. The development pressures are primarily from that strategic development which affects the southern side of Sutton Courtenay. The development pressures justifying Green Gaps to the north, east and west of the village are far less apparent. A prime example of this is Green Gap 3 (the area separating Sutton Courtenay and Drayton) where paragraph 6.1.10 explains that the gap (between villages) has been eroded by recent residential development at Peewit Farm. The development referred to consists of 3 dwellings. It is questionable how much this development has eroded the significant gap between the villages. Similarly, Parcels A3f, A3g, A3h and A3i are not subject to development pressures in the context of the Development Plan.

The Green Gap spaces to which proposed Policy SC1 applies includes parks, play areas, sports pitches, allotments and semi-natural areas. Those that are proposed as Local Green Spaces should be excluded as they are protected by draft Policy SC4. The majority of the green gaps identified under Policy SC1, and spaces A3d, A3e, A3g, A3h, A3d and A3i in particular, are in a very different category, essentially agricultural land in private ownership. Areas A3j, A4a and A5e serve more of a function as green gaps providing separation between Sutton Courtenay and Milton Park/Didcot. The other spaces are open in character and form part of the village's setting. They do not warrant special attention as green gaps. Normal countryside protection policies would apply.

As explained above, there are already adopted policies within the Local Plan which prevent piecemeal development which could erode gaps between settlements. Development Policy 29 provides sufficient protection to the countryside around existing settlements.

Finally, the 'green gap' designation is without basis in national or local plan policy, it has not robustly tested or proven and is not linked to a particular policy in the Plan. It's use can only be judged to be a mechanism to prevent future development in the village which runs counter to the objective of the Plan being positively prepared.

<b>Change Sought</b>	<p>Policy SC1 is an unnecessary repetition of existing Development Plan policy. However, if it is judged necessary to identify specific green gap allocations, these should be on the south side of the village (between Sutton Courtenay and Didcot Garden Town) where development pressures are evident. This is particularly the case for parcels A3j, A4a and A5e.</p> <p>The Green Gap which forms part of the Strategic Allocation on land to the East of Sutton Courtenay must be deleted as it is unnecessary to provide physical and visual separation, conflicts with the Local Plan Part 1 and prejudices the development form of the allocation by preventing development in any form on the land.</p>
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<b>Policy Number</b>	Policy SC5: Local Green Spaces
<b>Page Number</b>	54
<p>The boundaries of proposed Local Green Space designation LG2- Site of Former Catholic Church, Hobbyhorse Lane should be amended to exclude the extent of the adjacent highway. As currently drawn the allocation includes some of Hobbyhorse Lane which is a Byway Open to All Traffic and will be upgraded to the standard of an adopted highway to provide access to the Strategic Allocation on land East of Sutton Courtenay (with associated carriageway widening and addition of a footpath). As presently drafted, this form of development will conflict with the Neighbourhood Plan Policy SC5.</p>	
<b>Change sought</b>	Local Green Space Allocation LG2 should be amended to exclude the highway land to the north.



<b>Para Number</b>	Paragraph 7.1.3
<b>Page Number</b>	61
<p>Para 7.1.3 refers to “historically recorded areas of flooding”. It is unclear where this historic information has been sourced from as it does not accord with Environment Agency mapping. In particular, Figure 7.3 shows that around 50% of the strategic allocation on land East of Sutton Courtenay has been subject to historic flooding. This does not accord with published information from the Environment Agency which shows a much lesser extent of pluvial flooding.</p>	
<b>Change sought</b>	<p>The origin of the flood information shown on Figure 7.3 should be indicated. It is not based on historic flood information from the Environment Agency.</p>

<b>Policy Number</b>	Policy SC7: Flooding and Drainage
<b>Page Number</b>	67
<p>Para 7.1.14 indicates that the eastern section of the allocated site East of Sutton Courtenay has been identified as a green gap as this correlates with an area identified on Environment Agency Flood Risk maps.</p> <p>It is correct that small parts of the Strategic Allocation are identified on EA maps as at low risk of flooding from surface water (1 in 1000 year probability). However, this does not justify a blanket allocation over a large portion of the allocation as a green gap. As stated at para 6.1.3 of the Neighbourhood Plan, the aim of including land as a green gap has been to ensure sufficient physical and visual separation is maintained between the village and neighbouring settlements. To justify the allocation of a green gap as part of the Strategic Allocation on the basis of a low risk of surface water flooding is illogical and has no basis in the aim of preventing coalescence of settlements.</p> <p>Turning to the wording of Policy SC7, there is already a Policy within the Local Plan which deals with Flood Risk (Policy 42). This includes a requirement for development to ensure greenfield run-off rates are not exceeded and requiring a Flood Risk Assessment on qualifying application sites. The proposed policy (which seeks the same aforementioned requirements) adds nothing to the Development Plan. Neighbourhood Plans are an opportunity for communities to develop a shared vision for their area and shape, direct and help to deliver sustainable development (para 29 of NPPF). Repeating strategic policies is unnecessary, does not achieve these aims and is a wasted opportunity.</p>	
<b>Change sought</b>	The Policy should be deleted as it adds nothing to the Development Plan context and repeats Local Plan Policy 42.

<b>Policy Number</b>	Policy SC8: Residential development within the built-up area
<b>Page Number</b>	72
The expressed support for the housing allocation on land East of Sutton Courtenay as allocated in the Local Plan is welcomed.	
<b>Change Sought</b>	None

<b>Policy Number</b>	Policy SC8: Residential development within the built-up area
<b>Page Number</b>	72
<p>The design guidance presented in Policy SC8 is a repetition of the content of Joint Design Guide adopted by the Vale of White Horse on 22 June 2022. Furthermore, para 8.1.10 directly quotes 7 policies from the adopted Local Plan Part 2. Repeating huge sections of existing policy is unnecessary and as required in National Planning Practice Guidance Para 041, does not assist the objective of ensuring the Plan is concise.</p>	
<b>Change Sought</b>	Criteria a) to m) should be deleted as they merely repeat the content of the Joint Design Guide. Paragraph 8.1.10 should be deleted as it is a repeat of Development Plan policies.

<b>Policy Number</b>	Policy SC9: Housing Needs
<b>Page Number</b>	77
<p>Policy SC9 requires development to meet the specific needs of the Parish with reference to the Housing Summary: Sutton Courtenay Parish, Residents Survey and Strategic Housing Market Assessment.</p> <p>The Housing Summary document is a statement of fact. It doesn't go as far as to clarify what the specific needs in the Parish are. Therefore, the only guide as to housing needs is the Vale of White Horse SHMA. As Core Policy 22 (Housing Mix) of the Local Plan Part 1 already requires the mix of dwelling types and sizes in new developments to accord with the SHMA, there is no need for Policy SC9 to repeat this requirement. Limb a) of the policy should be deleted.</p> <p>Limb c) of Policy SC9 relates to meeting the needs of older people. Again, there is a specific policy in the Local Plan Part 1 (Core Policy 26) which requires provision of houses designed for older people. Part c) of the Policy is a repetition of existing Development Plan Policy and should be deleted.</p> <p>Limb d) of Policy SC9 requires development to comply with the affordable housing policies of the Local Plan. Stating this is unnecessary. Planning Legislation requires planning applications to be decided in line with the relevant local planning authority's development plan – unless there is a very good reason not to do so. As this is enshrined in law, there is no need for the Neighbourhood Plan to state this. Limb d) of the Policy should be deleted.</p> <p>Compliance with the Nationally Described Space Standards is a requirement of limb e) of Policy SC9. Development Policy 2 of the Local Plan Part 2 requires new residential development to meet the aforementioned Space Standards.</p>	
<b>Change Sought</b>	Criterion a), c), d) and e) are a repetition of existing Local Plan Core Policy 26 and should be deleted from proposed Policy SC9 .

<b>Policy Number</b>	Policy SC10: Design, Heritage and Setting
<b>Page Number</b>	97
<p>Para 9.2.19 recommends a reduction in the allocation East of Sutton Courtenay by allocating a green gap on the eastern part. The Plan states that this is a visually sensitive location. This is not borne out in the evidence supporting the Neighbourhood Plan and only serves to undermine the deliverability of housing allocation made in the Local Plan.</p> <p>The Neighbourhood Plan claims this is an area of high visual sensitivity due to the open nature of the landscape. This is not supported by evidence. The site was assessed as part of Phase 1 Landscape Capacity Study 2014: Site Options as part of the Emerging Local Plan Evidence Base, undertaken by Kirkham Landscape Planning Ltd in February 2014. Site 33: East Sutton Courtenay, was assessed to have a high Landscape capacity for housing development and is not an area of high visual sensitivity.</p> <p>Secondly, in the “summary of key issues” in delivering the Strategic Allocation it is stated that broadening the width of narrow lateral routes, surfacing in conventional material, signs, kerbs is considered to have an unacceptable suburbanisation effect. It is evident that the delivery of housing East of Sutton Courtenay will require Frilsham Street and part of Hobbyhorse Lane to be widened with an adoptable surface treatment, kerbs and appropriate signage for road safety purposes. The Neighbourhood Plan’s expressed resistance to an adoptable access road to serve the housing allocation undermines the ability of Vale of White Horse to deliver a key allocation. In this respect, the Neighbourhood Plan does not meet one of the basic conditions- to be in conformity with the strategic policies of the development plan which allocate land at Sutton Courtenay.</p> <p>Policy SC10 is very repetitious of Core Policy 37- Design and Local Distinctiveness, Core Policy 38- Design Strategies for Strategic and Major Development Sites and Core Policy 39- Design Strategies for Strategic and Major Development Sites of the Local Plan Part 1 and elements of the Joint Design Guide adopted by the Vale of White Horse on 22 June 2022. It is unclear what, if anything, the proposed policy adds to the development plan.</p>	
<b>Change Sought</b>	Policy SC10 is unnecessary as it is a repetition of Local Plan Core Policies 37, 38 and 39 should be deleted.



There are a number of evidence documents supporting the Submission Draft Neighbourhood Plan which are objections to the East of Sutton Courtenay residential allocation or seek to undermine the technical work which has resulted in its allocation.

These are:

- Countryside and Local Gap Assessment – April 2022
- SCNP Report on Flooding (Draft 8, February 2022)
- Review of JNP Flood Risk (HR3)
- Review of Groundwater Observations (HR4)
- WRA Review of FRA (HR5)

In accordance with Para 29 of the NPPF, “*Neighbourhood Plans should not promote less development than set out in strategic policies, or undermine those strategic policies*”. As the evidence base is an integral part of the Neighbourhood Plan, it is not appropriate for that evidence to conflict with Local Plan policies. It would be impossible for an Examining Inspector not to look at these evidence documents as an attempt to undermine the allocation of land East of Sutton Courtenay.



# Response 16

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Organisation

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Dear Sir/Madam,</p> <p>Please find attached Oxfordshire County Council's response to the Sutton Courtenay Final Submission Neighbourhood Plan. Email acknowledgment of this response would be greatly appreciated.</p> <p>Kind regards,</p> <p>[REDACTED] Planner Strategic Planning [REDACTED]@Oxfordshire.gov.uk</p> <p>Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND <a href="https://www.oxfordshire.gov.uk/">https://www.oxfordshire.gov.uk/</a></p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: OCC 7-6.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Planner
<b>Organisation (if relevant)</b>	Oxfordshire County Council
<b>Organisation representing (if relevant)</b>	-
<b>Address line 1</b>	County Hall
<b>Address line 2</b>	New Road
<b>Address line 3</b>	Oxford
<b>Postal town</b>	Oxford
<b>Postcode</b>	OX1 1ND
<b>Telephone number</b>	██████████
<b>Email address</b>	██████████@oxfordshire.gov.uk

**OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO THE FOLLOWING  
CONSULTATION:**

**District:** Vale of the White Horse

**Consultation: Sutton Courtenay Neighbourhood Plan Submission Draft to 2031**

**Annexes to the report contain officer advice.**

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**Overall View of Oxfordshire County Council**

Oxfordshire County Council welcomes the opportunity to comment on the Sutton Courtenay Neighbourhood Plan and supports the Parish Council's ambition to prepare a Neighbourhood Plan.

**Officer's Name:** [REDACTED]

**Officer's Title:** Planner

**Date:** 07 June 2023

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**ANNEX 1**  
**OFFICER ADVICE**

**District:** Vale of White Horse District Council

**Consultation:** Sutton Courtenay Neighbourhood Plan to 2031 (Submission Document)

**Team:** Strategic Planning

**Date:** 31/5/23

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## **Strategic Comments**

Oxfordshire County Council submitted comments to the Sutton Courtenay Pre-Submission Neighbourhood Plan on the 15<sup>th</sup> August 2022. There appears to be some amendments following our comments acknowledged in the Consultation Statement Submission Draft, dated February 2023, however on page 15 of the Consultation Statement it has been recorded that the County Council did not respond. It is requested that this discrepancy be amended to show the County Council did submit comments to the Pre-Submission Neighbourhood Plan.

Oxfordshire County Council would like to request amendments are made to the Final Submission Neighbourhood Plan. These are detailed in the service responses below and include suggested changes to the Neighbourhood Plan for Transport, Education, Archaeology and Minerals and Waste matters. Some of these comments were requested at the Pre-Submission consultation stage but appear not to have been taken forward, therefore we would like to re-iterate our requests and that the changes are incorporated into the Final Neighbourhood Plan.

The County Council does not request a public hearing but does wish to be notified via [planninginOxfordshire@oxfordshire.gov.uk](mailto:planninginOxfordshire@oxfordshire.gov.uk) of any decisions regarding this Neighbourhood Plan.

**District:** Vale of White Horse District Council

**Consultation:** Sutton Courtenay Neighbourhood Plan to 2031 (Submission Document)

**Team:** South & Vale Locality Team

**Date:** May 2023

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## **Transport Development Control** **Comments**

- Reference throughout the Draft NP is required to be made to the recently adopted LTCP (Local Transport & Connectivity Plan 2022-2050) – the submitted draft NP still refers to the previous LTP 2015-2031.
- Para 13.3.5: HIF1 improvements construction date is incorrect, should be Spring '26
- Under Policy SC17, Community aspirations include 'work to ban all HGVs from all roads in the village (except access)' – the route running through the centre of the village is a classified road, the B4016, and as such would require an amendment to the TRO through a consultation process.

**District:** Vale of White Horse District Council

**Consultation:** Sutton Courtenay Neighbourhood Plan to 2031 (Submission Document)

**Team:** South & Vale Locality Team

**Date:** May 2023

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## **Transport Strategy** **Comments**

Policy SC17 on page 119 states the below:

*“Be accompanied by sufficient information to demonstrate how an increase in traffic (including HGV movements) which may be generated by a proposal has been taken into consideration, in line with the findings of the 2017 traffic survey (and any successor document).”*

It would be useful for the Parish Council to include a link to the 2017 traffic survey referenced in this paragraph. It should also be noted that the County Council have our own robust process for assessing transport statements in line with industry standards, this includes assessing the impacts of traffic from new developments on the road network.

Policy SC17 also states:

*“Where traffic calming measures are proposed, these should be designed so as not to increase noise or have an adverse impact on residents or users of the route.”*

OCC evaluate the impacts of all traffic calming measures submitted as part of planning applications to ensure noise, light, environmental impacts etc are minimised as appropriate. The correct traffic calming measure for an area will always need to be selected based on a range of factors, wider impacts will always be assessed as part of this process.

**District:** Vale of White Horse District Council

**Consultation:** Sutton Courtenay Neighbourhood Plan to 2031 (Submission Document)

**Team:** Archaeology

**Date:** 23-5-23

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## **Archaeology Comments**

This neighbourhood plan does not contain any policy for the protection of the Historic environment as set out in the National Planning Policy Framework (NPPF 2021). Paragraph 190 of the NPPF states that;

*190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.*

Although the neighbourhood plan highlights the heritage of Sutton Courtenay there is no specific policy relating to the historic environment and preservation and enhancement of the parishes heritage assets.

Proposed policy SC10 primarily focuses on the built historic environment and its setting and provides little to no consideration of above or below ground archaeological remains. This is a general theme that appears to run through the plan and its consideration of heritage assets in policies.

We would therefore recommend that the Neighbourhood Plan is amended to include or incorporate a specific policy on the historic environment that would serve to achieve the goal of conserving and enhancing the historic environment as set out in, and to accord with, the NPPF, this along the following lines:

### **Policy - Historic Environment**

The parish's designated historic heritage assets and their settings, both above and below ground including listed buildings, scheduled monuments, registered parks and gardens and conservation areas will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place.

Proposals for development that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the National Planning Policy Framework (NPPF 2021).



**District:** Vale of White Horse District Council

**Consultation:** Sutton Courtenay Neighbourhood Plan to 2031 (Submission Document)

**Team:** Access to Learning

**Officer's Name:** [REDACTED]

**Officer's Title:** School Place Planning Lead Officer

**Date:** 25/05/2023

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## **Education Comments**

Oxfordshire County Council welcomes the intent expressed in paragraph 11.2.5 to support the provision or funding of infrastructure that mitigates the effects of any proposed development, with particular regard to "...school capacity, sustainable transport measures, healthcare provision, sewerage treatment capacity, water supply, public open space and utility connections". We would suggest that 'early years capacity' should also be included in this list, as further development may exert pressure on the provision available within the village itself.

Paragraph 3.4.6 indicates that 165 pupils are 'currently enrolled' at Sutton Courtenay CoE Primary School . As of October 2022 (the beginning of the current school year), there were 183 pupils on roll at the school. We would suggest that any 'on roll' data used in the plan ought to be dated to prevent confusion.

Oxfordshire County Council has previously expanded Sutton Courtenay CoE Primary School to one form of entry (30 pupils per year group) in order to provide capacity for local housing growth. While this is currently anticipated to be sufficient for the needs of families living within the catchment area who apply on time for a school place, further expansion may become necessary, especially if housing growth exceeds that currently proposed in the VOWH Local Plan.

**District:** Vale of White Horse District Council

**Consultation:** Sutton Courtenay Neighbourhood Plan to 2031 (Submission Document)

**Team:** Minerals and Waste Policy

**Officer's Name:** [REDACTED]

**Officer's Title:** Planning Assistant

**Date:** 23<sup>rd</sup> May 2023

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## **Minerals and Waste Comments**

The Neighbourhood Plan contains a lot of information relevant to Minerals and Waste, even though Neighbourhood Plans cannot include County Matters. However, there is a lot of history of extraction and waste uses in the area so it is relevant to the planning history of the area.

### Section 2.3 Oxfordshire Minerals and Waste Local Plan

This section starts with the Oxfordshire Minerals and Waste Local Plan 1996 which has been replaced. It is right to say that saved policy SC3 of the 1996 plan is saved, but the way the section is set out makes it seem out of date. I would advise the following:

- Delete paragraph 2.3.1
- Move paragraph 2.3.2 to the end of the section and alter it to say:  
*'In addition, saved policy SC3 of the Oxfordshire Minerals and Waste Local Plan (1996) is still in place until the adoption of the Oxfordshire Minerals and Waste Local Plan. That policy states.....'*
- Delete paragraph 2.3.3, 2.3.4
- Delete 'replacement from paragraph 2.3.5

Start the section with text outlining the current status of the Minerals and Waste Local Plan:

- 'The Oxfordshire Minerals and Waste Core Strategy (OMWCS) (Part 1) was adopted in September 2017 and covers the period to 2031. The Core Strategy sets out vision, objectives, spatial planning strategy and policies for meeting development requirements for the supply of minerals and the management of waste in Oxfordshire.'
- 'The Oxfordshire Minerals and Waste Local Plan Part 2: Site Allocation (OMWSA) Document (upon adoption) had been in production following adoption of Part 1'
- 'In December 2022, the Oxfordshire Minerals and Waste Local Development Scheme (13<sup>th</sup> Edition) (OMWDS) was approved at Cabinet. This sets out a process for pursuing a new Minerals and Waste Local Plan which combines Part 1 and Part 2, and upon adoption will replace the Core Strategy. The OMWDS now programmes the adoption of the new Oxfordshire Minerals and Waste Local Plan for March 2026 with Submission in March 2025.'

- 'The OMWCS 2017 remains as a Development Plan Document, until the adoption of a new Oxfordshire Minerals and Waste Local Plan.'

Once this has been clarified, the document should continue with paragraph 2.3.6. I suggest either update or delete paragraph 2.3.8 with the above information.

Appendix 3 quotes in detail two policies that have been replaced and therefore are no longer relevant. I would suggest deleting these to avoid confusion.

# Response 17

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
Please see first attachment

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>• File: 230607 Sutton Courtenay - Regulation 16 Neighbourhood Plan Representations - Define obo Bloor Homes.pdf - [REDACTED]</li><li>• File: 420 Sutton Courtenay Green Gap Report 070623 RS.pdf - [REDACTED]</li></ul>

Q4. If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
<p>Please refer to Bloor Homes' response to Question 2. Given the significant concerns as set out, the SCNP should be refused by the Inspector, and the plan should be deferred and brought forward in line with the emerging Joint Local Plan, responding to its strategic context.</p> <p>Notwithstanding that, if that approach is not pursued, then Policy SC1 should be revised to identify as Green Gaps only the areas that contribute to the separate identity of Sutton Courtenay from its surrounding settlements. That should not include Bloor Homes' site given the robust evidence presented that confirms that it does not physically or visually form part of the gap between Sutton Courtenay and Didcot, and in the context that it could accommodate much-needed residential development in a discrete parcel in due course.</p> <p>Moreover, significant changes should be made to Policies SC3, SC8, SC9 and SC15; as detailed in the response to Question 2.</p>

## Public examination

Q6. Most neighbourhood plans are examined without the need for a public hearing. If you think the neighbourhood plan requires a public hearing, you can state this below, but the examiner will make the final decision. Please indicate below whether you think there should be a public hearing on the Sutton Courtenay Neighbourhood Plan:

Yes, I request a public examination

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	█
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Planner
<b>Organisation (if relevant)</b>	Define Planning and Design Ltd
<b>Organisation representing (if relevant)</b>	Bloor Homes Ltd
<b>Address line 1</b>	Unit 6
<b>Address line 2</b>	133-137 Newhall Street
<b>Address line 3</b>	Birmingham
<b>Postal town</b>	Birmingham
<b>Postcode</b>	B3 1SF
<b>Telephone number</b>	0121 237 1919
<b>Email address</b>	█@wearedefine.com

Would you like to be notified of Vale of White Horse District Council's decision to 'make' (formally adopt) the plan?

████████████████████

## SUTTON COURTENAY: REGULATION 16 NEIGHBOURHOOD PLAN REPRESENTATIONS

7<sup>th</sup> June 2023

**Q1: Are you completing this form as an:** Agent.

**Q2: You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement.**

Bloor Homes has a number of significant concerns relating to the Sutton Courtenay Neighbourhood Plan (SCNP), and considers that the SCNP does not meet the basic conditions of Schedule 4b(8(2)) of the Town and Country Planning Act 1990 (as amended), as it has not had regard to the National Planning Policy Framework (NPPF) as required by basic condition a, and does not contribute to the achievement of sustainable development as required by basic condition e.

Therefore, the SNCP examiner should refuse the SCNP in accordance with Regulation 18(1(b)) of the Neighbourhood Planning (General) Regulations 2012 under the powers of paragraph 6 of Schedule 4B of the 1990 Act. Subsequently, the strategy and policies of the SCNP should be revisited to address the fundamental concerns highlighted in these representations, and in order to achieve a positively prepared Neighbourhood Plan that will realise sustainable development; as opposed to the currently proposed plan that has clearly sought to stymie development from its outset, without considering other alternative approaches. Bloor Homes' view is that the most appropriate course of action would be for the re-preparation of the SCNP to track the preparation of the JLP, which itself will set strategy policies that would then guide the Neighbourhood Planning process.

The following comments set out Bloor Homes' concerns. Similar comments were set out in previous representations at the Regulation 14 stage, but do not appear to have been given any particular consideration, with the Regulation 16 SCNP being almost identical to the previous iteration.

### **Comment 1 Positive Plan Preparation**

The Foreword to the Regulation 16 SCNP states that the Neighbourhood Plan has been prepared in response to the Government providing the opportunity for communities to "*develop a shared vision and shape the development and growth in their area*".

However, the result is a plan that stifles any further residential development and future growth in the area. That is abundantly clear from the construction of the SCNP's policies and the narrative in Appendix 1, which highlights a presumption from the early stages of the plan's preparation that the SCNP would not propose "*any strategic sites for residential development*" and makes reference to "*difficulties in having to fend off pressure for building land*". It is clear, therefore, that the plan has been prepared to achieve pre-determined objectives that are underpinned by an anti-development sentiment.

This position is entirely contrary to the Government's intent and policy imperatives in this respect. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to

contribute to the achievement of sustainable development (para. 7), which has three overarching objectives: economic, social and environmental (para. 8), and that *“planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so take local circumstances into account to reflect the character, needs and opportunities of each area”* (para. 9).

There is, therefore, a presumption in favour of sustainable development at the heart of the NPPF that seeks to ensure that sustainable development is pursued in a positive way (para 10). In “plan-making” that means *“all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”*.

Furthermore, in relation to plan-making specifically (including Neighbourhood Plans), the NPPF requires (para 16) that they *“(a) be prepared with the objective of contributing to the achievement of sustainable development; b) be prepared positively, in a way that is aspirational but deliverable;”*

The SCNP completely fails in this regard in that it does not assess what the potential housing needs are (as discussed in Comment 3) or consider what opportunities there are in and around the village for development to be realised in order to meet that need when it is required.

In its current form the SCNP will not meet the first and second “basic conditions” set out at paragraph 1.61 of the SCNP, in that it does not comply with *“national policies and advice contained in guidance issued by the Secretary of State”* or *“contribute to the achievement of sustainable development.”* These failings can only be remedied by taking a number of steps back to provide an opportunity to complete the evidence base, objectively consider potential opportunities, engage with all stakeholders and appropriately reframe the emerging SCNP policies in the context of the emerging Joint Local Plan that has been commenced by the Vale of White Horse District Council.

Failing to undertake that process, and instead continuing with the approach proposed in the SCNP as currently drafted, would both irrevocably undermine the plan (to the extent of it failing the basic conditions) and, even if the plan was made contrary to our views, would put it at risk of very quickly becoming out-of-date. Indeed, the Joint Local Plan, throughout its preparation, will seek to take account of the housing needs of the Vale and South Oxfordshire Districts. In doing so, the Joint Local Plan will set a housing requirement that will be met by identifying suitable development sites in sustainable development locations such as Sutton Courtenay.

Whether the Joint Local Plan seeks to meet its overall housing requirement by identifying strategic residential allocations itself or by setting out specific housing requirements for each Neighbourhood Plan area to be met through the Neighbourhood Plan process, the Joint Plan’s adoption and recognition of a housing need would effectively render the SCNP out-of-date. Indeed, the Joint Local Plan would take precedent until such time that a review of the SCNP is undertaken that appropriately takes account of the area’s housing requirement.

For that reason, it is strongly recommended that the SCNP is refused by the examiner. The SCNP Steering Group should instead pause, before revisiting the process alongside the preparation of the

JLP. In doing so, it should reflect the strategic policy approach of the JLP, take a reasonable approach to considering the housing needs of the area, and respond to them by identifying appropriate development sites, rather than seeking to entirely constrain development adjacent to the limits to its development.

### **Comment 2: Engagement**

The Regulation 16 SCNP remains almost identical to the Regulation 14 SCNP that was consulted on between July and August 2022. The Regulation 14 SCNP (and by extension, this version of the plan), suggested that it had been informed by consultation with local residents and businesses; principally via a questionnaire. That questionnaire was, however, undertaken in Summer 2018 and therefore pre-dates a number of significant changes in national planning policy, the regional and local planning context, and the Neighbourhood Plan area itself. The 'engagement' referred to in the Regulation 14 SCNP relied on the "preferences" expressed in that exercise alone as the basis for determining that only small (1-2 dwelling) infill sites should be developed in the period to 2031.

During the Regulation 14 consultation, Bloor Homes highlighted its great concern regarding the unwillingness to undertake any wider consultation with key stakeholders at the formative stages in the SCNP's preparation, setting aside the failings of the evidence base to support such an approach. Indeed, when Bloor Homes approached the Steering Group at the very early stages of the SCNP's preparation with a view to discussing the site they control and the opportunity it presents to realise a sustainable development that would address housing needs, the SCNP Steering Group refused to engage in relation to proposed new development sites. The written response received from the Steering Group in October 2020 referred to the strong opposition to development from residents, noting that there is no appetite for development in the village.

Therefore, Bloor Homes were concerned at that point that the Steering Group were appearing to pre-determine the entire Neighbourhood Plan process ahead of the evidence gathering process and without having undertaken appropriate consultation. As above, the correspondence contained in Appendix 1, dated May 2020, reinforces that suggestion, which states that the SCNP "*will not put forward any strategic sites for residential development allocation.*" Rather, it refers to the early intention to "press on" with the SCNP so that the village does not have to "*fend off pressure for building land.*"

Moreover, whilst Figure 1.2 in the SCNP refers to the various stages of its preparation, the previous representations submitted by Bloor Homes highlighted that the "draft policies consultation", "stakeholder engagement" and "informal consultation draft plan" steps have clearly been skipped in order to push the SCNP forward. Those representations at that point highlighted that, in that light, the SCNP could not be considered to have met the Basic Conditions required of it, and that the SCNP Steering Group should re-consider the approach of the plan by undertaking meaningful public consultation.

However, Bloor Homes' concerns in relation to engagement, as well as the appropriateness of the approach taken in relation to the plan more generally, have once again been ignored. Whilst the SCNP Steering Group have undertaken an additional round of "consultation" in the form of the Regulation 14 consultation, the vast majority of the plan remains completely unchanged and, as set out below, the Steering Group's response to the consultation simply seeks to justify the favoured



approach of limiting growth in the settlement. That calls into question whether the consultation was meaningful. With regard to the previous representations that raised concern in relation to the proposed Green Gap designations and the intention to stymie development within the parish, which were also echoed by other land promoters, the SCNP Steering Group have simply referred back to the evidence base. However, Bloor Homes have set out significant concerns as to the robustness of the evidence base, as set out in their previous representations and Comments 3 and 4 below.

The lack of meaningful engagement throughout the preparation of the SCNP is indicative of the pre-determined approach to the plan and its policies. It is clear, therefore, that the SCNP has not been *“shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees”* as required by NPPF paragraph 16c. Therefore, the SCNP is contrary to national policy and fails to meet basic condition a.

### **Comment 3: Housing Need & Delivery**

The SCNP purports to have assessed and addressed housing needs within the village. That claim is disingenuous as it clear that there has not actually been any objective assessment of what the development needs might be within the remaining plan period or consideration of how and where they might be addressed in a sustainable manner. This is a critical failing of the SCNP, in that it fails to achieve sustainable development as required by the Basic Conditions.

The publication of the NPPF and its subsequent revisions were clearly intended to realise a step change in the delivery of housing in order to begin to address the widely recognised housing crisis that this country faces. Consequently, the housing related policies in Chapter 5 of the NPPF emphasise that, in order to support the Government’s objective of significantly boosting the supply of homes, *“it is important that a sufficient amount and variety of land can come forward where it is needed...”* (para. 60).

In relation to rural areas specially, it seeks to support thriving rural communities, and that is reflected in the policies relating to rural housing. Notably, it emphasises (para. 78) that, in rural areas, local planning authorities *‘should be responsive to local circumstances and plan housing development to reflect local needs.’* In promoting sustainable development in rural areas, it continues to state that:

*‘to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.’* [added emphasis]

The National Planning Practice Guidance expands on this objective (paragraph: 001 Reference ID: 50-001-20160519), stating that:

*‘It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements...’*

*A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.'*

The SCNP as currently drafted conflicts with these overarching policy imperatives as it does not identify the development needs of this community and ensure that they will be addressed over the plan period and, rather, seeks to constrain growth entirely (as set out in Comment 4 below).

Section 8.2 of the SCNP purports to relate to housing need, but merely sets out the current position in terms of the characteristics of the population and housing stock. Whilst helpful, that does not constitute an objective assessment of what the local housing need might be in the plan period. The references to house price rises, the affordable housing register (111 people on the Housing Register waiting list who had specified Sutton Courtenay) and need for particular house types that are not available in the village, are clear indicators of the potential need, but they are simply dismissed without any justification. Indeed, those factors, as well as the rising house prices (which, as the SCNP recognises, are beyond the level of inflation), indicate that there is a significant need and latent demand for housing in Sutton Courtenay.

Moreover, contrary to the SCNP's contention that development activity has occurred at a significant level since the adoption of the Local Plan in 2016, just 14 dwellings have been committed from 2016 onwards (SCNP Section 8.1.5). Clearly, growth in what is a sustainable village has been limited whilst the HIF funded highways solution at the Culham Bridge was awaited. That includes from the Local Plan allocation site that has not been delivered as yet, as planning permission has recently been refused, with the Parish Council being a key objector.

Despite the evidence of a latent housing need and the failure to deliver housing in recent years, the Steering Group has concluded that there is no need for any further development based simply on an unfounded perception that a significant scale of development has occurred in Sutton Courtenay in the last 10 years. It is, however, entirely unreasonable for the SCNP to presume that further development to contribute to meeting local needs, the identified needs in the District and the wider Housing Market Area is not required and / or somehow inappropriate on that basis (particularly in light of the Parish Council's continued objection to the development of the allocation site and their comments to Bloor Homes when approached in 2020). That is particularly the case given that the SCNP and its evidence base fail to identify the actual harm that would arise from further residential development in the village.

Rather, the village is well served in terms of community infrastructure and facilities and well related to strategic employment areas and close to a railway station. As such it is one of the villages in the District that is best able to accommodate growth. That is explicitly recognised in the adopted Local Plan, which includes Sutton Courtenay as a "Larger Village" in Core Policy 3, where development is directed and unallocated development can take place in order to address local needs and to support employment, services and facilities within local communities. It is clearly a sustainable location for growth.

The SCNP should, therefore commit to positively planning to address housing needs in the area that are identified through an actual Housing Needs Assessment or by an indicative housing requirement provided by the District Council in the context of the emerging Local Plan Review which will roll the plan period forward to 2041.

As currently drafted, however, the SCNP fails to recognise and positively respond to that evolving policy context, and therefore does not meet the “basic conditions” as it does not contribute to the achievement of sustainable development. Moreover, it is incompatible with national policy that clearly states that the role of Neighbourhood Plans is to support the delivery of strategic policies contained in Local Plans, and to “*shape, direct and help to deliver sustainable development*”, and explicitly says that Neighbourhood Plans should not “*promote less development than sets out in the strategic policies for the area or undermine those strategic policies*” (paragraph 29).

Therefore, the SCNP cannot be considered to meet the Basic Conditions and should be refused, with a view to revisiting the strategy and policies of the plan to align with the preparation of the JLP.

#### **Comment 4: Green Gaps**

The policy approach of the SCNP is informed by that misguided position that Sutton Courtenay has experienced a significant amount of housing in recent years. Consequently, Policy SC1 seeks to effectively create a local “green belt” around the village in the form of a contiguous ring of areas designated as “green gaps”. The underlying intent is clear: to provide a blanket restriction to future greenfield development. The approach taken is, however, fundamentally flawed in a number of respects:

##### **1) The Role of Policy SC1**

The NPPF and PPG are quite clear regarding the role of different development plan documents. They state that strategic policies should be established within Local Plans only, whereas Neighbourhood Plans should “*support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies*” (NPPF para 13). Indeed, NPPF paragraph 18 specifically states that Neighbourhood Plans should only contain non-strategic policies.

Policy SC1 effectively seeks to apply a blanket constraint to greenfield development in the village and, in turn, can only be seen to set a strategy for the pattern and scale of development in the area (i.e. no greenfield development). That falls within the remit of strategic policies as defined by NPPF paragraph 20. Setting aside the implications of ignoring the housing needs of the village that have been highlighted in Comment 3, the SCNP is quite clearly extending beyond the scope of Neighbourhood Plans. Therefore, as a point of principle, it is contrary to national planning policy and guidance.

##### **2) Policy Foundation**

The SCNP (para 6.1.4) also states that the “*starting point for determining the local of the green gaps is the Didcot Garden Delivery Plan (DGDP) which sets out indicative locations for green gaps between the villages that encircle the proposed Garden Town.*”

Crucially, however, the DGDP and the proposals within it do not have any planning status and cannot be given any weight in the planning process, as the DGDP is not a Development Plan Document (DPD) itself. Indeed, that is recognised in the DGDP itself. Moreover, whilst historically it was proposed to take the DGDP forward as a DPD, that is no longer the case (resolution at VOWHDC Cabinet 24<sup>th</sup> June 2022). It is now intended that the Didcot Garden Town principles are realised through “leading strategic plans” (i.e. the emerging Joint Local Plan) that will be subject to public scrutiny and examination in due course.

The SCNP cannot, therefore, rely on the DGDP for either its policy context or evidence base.

### 3) Policy Application

Furthermore, the SCNP’s justification for the approach taken in Policy SC1 (paragraphs 6.1.1 and 6.2.2) is mis-informed for two reasons.

Firstly, Policy SC1’s approach is underpinned by the misconception that Development Policy 29 of the Vale of White Horse Local Plan Part 2 provides in principle support for the designation of green gaps, which is an incorrect reading of the intention and detail of that policy.

Development Policy 29 actually relates to the decision-taking process rather than the plan-making process. It certainly does not advocate the designation of Green Gaps in order to provide a blanket restriction on development. On the contrary, the policy is quite clear in that it does **not** seek to restrict development in principle or necessarily prevent the diminishment of any gap between settlements. The supporting text also states that, in applying the policy, VOWHDC will take into account housing needs, the landscape character and other environmental matters to come to a balanced judgement (Local Plan para 3.228).

In that context, the policy establishes clear policy tests to consider specific development proposals against at the development management stage. The policy states that development proposals will be permitted provided that:

- The physical and visual separation between two separate settlements is not unacceptably diminished;
- Cumulatively, with other existing or proposed development, it does not compromise the physical and visual separation between settlements, and
- It does not lead to the loss of environmental or historical assets that individually or collectively contribute towards their local identity.

The approach of Development Policy 29 is, therefore, very nuanced. Notably, the reference within the policy and supporting text to reaching a balanced view, and permitting development proposals where visual and physical separation is not **unacceptably** diminished (rather than diminished to any extent) is entirely contrary to the blanket approach proposed by the SCNP. It is clear, therefore, that the intention of the Local Plan Part 2 is that Development Policy 29 will be applied pragmatically as necessary, taking account of a range of factors including the physical and visual separation between settlements.

Policy SC1 of the SCNP overlooks that nuance, and instead seeks to apply Development Policy 29 to very specific geographic areas, and in an absolute manner. Policy SC1 does not consider the extent

to the impact of development proposals on the physical and visual separation between settlements. Rather, it states that the policy will not support proposals that affect the integrity of a gap. That is much more absolute in its approach than Development Policy 29, which considers the acceptability of any effect on separation and balances it against other factors as above. Policy SC1 does not do so, and instead effectively acts as a blanket restriction to development.

Secondly, there is no evidence that LPP2 Development Policy 29 is failing to protect the separate character and identity of settlements, nor that an alternative policy approach is required. There is, therefore, no justification that a supplementary policy is required within the SCNP, and certainly not one that imposes such a significant constraint to development.

The approach taken is, therefore, inconsistent with Development Policy 29 and is an inappropriate policy approach that, as above, will unduly restrict greenfield development entirely.

#### **4) The Evidence Base**

Notwithstanding those points, and even if the designation of Green Gaps within the Neighbourhood Plan was appropriate, Bloor Homes also has significant concerns in relation to the evidence base that seeks to justify the proposed approach within Policy SC1.

Despite the size of the evidence base documents, the matters outlined in paragraph 6.1.4 of the SCNP (which themselves reflect the DGDP) are covered at a superficial level within the supporting documents. There is no clear reasoning given for the definition of the areas proposed as green gaps, particularly in the context of a clear understanding of the role the land has in maintaining the physical and visual separation of settlements and its true value in environmental and heritage terms (as per Development Policy 29).

In particular, even if identifying Green Gaps was appropriate, the extent of the proposed Green Gaps is also often over stated without any justification, with the Green Gaps encompassing vast swathes of land. That is despite the SCNP's evidence base (Landscape Appraisal, January 2021) highlighting good practice elsewhere (Basingstoke and Dean Borough Local Plan), stating that: *"In defining the precise extent of a Gap, no more land than is necessary to prevent the coalescence of settlements will be included, having regard to maintaining their physical and visual separation"*, explaining that *"It is important that Gaps are not drawn larger than necessary for the purpose they are intended. To do otherwise could be construed as failing to positively prepare a Local Plan."*

#### **5) Conclusion**

Therefore, Policy SC1 is contrary to national policy and fails to meet the basic conditions required of Neighbourhood Plans and their policies. Indeed, Policy SC1 is clearly a strategic policy that extends beyond the role of a Neighbourhood Plan, it is underpinned by a document with no planning weight and is therefore unjustified, it is not necessary in light of Development Policy 29 of the extant Local Plan, and its application does not contribute to the achievement of sustainable development. Rather, it is a pre-determined policy that seeks to meet the Steering Group's objectives for the SCNP (which are anti-development in nature), and has not taken account of all other reasonable alternatives.

## **6) Land to the East of Harwell Road**

Notwithstanding those points, and even if the principle of identifying Green Gaps was accepted by the examiner, the significant flaws of the proposed approach of Policy SC1 and within the purported evidence base are very clearly highlighted when Bloor Homes' site to the east of Harwell Road is considered.

The Sutton Courtenay Landscape Appraisal (2020) highlights the narrow physical gap between the southernmost extent of the village form and the commercial area to the south, but provides no justification for the designation of a wider green gap to the east of the village (including the site) beyond highlighting that it is the Parish Council's wish to designate such a gap.

The 2023 Countryside and Green Gap Assessment's (CGGA) commentary in relation to assessment parcel 5 (within which the site falls) states that the parcel forms part of "an essential gap between Sutton Courtenay and Didcot", but again provides little or no actual justification for that. It simply refers to the parcel as comprising flat, agricultural land that is in some places enclosed and in others "visually open", but recognises the limited landscape quality and only identifies a single key view (see below). It also refers to the footpaths providing links to the countryside and states that the parcel "may offer important green links" for fauna but provides no substantiation for that. Indeed, it recognises that there is no particular heritage or ecological value relating to the site.

Therefore, the evidence base is inadequate and often inaccurate, and largely presents a high-level commentary in relation to the area. It does not provide any meaningful assessment of whether the area is valued or in need of specific protection. Nor does it provide a clear and reasoned justification of what has informed the exact extents of Green Gaps, and why it should extend further north than the existing physical gap, which separates the existing properties along the eastern edge of Harwell Road and the northern edge of the commercial development. That is despite the SCNP Landscape Appraisal explicitly recognising that local green gaps should not cover a larger expanse of land than is needed to allow for clear separation between settlements.

Despite that, the SCNP identifies the site as part of Green Gap 5. This area is described in the SCNP as being particularly vulnerable given the development of the two warehouses in the commercial development within Didcot to the south of Area 5e, creating a "pinch point". This perceived "sensitivity" is also highlighted elsewhere in the evidence base.

The evidence base also fails to explain why Green Gap 5 conflates land to the east of Harwell Road with land to its west, which incorporates the 'Settlement Site' scheduled monument (also referred to as 'Keelart's Field'). The area to the west of Harwell Road shares no physical or visual relationship with the area to the east (particularly the site) and appears to be much more sensitive, with only Keelart's Field itself comprising the gap between the existing built form and the northern extent of the area that is subject to a Local Development Order for commercial use. They should, therefore, be assessed as separate entities.

The following analysis considers the matters outlined in Development Policy 29 of the Part 2 Local Plan, principally 'physical and visual separation between settlements' and 'environmental and historic assets that contribute to local identity'. It also considers the 'important questions' that have been outlined by the Landscape Appraisal; which highlight that it is important to take account of



whether a local gap forms part of a gap between two nearby settlements, and whether an identified gap is a larger expanse of land than is needed to allow for clear separation between settlements. It does so with regard to the site controlled by Bloor Homes, and with reference to the submitted Green Gap analysis document, that contains the emerging Masterplan for the development of the site.

### **Consideration 1: Physical and Visual Separation between settlements**

#### ***Physical Separation***

The Masterplan for the proposed development of Bloor Homes' site demonstrates that the site's development would not extend the built envelope of the settlement any further east and south than that already established by existing built development.

Whilst the development would inevitably constitute expansion of the settlement to the east of the village, the development would not extend the built form any further than the existing built form along Hobbyhorse Lane, and significantly less than the allocated site at Hobbyhorse Lane. With that said, however, it should be recognised that the nearest settlement to the east of this particular part of Sutton Courtenay is Shillingford, which is located over 9km away. The site, therefore, simply can not be considered to form part of a gap between two "nearby" settlements. Therefore, it is unclear what the purpose of this 'gap' is for, and that reinforces the suggestion that the intention of this policy is simply to create a quasi-Green Belt around the settlement. Rather, the limited expansion of the built form to the east as a result of the development of Bloor Homes' site would be towards the area of reclaimed landfill that already provides an effective defensible boundary and landscape buffer between Sutton Courtenay and the open countryside to the east. Moreover, the nature and scale of the proposed development and screening provided by surrounding boundary vegetation and proposed landscaping means the proposed housing will relate closely to the existing settlement edge of Sutton Courtenay.

With regard to the gap between the south of the settlement and the Didcot Industrial Estate, it is noted that the site can be developed whilst still maintaining the existing gap between the outlying dwellings on Harwell Road and the warehouse development on the northern edge of Didcot. The sense of separation will, therefore, be retained from a physical perspective. As such, from a physical perspective, only the area comprising the physical gap between the settlements to the east of Harwell Road (i.e. the field to the south of Bloor Homes' site) should be included in the Green Gap. Anything else would reflect a "larger expanse of land than is needed", which is contrary to the key questions / characteristics as set out in the Landscape Appraisal.

#### ***Visual Separation***

From a visual perspective, the separate identity of Sutton Courtenay and Didcot industrial area is given further emphasis by the contrasting massing, scale and character of the buildings within the industrial area and its clear demarcation by a perimeter metal fence. Residential development within the site would quite clearly relate to the existing residential areas of Sutton Courtenay (particularly along Harwell Road), and the retained gap to the south of the site would maintain the separation to the area to the south, which is of a very distinct industrial nature. That strengthens the separation further still than, for example, if the area to the south was also residential in nature.

The visual experience when travelling between the settlements can affect the perception of coalescence. However, in this case, the site and its development would not materially affect the visual experience travelling in to or out of Sutton Courtenay along Harwell Road. That highlights the limited role the site plays in maintaining the physical and visual separation of the village to the commercial area to the south.

Travelling north along Harwell Road, when the commercial development to the west ends, Keelart's Field becomes visible behind the roadside hedgerow the with residential area of Sutton Courtenay visible in the background. At this point the recently constructed warehouses to the east are prominent, albeit set back from the highway behind a landscaped open space. Further north on the approach to Sutton Courtenay, longer views across the frontage space and to the countryside to the east of Sutton Courtenay become visible. The site itself is, however, screened by the intervening mature landscape framework that would be enhanced through the proposed landscaping scheme. Moreover, the Masterplan proposes to draw the built form back from the south-eastern corner of the site to ensure that a clear gap is maintained in views from this locality, and that the open view to the countryside to the north-east / east is retained.

The nature of the experience changes, however, as receptors reach the 'Welcome to Sutton Courtenay' sign. The signage acts as a notable gateway into the village, the tall roadside vegetation to both sides tunnels views along Harwell Road into the village, and neither the commercial area or the site are visible until the built form in Sutton Courtenay starts to the west of Harwell Road.

Travelling south along Harwell Road the site and commercial development to the south are both largely screened by the residential development that lines the road and then the tall roadside vegetation. As users reach the southernmost dwellings to the east of Harwell Road, glimpse views of development on the site may be visible beyond the existing bungalows but would be seen within that residential context. The residential development on the site would extend no further south than the current residential properties and, therefore the visual experience would be largely unchanged. Whilst there is a glimpse view of the commercial area between the last existing property and the tall roadside vegetation, the landscaping proposed as part of the site access would close that view.

Therefore, development within the site would not alter the nature of the distinct visual experience both when travelling north towards Sutton Courtenay and south away from the settlement and towards Didcot Industrial Estate. That reinforces that the site does not contribute to maintaining the physical or visual separation of the village to the Didcot Industrial Estate.

The site, therefore, should not be included in the Green Gap, given that the Landscape Appraisal establishes that local gaps should not include a larger expanse than is needed to allow for the clear separation between settlements. Rather, the Green Gap should be limited to the area that actually contributes to separation; which is the field to the south of Bloor Homes' site.

### ***Visual Amenity***

In addition to that, it should be noted that neither the northern approach to the village, or the return experience, are identified as key views. Rather, the SCNP identifies only one key view in Area 5 close to the site – View 25 north towards the village hall, which appears to have been taken from the public right of way to the east. However, the approach here is somewhat unclear. By virtue of the existing



vegetation to the immediate south of Hobbyhorse Lane, it is disputed whether the Village Hall can actually be seen from this location, and it certainly cannot be seen from along the public right of way as it travels to the north

Moreover, the view is described as “*an important physical and visual separation between Sutton Courtenay and Didcot*”, but there is no explanation why that is the case. The direction of the view is away from Didcot, and instead looks to the eastern edge of the existing built form of Sutton Courtenay. As a result, the commercial area barely impinges on the field of view.

From this viewpoint, the retained open fields to the east of the site will maintain the sense of visual and physical openness in the area from the public right of way and maintain the longer distance views north towards the village. The residential development on the site would be read as part of the village and seen in the context of the existing built form. Notably it would extend no further south than the existing residential properties to the east of Harwell Road and, therefore, the existing undeveloped green gap between Sutton Courtenay and Didcot as seen from this perspective would be retained. The proposed landscape scheme provides further mitigation, emphasising the separation from the commercial area and softening the urban edge of Sutton Courtenay to ensure that it is more sensitively integrated with the surrounding countryside.

Generally, it is notable that the site is visually relatively well contained. Views are generally limited by off-site vegetation cover to the north east and within the restored landfill areas to the east, the industrial development on the northern edge of Didcot to the south, and the built-up edges of Sutton Courtenay to the west and north, notably along Harwell Road. The site is generally screened from view along Harwell Road by the adjacent housing frontage and roadside vegetation. Views into the site are, however, available from locations along the existing public rights of way that skirt the site and surrounding fields to the east. Breaks in the boundary vegetation allow direct and unfiltered views into the site, particularly in the southern field where there is little boundary enclosure around the southern and south eastern boundaries of the site. However, the backdrop to many of these views is often already defined by surrounding housing along the edge of Harwell Road, alongside other prominent urbanising features such as the powerlines.

There is no justification for the site’s inclusion as a Green Gap from a visual amenity perspective.

## **Consideration 2: Environmental and Historic Assets contributing to Local Identity**

### ***Landscape Character***

The landscape study undertaken on behalf of Bloor Homes (as contained in the submitted Green Gap report) has highlighted that the site is not covered by any specific designations that imply a high landscape value, that the remnant fields and hedgerows are not of particular value. Indeed, it is not representative of the key positive landscape attributes of the wider area due to its proximity to the existing settlement edge and the lack of distinctive views to higher ground in the north and south.

Indeed, the SCNP’s evidence base acknowledges that there is limited aesthetic quality to the landscape in this area due to the prominence of urbanising elements including overhead power lines, pylons and large-scale warehouse development and the degraded nature of some of the nearby landfill and quarry restoration works. Reference is made to “*the openness of this land as the*

*topography remains broadly flat and visually open*", but the site itself is actually visually well contained. Notwithstanding that, this area is not Green Belt where "openness" is to be preserved, and that matter in itself does not warrant particularly protection over and above that provided by the usual countryside policies.

There is also some suggestion in the evidence base that field pattern on the eastern side of the settlement has a clear relationship with the village and its Conservation Area. That may be the case for parcels to the north, but the site is contained by post 1900 development. The field compartments would, therefore, have been relatively separate from the more historic areas of the village to the north. Moreover, the evidence base ignores the previous expansion and infilling that is characteristic of the fields further north, and the potential impact of the allocated site to the north of Hobby Horse Lane.

Indeed, the Sutton Courtenay Landscape Study (June 2019) assesses the sensitivity of the landscape surrounding the village to development. It confirms that there is less historic value at the southern end of the village and suggests that there is scope for some appropriate development on the eastern edge of the settlement (but not on the western edge), if designed "*with an appropriate style and sufficient open space to fit snugly into the older part of the village*". The recommendations for conservation and enhancement place emphasis on strengthening landscape structure, all of which can be addressed through the sensitive masterplanning of the site and is shown on the Masterplan appended to this representation.

Therefore, there is also no justification from that perspective to identify the site as part of a Green Gap.

### **Ecology**

The SCNP and its evidence base refer to Green Gap 5 as having an important biodiversity role, but provide no actual evidence of that is presented anywhere or how, if it does, it contributes to local identity; which is the key consideration here. Indeed, that position is contrary the assessment work undertaken on behalf of Bloor Homes (as summarised in the Technical Document) that concluded that there are no overriding ecological constraints to residential development and that the proposed scheme is capable of minimising impacts on and providing net gains in biodiversity in compliance with relevant planning policy for the conservation of the natural environment at all levels.

### **Heritage**

The site does not contain any designated heritage assets (as defined in Annex 2 of the National Planning Policy Framework) and is not located within the boundary of a designated heritage asset. Indeed, the more historic and valued components of the village, reflected by a Conservation Area designation, are located to the north of the settlement. The site is, therefore, outside of the setting of the Sutton Courtenay Conservation Area, and does not make any contribution to its significance or the listed buildings within it. A scheduled monument located to the south west of the site, but again that would not be adversely affected by the development of the site given the existing (post 1900) intervening built development.

### **Agricultural Land**

In the description of A5e (“a series of flat, agricultural fields”), the evidence base refers to the area being Grade 2 and Grade 3 agricultural land (this is also referred to elsewhere in the evidence base), but no evidence is presented to substantiate that the land constitutes “best and most versatile agricultural land”.

### **Conclusion**

When the Bloor Homes site is considered in relation to the matters set out in Development Policy 29, it is clear that there is no justification for its inclusion in a designated Green Gap.

Its development, particularly in the form proposed by Bloor Homes’ emerging Masterplan, would not unacceptably diminish or compromise the physical and visual separation of Sutton Courtney with Didcot. Nor would it result in the loss of environmental or historical assets that individually or collectively contribute towards the local identity of the village.

If Policy SC1 were to be retained despite the above concerns as to the principle and application of the policy, the proposed green gap should therefore be narrowed to reflect only the current physical gap between Sutton Courtenay and Didcot to the south (i.e. the field to the south of Bloor Homes’ site), as that is the area that contributes to the clear separation between the settlements visually and physically. It should not include the back-land plots to the immediate east of Harwell Road (i.e. the site), as it does not contribute to the separation of settlements, and its development in due course would not unacceptably diminish the physical or visual separation of the settlements, as per the tests of Development Policy 29.

### **Comment 5: Other Policies**

Bloor Homes also has concerns relating to the SCNP’s proposed development management policies.

#### **Policy SC3:**

Policy SC3 states that development which maintains or enhances the identified key views and vistas listed within the policy will be supported. As set out above, it identifies View 25. However, the description of the view refers to a view towards the Village Hall that is not available in reality, and also refers to the view being of an important physical and visual separation; without justification of why that is the case. Therefore, it should be removed from Policy SC3.

#### **Policy SC8:**

Policy SC8 sets out the circumstances under which the SCNP would support development in the plan area. However, the in-principle concerns regarding the proposed strategy of constraining growth in the village are also reflected in this policy, which supports development only “*within the built-up area*” or “*as allocated within the Vale of White Horse Local Plan*”. As above, Bloor Homes are of the view that this policy approach does not meet the basic conditions for the reasons set out in the above comments. Notwithstanding that, Bloor Homes are also concerned with the specific terms of the policy, as follows:

- Limb a states that residential developments should be designed in keeping with existing densities. The approach to density should, however, take into account what density could be achieved in the location rather than simply replicating existing densities, which may not be

an appropriate response to the context of the new development or facilitate an efficient use of land;

- Limb j states that residential developments should provide a mix of accommodation to meet local housing needs, which at present sets the need for 2–3 bed dwellings. Again, limb j should reflect the nuance that housing mixes should reflect housing demand (as well as need), site and settlement-specific characteristics, and viability;
- Limbs k to m state that residential developments should (k) adopt a fabric first approach to reducing energy demand of dwellings, (l) carefully integrate renewable energy technologies, and (m) promote opportunities to introduce rainwater harvesting. Such policies are outside of the remit of Neighbourhood Plans as they will impact on viability. They should, therefore, be deferred to the emerging Joint Local Plan Review, which will allow the District Councils to consider the implications of the Building Regulations and the forthcoming Future Homes Standards. Limbs k to m should be deleted.

### **Policy SC9:**

Policy SC9 sets out requirements in relation to the housing mix of new developments. Bloor Homes' view is that the plan as a whole should be deferred until the Joint Local Plan has been progressed, sitting beneath the plan. That would allow Policy SC9 to refer to the development requirements of the Joint Local Plan, which will be underpinned by an up-to-date evidence base. However, in any circumstance, the policy should be sufficiently flexible to allow housing mixes to respond to housing demand, site-specific factors, and viability.

### **Policy SC15:**

Similar to limbs k to m of Policy SC8, Policy SC15 seeks to introduce new requirements relating to sustainable construction and infrastructure that go above and beyond those established in the extant Local Plan. Again, there is no evidence to justify those new policy requirements. Such issues are better dealt with through the Local Plan process, when the impact on development viability can be considered; or arguably at the national scale, given the Government's intention to create a standardised set of sustainable construction requirements. That provides yet more justification for the SCNP to be withdrawn and delayed until the Joint Local Plan is adopted. If, however, it is taken forward, Policy SC15 should be deleted entirely.

### **Comment 6: Conclusion**

In light of the above comments, it is Bloor Homes' view that the SCNP does not meet the basic conditions of Schedule 4b(8(2)) of the Town and Country Planning Act 1990 (as amended). Therefore, the Inspector should refuse the SCNP in accordance with Regulation 18(1(b)) of the Neighbourhood Planning (General) Regulations 2012. The public examination should proceed by way of a hearing to allow those matters to be considered fully.

The plan should take a number of steps back and should be re-considered within a timescale that tracks the advancement of the Joint Local Plan Review. The Neighbourhood Plan should respond to that strategic context and ensure that it objectively considers the opportunities to address the identified need / housing requirement for the area by developing a robust evidence base, rather than seeking to constrain development out of hand. The next version of the SCNP must, therefore, be underpinned by a robust evidence base that considers all options, and is underpinned by

## Define.

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meaningful consultation; as opposed to the weak evidence base and limited consultation that seeks to justify the pre-determined direction of this version of the SCNP.

As part of that process, it should consider the capacity of suitable sites, such as that controlled by Bloor Homes to the East of Harwell Road given their capacity to provide much-needed housing in a location that would maximise the potential of a sustainable settlement with a wide range of services and facilities.

### **Q3: Supporting evidence.**

PDF of representations (this document); Green Gap report (Ref. 420 Sutton Courtenay Green Gap Report 070623).

### **Q4: If appropriate, you can set out what change(s) you consider necessary to make the plan able to proceed below. It would be helpful if you were able to put forward your suggested revised wording of any policy or text.**

Please refer to Bloor Homes' response to Question 2. Given the significant concerns as set out, the SCNP should be refused by the Inspector, and the plan should be deferred and brought forward in line with the emerging Joint Local Plan, responding to its strategic context.

Notwithstanding that, if that approach is not pursued, then Policy SC1 should be revised to identify as Green Gaps only the areas that contribute to the separate identity of Sutton Courtenay from its surrounding settlements. That should **not** include Bloor Homes' site given the robust evidence presented that confirms that it does not physically or visually form part of the gap between Sutton Courtenay and Didcot, and in the context that it could accommodate much-needed residential development in a discrete parcel in due course.

Moreover, significant changes should be made to Policies SC3, SC8, SC9 and SC15; as detailed in the response to Question 2.

### **Q5: Supporting evidence.**

Please see Bloor Homes' response to Question 3.

### **Q6: Please indicate whether you think there should be a public hearing on the Sutton Courtenay Neighbourhood Plan:**

Yes, I request a public examination.



# REVIEW OF POLICY SC1: GREEN GAP

WITHIN THE DRAFT  
SUTTON COURTENAY  
NEIGHBOURHOOD PLAN

*in respect of Bloor Homes land interest at  
Land to the East of Harwell Road, Sutton Courtenay*

**BLOOR HOMES**<sup>®</sup> JUNE 2023





# Contents

1. INTRODUCTION / PAGE 4
2. EMERGING MASTERPLAN / PAGE 6
3. SETTLEMENT IDENTITY & SEPARATION / PAGE 8
4. ANALYSIS OF VISUAL MATTERS / PAGE 10
5. ENVIRONMENTAL AND HISTORIC ASSETS / PAGE 14
6. SUMMARY & CONCLUSIONS / PAGE 16

*Prepared on behalf of*

**BLOOR HOMES**<sup>®</sup>

*by*

**Define.**



# 1. Introduction

This report has been prepared on behalf of Bloor Homes Ltd who have an interest in the land to the east of Harwell Road in Sutton Courtenay, as shown on Page 5 (hereafter referred to as “the site”).

The site is being promoted as a residential development opportunity in the context of the preparation of the Joint Local Plan that has been commenced by the Vale of White Horse District Council and South Oxfordshire District Council, and the preparation of the Sutton Courtenay Neighbourhood Plan that is being led by the locally appointed Neighbourhood Plan Group.

The Draft Neighbourhood Plan has been submitted to the District Council who are conducting a consultation (Regulation 16) ahead of its independent examination. This report supports Bloor Homes’ objection to Policy SC1 of the draft Neighbourhood Plan, as set out in Bloor Homes’ representations. Policy SC1 seeks to establish a wholly contiguous ring of areas around the village that are designated as “green gaps”. The policy is clearly intended to prevent any future greenfield development in this locality, regardless of the evidence of housing needs in the area and that the village is recognised to be a sustainable location for growth in the extant Local Plan.

The proposed prohibitive policy approach means that the Neighbourhood Plan fails to meet the “basic conditions” required of such plans by the Town and Country Planning Act 1990 (as amended). Notably, it has not had regard to the National Planning Policy Framework (NPPF) (basic condition a), and does not contribute to the achievement of sustainable development (basic condition e).

As outlined in Bloor Homes’ representations, Policy SC1 is fundamentally flawed because:

- It is a strategic policy in both intent and extent, and as such it goes beyond the remit of a Neighbourhood Plan which is to “... support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies” (NPPF para. 13). Neighbourhood Plans should only contain “non-strategic” policies (NPPF para. 18).

- The Didcot Garden Delivery Plan has no status and cannot be relied on either for its policy basis or evidence base;
- Development Policy 29 of the extant Vale of White Horse Local Plan already provides an effective development management tool that protects the separate character and identity of settlements. It does so without designating specific Green Gaps and it does not support the designation of such gaps in supplementary Neighbourhood Plan policies. However, in contrast to Policy SC1 it also explicitly recognises the requirement to meet identified housing needs and, therefore, it does not impose a blanket restriction on development.

Notwithstanding the above matters, the evidence base that has been submitted with the Neighbourhood Plan is both inadequate and inaccurate. Consequently, it fails to provide a robust reasoning for the location and extent of the proposed Green Gap designation areas.

The Sutton Courtenay Landscape Appraisal (2020) highlights the narrow physical gap between the southern most extent of the village form and the commercial area to the south, but provides no justification for the designation of a wider green gap to the east of the village (including the site) beyond highlighting that it is the Parish Council’s wish to designate such a gap.

The 2023 Countryside and Green Gap Assessment’s (CGGA) commentary in relation to assessment parcel 5 (within which the site falls) states that the parcel forms part of “*an essential gap between Sutton Courtenay and Didcot*”, but again provides little or no actual justification for that. It simply refers to the parcel as comprising flat agricultural land, that is in some places enclosed and in others “*visually open*”, but recognises the limited landscape quality and only identifies a single key view (see below). It also refers to the footpaths providing links to the countryside and states that the parcel “*may offer important green links*” for fauna, but provides no substantiation for that. Indeed, it recognises that there is no particular heritage or ecological value relating to the site.

The evidence base does not, therefore, provide any justification as to why this area is valued or in need of specific protection, or why the exact extents of the Green Gap should be as suggested in the Neighbourhood Plan. Rather, it provides a superficial (and often inaccurate) descriptive summary of the area, without drawing out how that has informed the approach taken.

The failings of Policy SC1 and its purported evidence base are very clearly highlighted when the site to the east of Harwell Road is considered in the context of specific policy tests established by Development Policy 29 of the extant Local Plan. It states that development proposals will be permitted provided that:

- The physical and visual separation between two separate settlements is not unacceptably diminished;
- Cumulatively, with other existing or proposed development, it does not compromise the physical and visual separation between settlements; and
- It does not lead to the loss of environmental or historical assets that individually or collectively contribute towards their local identity.

As the Local Plan recognises (para 3.228) a balanced judgement in relation to housing needs, the landscape character and other environmental matters in relation to the specific site and scheme proposals is required.

This report, therefore, addresses these matters in an appraisal of the site to the east of Harwell Road and the emerging Masterplan scheme for it (as set out in the following section) to highlight that:

- The site does not form an important part of the visual or physical gap between Sutton Courtenay and surrounding settlements, and development on it would represent a logical extension to the built form;
- Rather, The field to the south of Bloor Homes’ site is more sensitive, and forms the key gap (both physically and visually) between Sutton Courtenay and Didcot to the south;



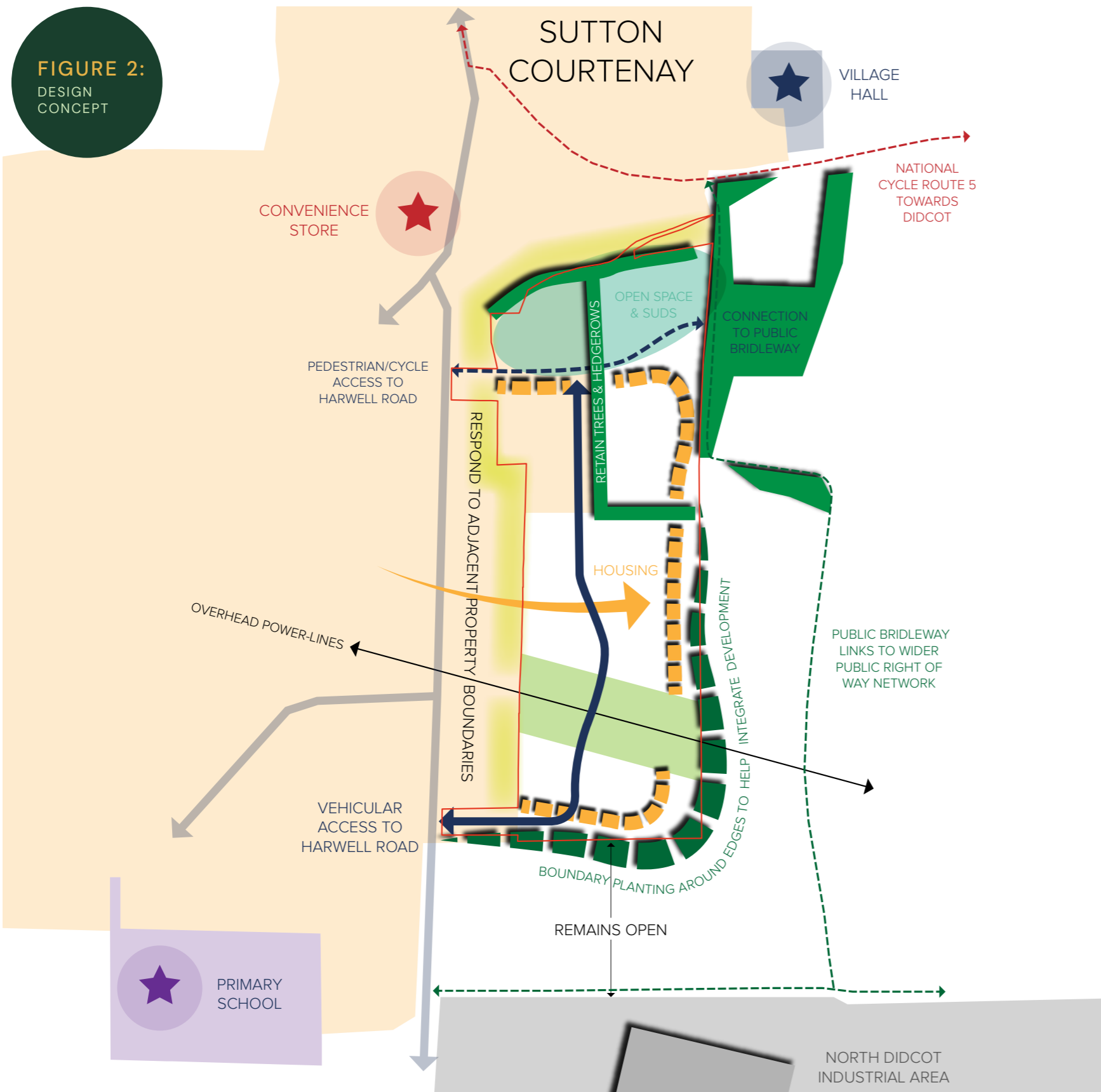
**FIGURE 1:**  
THE SITE

- A sustainable residential development can be delivered on the site to address local housing needs and provide significant socio-economic and environmental benefits, without material harm to the identity of Sutton Courtenay and its separation from other settlements; and
- Therefore, the site's inclusion in the proposed designated Green Gap is both inappropriate and unnecessary. Bloor Homes' view is that the policy should be deleted (as set out in their representations), but if it is retained, the site should not be included in Green Gap 5 which should focus only on the field to the south of the site.





# 2. The Emerging Masterplan



The Masterplan proposals for the site have been prepared with a clear knowledge and understanding of the specific characteristics of the site and its surroundings. The core aim is to create an attractive and sustainable environment that responds to the site's setting, taking advantage of the existing landscape framework to create a high quality and distinctive residential development that is well integrated into its surroundings, and provides an attractive place to live with a strong sense of place.

The Masterplan demonstrates how around 100 new homes would be provided on the site at a net density of around 35 dwellings per hectare. That would make a substantial contribution to addressing the identified housing need arising in the area in a location that would contribute to a sustainable pattern of development.

The provision of a range of house types, sizes and tenures would widen the choice of housing and ensure the creation of a mixed and cohesive community that is representative of the local population. The provision of a substantial proportion of affordable housing within that would also allow those on lower incomes or concealed families to remain in, or return to, the area.

The Masterplan includes approximately 1.9 ha of areas of public open space to provide informal recreation opportunities and easily accessible places for people to meet, relax and play; aiding the health and well-being of residents and the wider community, encouraging social interaction and creating a sense of identity and ownership within the development.



**FIGURE 3:**  
EMERGING  
MASTERPLAN

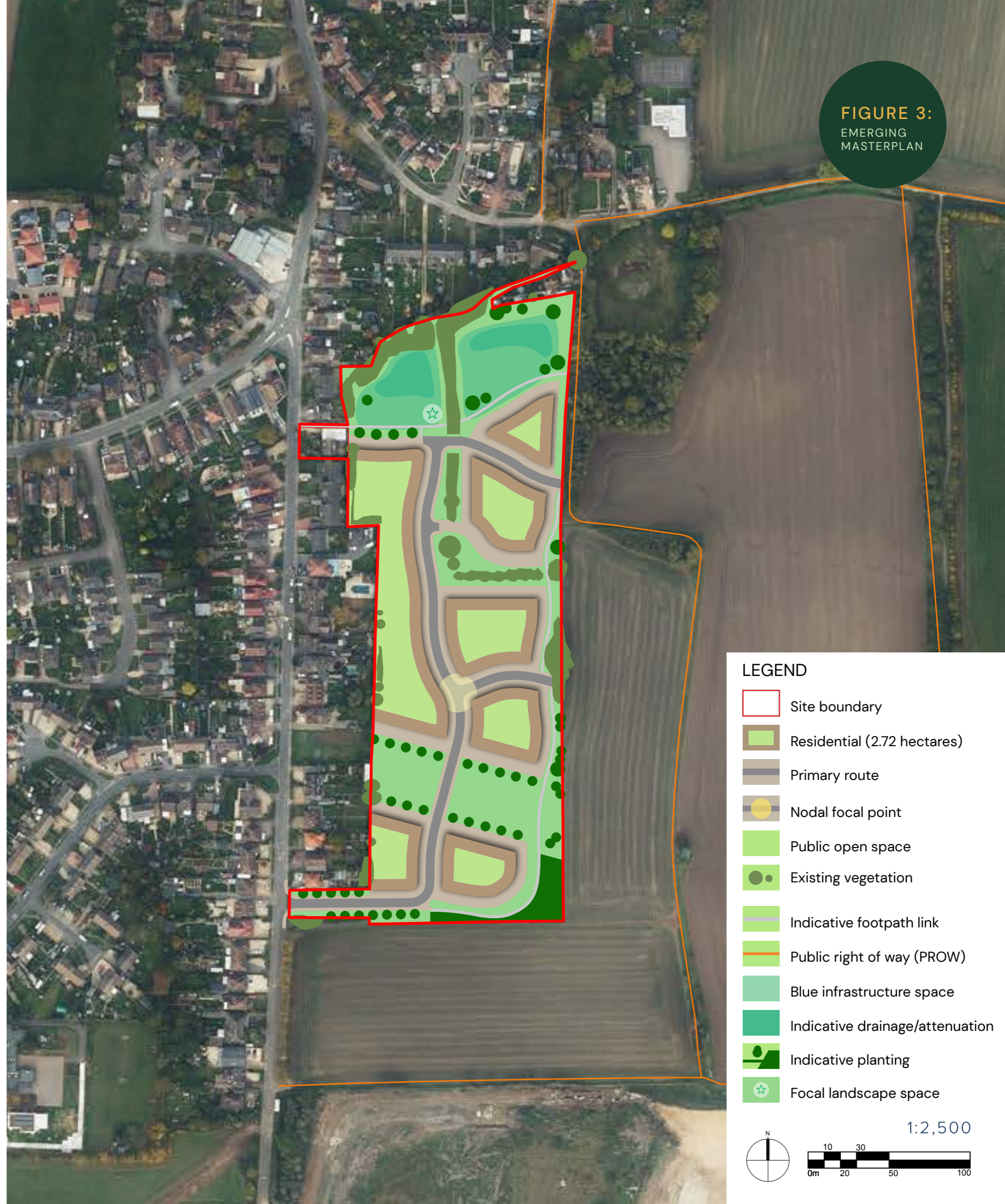
The site would benefit from a new vehicular access off Harwell Road to the south (through the site of an existing bungalow). Additional pedestrian and cycle links as shown would also help connect the development with the surrounding community, encourage active travel, and provide easily accessible links to community facilities. This would include connections to the nearby National Cycle Route 5 and existing Public Right of Way network providing access to the wider settlement, the surrounding countryside and to Didcot.

Trees and hedgerow boundaries would be retained wherever possible. As well as providing attractive landscape features within the scheme, they would structure the residential development areas and form the basis of green movement corridors.

Additional structural tree and hedgerow planting would also be provided, particularly around the south eastern fringes of the site. That would reflect and enhance the local landscape character, strengthen the sense of vegetated enclosure, and sensitively integrate the built form into the surrounding landscape.

The provision of sustainable drainage features in the northern part of the site as shown would alleviate localised surface water flooding issues. This area would become a cyclically wet environment in keeping with the historical water meadows of the Thames Valley.

The provision and management of the SUDS features together with the new landscape planting would also provide new and enhanced habitats and significantly improve the biodiversity value.



**LEGEND**

- Site boundary
- Residential (2.72 hectares)
- Primary route
- Nodal focal point
- Public open space
- Existing vegetation
- Indicative footpath link
- Public right of way (PROW)
- Blue infrastructure space
- Indicative drainage/attenuation
- Indicative planting
- Focal landscape space

1:2,500



# 3. Settlement Identity & Separation

## THE VILLAGE

Sutton Courtenay is an attractive historic village that is well served by a range of services and facilities, including a village hall, post office and store, public houses, petrol station, primary school and recreation ground that meet the day-to-day needs of residents. There are also a number of primary employment areas nearby, including the Didcot Quarter logistics / R&D units that have recently been constructed to the immediate south of the village and Milton Park, to the south west.

The bus stops located on either side of Harwell Road, are served by the 33 Connector and X33 Connector, which provide links between Abingdon and Wantage, via Culham, Sutton Courtenay, Milton Park, Didcot and Harwell. The nearest railway station is Didcot Parkway, which is located approximately 4km to the southeast, which provides services to Reading, London Paddington, Oxford, Swindon and Bristol Temple Meads.

The village is, therefore, an inherently sustainable location for growth by virtue of its own range of services and facilities and its excellent connectivity to surrounding settlements by sustainable modes of transport. That was recognised by its inclusion in Tier 3 (larger villages) of District Council's extant Local Plan.

The District Council's strategy has been to focus growth within the "Science Vale" to support this world class location for science and technology-based enterprises. This includes allocating growth to support thriving villages such as Sutton Courtenay and help maintain their vibrant communities.

## SETTLEMENT FORM

The village has a linear arrangement, with the older, historic core (pre 1900) mainly centred along the High Street and Church Street to the north of the village. Most of this area is designated as a Conservation Area.

Subsequent development (1900 to 1960) has generally taken place as either infill along the High Street or has branched out along adjoining roads – including Milton Road and Harwell

Road to the south. Post 1960, further residential growth has mainly been in the form of cul-de-sac development on land behind the principal road frontages, or grouped around the Bradstocks Way estate on the south western edge of the village.

To the south an extensive area of industrial and commercial development extends south east of Milton and north of Didcot. Strategically located next to the Great Western Railway, it was originally the site of the Central Ordnance Depot during the Second World War. Part of that site subsequently accommodated Didcot Power Station. Despite the decommissioning of the Power Station and the demolition of many of its structures over the early part of the 21st Century (including prominent cooling towers and chimneys), the area is still characterised by large scale commercial and industrial buildings north of the railway and the A4130 corridor.

The site is located on the south eastern edge of the village and its development for residential uses would be consistent with the incremental backland development that has typified the settlement's growth over the last 50 years.

## SETTLEMENT SEPARATION

The nature and scale of the proposed development and the screening provided by the surrounding boundary vegetation and proposed landscape planting means that the new housing would relate closely to the existing settlement edge of Sutton Courtenay

Indeed, the residential development of the site would not extend the built envelope of the settlement any further east and south than the existing built form.

Whilst the development would inevitably constitute expansion of the settlement to the east, the development would not extend the built form any further than the existing buildings located on Hobbyhorse Lane, and significantly less than the extant Local Plan's allocation site to its north.

Moreover, the limited expansion of the built form in this direction would be towards the area of reclaimed landfill that

provides a significant buffer between Sutton Courtenay, the wider countryside and other settlements to the east and south.

Notwithstanding that, the nearest settlement to the east of this particular part of Sutton Courtenay is Shillingford, which is located over 9km away and is not visible from the site. The impact of the proposed development of the site on this gap between the settlements would be negligible. On that basis alone, there is no justification for seeking to designate the site and land to its east as part of a Green Gap to maintain that separation.

The Didcot Industrial Estate is located to the south of the village, and the existing built form to the west of Harwell Road extends towards its northern limit. To the east of Harwell Road, however, the built form does not extend as far south, and an open field with a frontage to Harwell Road has been retained between Bloor Homes' site and the commercial area. The wide open landscape frontage to the commercial area further adds to the perception of separation.

The distinction between Sutton Courtenay and the commercial area to the south is given further emphasis by the contrast in the different uses and, therefore, the character, scale and materials of the buildings and the clear demarcation of the commercial area by a perimeter metal fence.






The site only extends as far southwards as the existing built form to the east of Harwell Road. It could, therefore, be developed whilst still maintaining the field gap between the dwellings on the eastern side of Harwell Road and the commercial development on the northern edge of Didcot. Moreover, the residential development would quite clearly relate to the existing residential area of Sutton Courtenay.

The residential development of the site would, therefore, maintain the existing physical and perceived separation with the commercial area to the south, which has a very distinct character, and the separate identities of the settlements. On that basis there is no justification for seeking to designate the site as part of a Green Gap.






**FIGURE 4:**  
SETTLEMENT  
PATTERN

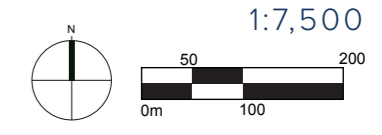


**LEGEND**

-  Site boundary
-  Conservation Area Boundary
-  Scheduled Monument
-  Employment Area
-  Didcot Power Station Site

**APPROXIMATE GROWTH**

-  Pre 1900
-  1900 to 1932
-  1932 to 1960
-  1960 to 1992
-  1992 onwards





# 4. Analysis of Visual Matters

## VISUAL AMENITY

Settlement identity and separation, or at least the perception of those matters, is often influenced by visual amenity and coalescence.

In that respect, it is notable that the site is visually relatively well contained, with views generally limited by:

- Off-site vegetation cover to the north east and within the restored landfill areas to the east;
- The industrial development on the northern edge of Didcot to the south; and
- The built-up edges of Sutton Courtenay to the west and north, notably along Harwell Road.

The site is generally screened from view along Harwell Road by the adjacent housing frontage and roadside vegetation. Views into the site are, however, available from locations along the existing public rights of way that skirt the site and surrounding fields to the east. Breaks in the boundary vegetation allow direct and unfiltered views into the site, particularly in the southern field where there is little boundary enclosure around the southern and south eastern boundaries of the site. However, the backdrop to many of these views is often already defined by surrounding housing along the edge of Harwell Road, alongside other prominent urbanising features such as the powerlines.

## PUBLIC RIGHTS OF WAY

The location and extent of built development as proposed in the Masterplan has been carefully considered to ensure that the visual separation between the built form of Sutton Courtenay and the commercial buildings in Didcot to the south its maintained in views from the nearby public rights of way; as highlighted in Photos 1 to 4.

The residential development of the site as proposed would inevitably bring the edge of the urban area closer to the users of the nearby public rights of ways to the east. In most views however, a retained field in the intervening area would still provide a green and open setting. Moreover, the new residential development would be closely related to existing built form and of similar scale and appearance to the existing housing edge and therefore, it would not in any way be incongruous and, therefore, the character of the existing views would be largely unchanged.

Moreover, the Masterplan proposes to further enhance the site's visual enclosure through strategic landscape planting, notably along the southern and south eastern site boundaries. That would ensure that the views of the new residential development are screened and filtered and, therefore, sensitively integrated into the area. It will also further emphasise the relationship with the village and distinction from the commercial area to the south.



View Locations



*Photo 1 - Hobbyhorse Lane: The residential development on the site would be largely screened by the existing vegetation framework and further proposed planting to the south. It would extend no closer to the commercial area than the existing built form (albeit that is largely screened from view) and the existing visual gap would be maintained.*





*Photos 2 and 3 - Public Right of Way to the East: In these views, the proposed residential development on the site would sit in front of the existing urban edge and would not close the gap to the commercial area. The development would be seen in that context and the views would be further softened by the proposed landscaping.*



*Photo 4 - Public Right of Way close to Harwell Road: The residential development on the site would extend the existing built form eastwards, but views would be softened by the proposed landscape scheme and a clear visual gap with views to the countryside in the longer distance maintained.*



## SCNP VIEWPOINT 25

The SCNP identifies only one key view in this area: View 25 which is positioned on the public right of way to the east of the site.

The view is described as “an important physical and visual separation between Sutton Courtenay and Didcot”, but there is no explanation why that is the case. The direction of the view, as replicated in Photo 5, is away from Didcot to the eastern edge of the existing built form of Sutton Courtenay and as a result the commercial area barely impinges on the field of view.

Photo 6 shows the view from the same location, looking west towards the site. Views from this viewpoint would be screened by vegetation during summer months. Outside of that, the retained open fields to the east of the site will maintain the sense of visual and physical openness in the area from the public right of way and maintain the longer distance views north towards the village. The residential development on the site would be read as part of the village and seen in the context of the existing built form. Notably it would extend no further south than the existing residential properties to the east of Harwell Road and, therefore, the existing undeveloped green gap between Sutton Courtenay and Didcot as seen from this perspective would be retained.

As with the views above, the proposed landscape scheme provides further mitigation, emphasising the separation from the commercial area and softening the urban edge of Sutton Courtenay to ensure that it is more sensitively integrated with the surrounding countryside.



*Photo 5 - View north from SCNP Viewpoint 25: The view identified within the SCNP (Viewpoint 25) does not focus on the gap between Sutton Courtenay and Didcot, despite the description of the view referring to “an important physical and visual separation” between the two settlements. Instead it looks north along the route of the footpath. Contrary to the description of the view, the Village Hall cannot be seen from this location.*



*Photo 6 - View west from SCNP Viewpoint 25: Even if users of the footpath were to look west / south-west from this location, the view would be dominated by vegetation during the summer months. During the winter, the retained open fields to the east of the site will maintain the sense of physical and visual openness in the area. Residential development would be read as part of the village and seen in the context of the existing built form, and would extend no further south than existing properties. Therefore, the existing green gap between the village and the industrial area would be retained.*



## HARWELL ROAD

The visual experience when travelling between the settlements can affect the perception of coalescence. However, in this case, the site and its proposed development would not materially affect the visual experience travelling in to or out of Sutton Courtenay along Harwell Road. That highlights the limited role the site itself plays in maintaining the physical and visual separation of the village to the commercial area to the south.

Travelling north along Harwell Road (Photos 7a – 7d), when the commercial development to the west ends, Keelart’s Field becomes visible behind the roadside hedgerow with the residential area of Sutton Courtenay visible in the background. At this point the recently constructed warehouse to the east is prominent, albeit set back from the highway behind a landscaped open space. Further north on the approach to Sutton Courtenay, longer views across the frontage space and to the countryside to the east of Sutton Courtenay become visible. The site itself is, however, screened by the intervening mature landscape framework that would be enhanced through the proposed landscaping scheme. Moreover, the Masterplan proposes to draw the built form back from the south-eastern corner of the site to ensure that a clear gap is maintained in views from this locality, and that the open view to the countryside to the north-east / east is retained.

The nature of the experience changes as receptors reach the ‘Welcome to Sutton Courtenay’ sign (see 7c). The signage acts as a notable gateway into the village, and the tall roadside vegetation to both sides tunnels views along Harwell Road into the village. Neither the commercial area or the site are visible until the built form in Sutton Courtenay starts to the west of Harwell Road.

Travelling south along Harwell Road (Photos 8a – 8c), the site and commercial development to the south are both largely screened by the residential development that lines the road and then the tall roadside vegetation. As users reach the southernmost dwellings to the east of Harwell Road (8a), glimpse views of development on the site may be visible beyond the existing bungalows, but would be seen within that residential context. The residential development on the site would extend no further south than the current residential properties and, therefore the visual experience would be largely unchanged. Whilst there is a glimpse view of the commercial area between the last existing property and the tall roadside vegetation, the landscaping proposed as part of the site access would close that view.



Photos 7a, 7b, 7c and 7d: Visual experience when approaching Sutton Courtenay from Didcot



Photos 8a, 8b and 8c: Visual experience when leaving Sutton Courtenay to the south



# 5. Environmental & Heritage Assets

## HERITAGE

The site does not contain any designated heritage assets (as defined in Annex 2 of the National Planning Policy Framework) and it is not located within the boundary of a designated heritage asset.

The nearest designated heritage asset to the site is Scheduled Monument 1004853, which is simply labelled as a 'settlement site' and is located 150 metres to the south west on the western side of Harwell Road. The significance of the asset is drawn from its archaeological interest as a complex of prehistoric and Roman settlement features preserved below ground and recognised from the examination of aerial photographs. There are views towards the site's southern edge from the north eastern corner of the scheduled monument, but these are limited, localised and make no contribution to its significance or its appreciation, particularly given the extent to which it is now enclosed by modern development on all but the western side.

Reflecting the site's position on the gravel terraces of the Thames Valley, it is located in an area which contains significant and widespread evidence for archaeological activity from prehistory through to the present day. Finds of Neolithic/Bronze Age axes and arrowheads and two Anglo-Saxon cemeteries 900m to the south and 750m to the north bookend the principal span of archaeological interest around the site.

However, trenching in the site undertaken as part of the investigation of the Scheduled Monument to the west of Harwell Road in 20126 found no more than a handful of ephemeral features that demonstrate the site was on the western periphery of this historic settlement and most likely utilised for agricultural farmland in the late prehistoric to Roman periods.

There are no listed buildings in close proximity to the site. The closest to the north is the Grade II listed Uptown farmhouse [1368091] located more than 300m to the north within the boundary of Sutton Courtenay's Conservation Area. The conservation area comprises a narrow strip of historic built development focused inwards for a distance of 700m south to north on either side of High Street, before broadening out at the junction of Brook Street and Church Street and then tapering out towards the River Thames crossing.

There is no experience of the conservation area or the listed buildings from within the site, because of the natural topography and the intervening built environment, which mainly dates from the 20th century. Equally there is no experience of the site looking south from the southern extents of the conservation area. The site is not, therefore, considered to be located within the setting of the Sutton Courtenay Conservation Area, nor does it make any contribution to its significance or the listed buildings within it.

Therefore, the site does not have an important heritage value that contributes in any material way to the local identity of the village.

## ECOLOGY AND BIODIVERSITY

The site is not constrained by any statutory ecology designations. The closest non-statutory designated site is the Keelart's Field Proposed Local Wildlife Site which is located approximately 125m to the southwest of the site (i.e. the field containing the scheduled monument). The Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) education centre is also located approximately 650m to the south of the site.

It comprises of two arable fields and areas of market garden, buildings, amenity lawn and planting and dense scrub that have limited ecological value. The hedgerows, stream and ditch courses (currently relatively overgrown and clogged) and the mature trees have a little more value. They will be retained, enhanced and managed wherever possible in the scheme.

Protected or notable species are not expected to be a material constraint to development, and there are opportunities to enhance the site for various species groups. Further surveys for breeding birds, reptiles, badgers, bats and water voles will be undertaken in due course.

The site does not, therefore, currently have an important ecological value that contributes in any material way to the local identity of the village.

## LANDSCAPE CHARACTER

The landscape character context for the site is set out in the Vale of White Horse District Council's Landscape Character Assessment (2017). Within that, the site is located within the "VL6 - North Didcot Lower Vale Farmland" Character Area - a subset of the "Lower Vale Farmland (VL)" Landscape Character Type (LCT).

The key characteristics of the area that are set out in the Assessment are often reflected in the site, which is comprised of smaller arable fields with boundary vegetation that abut the eastern edge of Sutton Courtenay. The extent of enclosure varies, with the northernmost parcels well contained by surrounding trees and hedgerows, including a small woodland area (see photo 1), and the larger, southernmost field being generally open along its southern and eastern boundaries except for occasional clumps of trees (see photo 2).

Restored areas, including scrub, rough grassland and woodland planting, are located to the east of the site - beyond the public footpath route and alongside Sustrans route 5 (see photo 3). An overhead power-line crosses the southern part of the site. Views to the south are heavily influenced by the adjacent industrial areas to the north of Didcot.

While housing development on the site would constitute an expansion of the existing settlement edge to the east, it would occur within an area that is already heavily characterised by urbanising influences; such as the existing settlement edge, the overhead pylons and the adjacent industrial area. The rural nature of the landscape has also been significantly eroded by the mineral extraction and subsequent restoration of the land further to the east.

Moreover, the Landscape Character Assessment's guidelines have helped to shape the development proposals, so that the new development can be successfully integrated into its surrounding landscape context. Measures include the retention of existing trees and hedgerows within the layout (wherever possible); using local hydrology patterns to inform the drainage strategy; planting new trees and hedgerows around the edges of the site to soften the impact of the adjacent settlement edge; maintaining the physical gaps between the settlements; and providing additional access routes across the site.

## LANDSCAPE VALUE

The site is not covered by any specific designations that imply a higher landscape value. However, the relative value of the site within its wider context has been considered using guidance contained within Table 1 of the Landscape Institutes 'Assessing Landscape Value Outside of National Designations' Technical Guidance Note, which sets out the range of factors that can help in the identification of valued landscapes.

None of the vegetation surveyed on the site was classified above moderate quality and it is not covered by any designations that imply an elevated landscape quality (condition). The site is relatively well screened from the surrounding area, although there are views from nearby public rights of way. However the site has limited scenic quality due to the presence of the nearby industrial area, the adjacent settlement edge and the overhead power-lines and pylons within the landscape.

Despite the extensive disturbance and restoration experienced by the landscape further to the east, the remnant fields and hedgerows of the site are not considered particularly rare within the context of the wider LCT. It is also not considered to be strongly representative of the key

positive landscape attributes identified for the LCT, due to its proximity to the existing settlement edge and the lack of distinctive views to higher ground in the north and south.

The site is not covered by any specific conservation designations and there are no known features of wildlife, earth science or archaeological or historical and cultural interest within the site that would add to the value of the landscape (subject to further survey). There are no public rights of way within the site, although a bridleway, footpaths and a strategic cycleway are in close proximity.

The site is not considered to be wild nor tranquil but is closely related to the existing settlement edge, the nearby industrial area and the nearby restored landfill and quarry sites. There are no known associations specific to the site, in terms of particular people or events in history or in any recorded reference to it in literature, that contribute to perceptions of natural beauty in the area.

Therefore, the site is not considered to be part of a valued landscape. Nor is there any justification from a landscape perspective for identifying it as part of a Green Gap.

## AGRICULTURAL LAND

The Neighbourhood Plan's evidence base refers to the area being Grade 2 and Grade 3 agricultural land, but no actual evidence is presented to substantiate that the land constitutes "best and most versatile agricultural land".



*Photo 9:* Enclosure around northern parcels



*Photo 10:* Open boundary around southern field



*Photo 11:* Restored landfill to the east of the site



# 6. Summary & Conclusions

## GREEN GAPS

The proposals within Policy SC1 of the draft Neighbourhood Plan to establish a wholly contiguous ring of areas around the village that are designated as “green gaps” is both inappropriate and unnecessary.

Policy SC1 is fundamentally flawed because it seeks to go beyond the remit of a Neighbourhood Plan by addressing strategic matters, it seeks to prohibit rather than enable sustainable development, it has no foundation in national or local planning policy, and the purported evidence base that supports it is inadequate.

Consequently, the Neighbourhood Plan fails to meet the “basic conditions” required of such plans by the Town and Country Planning Act 1990 (as amended).

Moreover, Development Policy 29 of the extant Vale of White Horse Local Plan already provides an effective development management tool that protects the separate character and identity of settlements without imposing a blanket restriction on development. Rather, that policy explicitly recognises the requirement to meet identified housing needs.

## THE SITE

Notwithstanding the in principle objection to Policy SC1, it has also been demonstrated by reference to the specific policy tests established by Development Policy 29 of the extant Local Plan that the extent of proposed Green Gap 5 is unfounded. Indeed, it is both inappropriate and unnecessary to include land to the east of Harwell Road that only runs as far south as the existing built form (including Bloor Homes’ site) in a designated Green Gap. Notably:

- The residential development of the site would be consistent with the incremental backland development that has typified the settlement’s growth over the last 50 years.
- The site would not extend the built form of Sutton Courtenay any further east than existing development along Hobbyhorse Lane (including the Village Hall) and significantly less than the allocation site to the north of Hobbyhorse Lane in the extant Local Plan.

- The limited expansion would also be towards the area of reclaimed landfill that provides a buffer between Sutton Courtenay and other settlements to the south and east.
- The development of the site as proposed would not extend any further south than the existing building frontages to the east of Harwell Road, maintaining the existing separation with the industrial area to the south.
- Further distinction between Sutton Courtenay and the commercial area to the south is provided by the contrast in the uses and, therefore, character, scale and materials of the buildings.
- The nature and scale of the proposed development and screening provided by surrounding boundary vegetation and proposed landscaping means the proposed housing will relate closely to the existing settlement edge of Sutton Courtenay.
- The development of the site as proposed will maintain the visual separation between Sutton Courtenay and the commercial area, notably in the single key view in the area that is identified in the Neighbourhood Plan.
- There would be no material harm to environmental or heritage assets that contribute to the identity of the village.
- The site and surrounds have no particular landscape value and limited aesthetic quality given the urbanising elements that are already present in the area.

A sustainable residential development can, therefore, be delivered on the site without material harm to the character and identity of Sutton Courtenay and its separation from other settlements.

If the designation of Green Gap 5 was to be retained its extent should, therefore, be limited to only the actual gap between the southern limit of the existing built form to the east of Harwell Road and the commercial area to the south.

## THE OPPORTUNITY

Bloor Homes site to the east of Harwell Road is, therefore, an entirely appropriate location for sustainable development.

The site assessments and Masterplanning work that have been undertaken to date demonstrate that there are no insurmountable technical or environmental constraints to development on the site that cannot be appropriately mitigated through the sensitive consideration of the scheme proposals. It is, therefore, suitable, deliverable and available for development now.

In that context, the proposal for the delivery of approximately 100 new homes accords with the provisions of the NPPF and would constitute ‘sustainable development’. Indeed, the development of the site as proposed would result in a number of significant economic, social and environmental benefits.

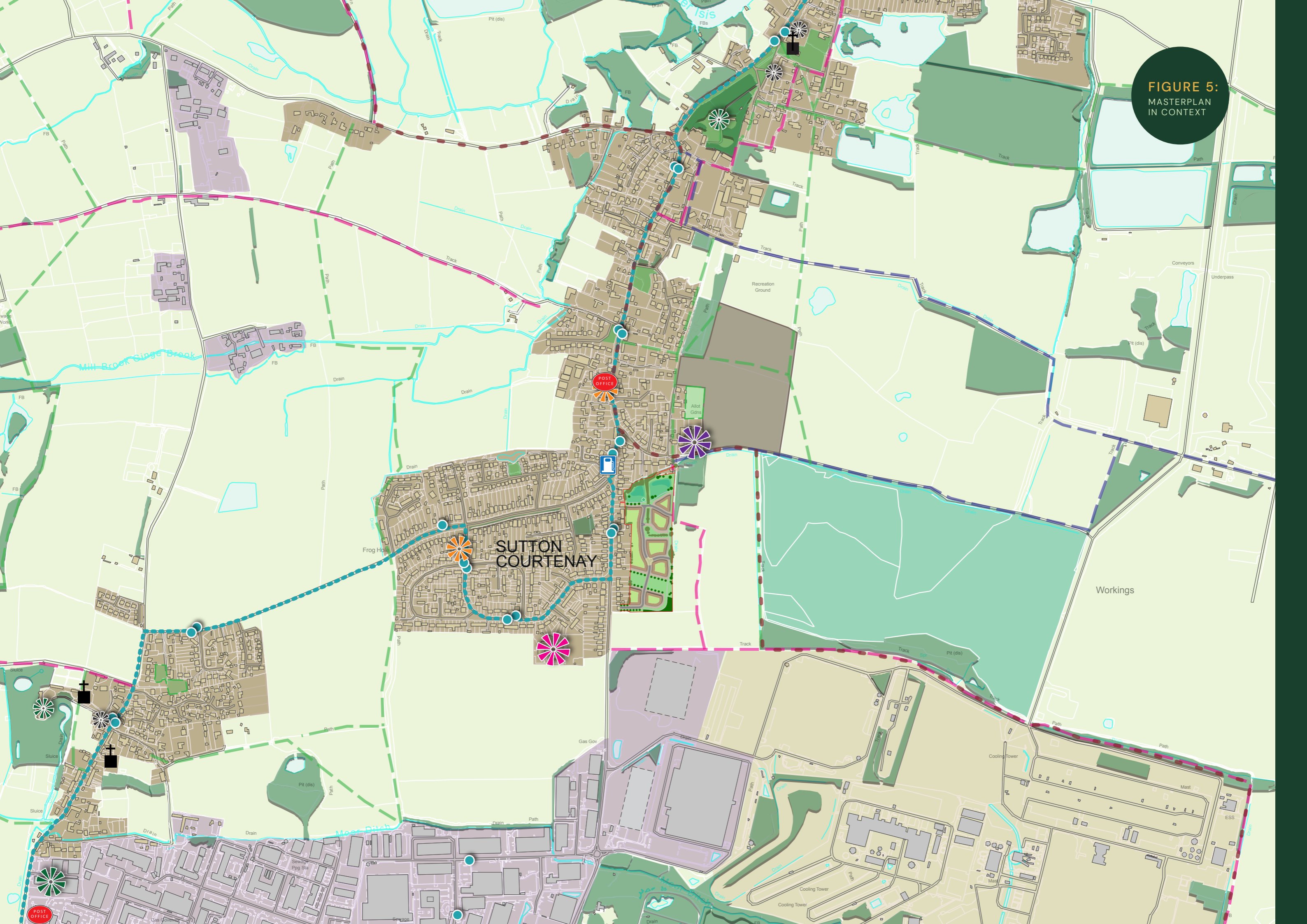
The development would provide much needed housing, including affordable housing in a sustainable location, where residents will have direct access to, and provide support for, a range of local facilities and services within Sutton Courtenay. They would also benefit from good access via public transport to higher level services and employment opportunities provided in Abingdon, Didcot and the wider area.

A strong and vibrant community would be created within a high-quality built environment providing an attractive place to live with a strong sense of place. The Masterplan clearly demonstrates how the development would relate well to the settlement, respect its relationship with the surrounding countryside and provide positive environmental enhancements. It effectively demonstrates both the capacity for development and its deliverability.

It has, therefore, been clearly demonstrated that the site can contribute positively to the growth and development of Sutton Courtenay, as well as helping to meet the identified market and affordable housing needs within the District.



**FIGURE 5:**  
MASTERPLAN  
IN CONTEXT



Define.

Unit 6 | 133-137 Newhall Street | Birmingham | B3 1SF  
T: 0121 237 1901 W: [www.wearedefine.com](http://www.wearedefine.com)



# Response 18

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.
Response received via email

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: [REDACTED] 7-6.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.
Title -
Name [REDACTED]

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Job title (if relevant)</b>	Director
<b>Organisation (if relevant)</b>	Pro Vision
<b>Organisation representing (if relevant)</b>	MEPC Milton Park
<b>Address line 1</b>	The Lodge
<b>Address line 2</b>	Highcroft Road
<b>Address line 3</b>	Winchester
<b>Postal town</b>	Southampton
<b>Postcode</b>	SO22 5GU
<b>Telephone number</b>	01962 677044
<b>Email address</b>	██████████@pro-vision.co.uk

Would you like to be notified of Vale of White Horse District Council's decision to 'make' (formally adopt) the plan?

████████████████████



Our ref: [REDACTED]

Project Name: Sutton Courtenay

Planning Policy

[REDACTED] District Council

Sent by email: [planning.policy@southandvale.gov.uk](mailto:planning.policy@southandvale.gov.uk)

07 June 2023

Dear Sir or Madam,

### **Sutton Courtenay Neighbourhood Plan – Regulation 16 consultation**

I write on behalf of MEPC Milton Park to make representations on the submitted Neighbourhood Plan. MEPC is supportive in general of the Neighbourhood Plan, and we recognise the significant efforts that have gone into preparing the Plan.

MEPC submitted comments at the Regulation 14 stage. Having reviewed the revised version of the Plan, we note that these previous comments continue to apply in most cases and therefore we resend them with this letter (Attachment 1).

We do note, however, that Figure 6.11 (Plan of Local Green Spaces for designation) has been corrected as we requested, so that it accords with the LDO area of the adopted Milton Park Local Development Order 2012 (albeit we continue to question whether it is appropriate to designate this extensive tract of land as Local Green Space).

We do need to make one additional comment. We note that the revised version of the Plan has been amended at paragraph 6.1.12, stating that there is a proposal to extend the LDO area further north, towards Sutton Courtenay, in the area of 'Kelaart's Field'. This is a further inaccuracy in this paragraph (please see our previous comments). The new LDO, which has been through public consultation and benefits from a resolution by the district council to adopt it earlier this year, retains the same boundaries as adopted in 2012. This paragraph of the Neighbourhood Plan needs to be corrected.

We trust that these comments will be given due consideration and that the appropriate corrections are made prior to the plan proceeding to the next stages.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Director

 [@pro-vision.co.uk](mailto:pro-vision.co.uk)

Enc. Attachment 1: Representations on behalf of MEPC Milton Park, August 2022.

**SUTTON COURTENAY NEIGHBOURHOOD PLAN REG 14  
CONSULTATION**

**REPRESENTATIONS ON BEHALF OF**

**MEPC MILTON PARK**

**AUGUST 2022**



## Introduction

This representation has been prepared by Pro Vision and MPC on behalf of MEPC Milton Park. If any points of clarification are needed regarding the contents of this representation, then please do not hesitate to make contact with us via the details below:

██████████, Director – Pro Vision / ██████████@pro-vision.co.uk  
██████████, Director - MPC / ██████████@mpc.email

We look forward to further engagement with Sutton Courtenay Parish Council as the Neighbourhood Plan progresses towards submission to the Vale of White Horse District Council.

## MEPC Milton Park representation to Sutton Courtenay Neighbourhood Plan Reg 14 Consultation

### *Introduction & Background*

#### *Para 1.3.1*

We note that the Designated Area for the Neighbourhood Plan (the Plan) does not follow the Parish Boundary. Some parts of the Parish, including the Milton Park Local Development Order area (that part within the Parish) have been excluded. We also note that part of Milton Parish has been included in the Area.

Noting that the designation of the Neighbourhood Plan Area has been subject to great scrutiny already (as summarised in Appendix 1 of the Plan), we presume that the way the Designated Area has been drawn is procedurally acceptable and correct, and that Milton Parish will also be involved in the Referendum stage.

#### *Para 1.3.2*

We note that the Parish Council has consulted and listened to the views of local residents and organisations. We would observe that MEPC, majority owner and manager of Milton Park, has not been directly engaged by the Parish Council in the preparation of the draft Plan. As a very significant local stakeholder and a major employer in the area, notwithstanding that the LDO area has been omitted from the Plan, it is regrettable that MEPC was not actively invited to be involved at earlier stages.

MEPC has strong links with the Parish Council, and neighbouring Milton Parish Council, including through the Milton Park Community Liaison Group.

A significant community consultation, involving both Parishes, was undertaken in 2018 to inform the Milton Park 2040 Vision. Earlier engagement with MEPC would have helped avoid at least one notable error, which is explained below in regard to the LDO Area.

#### *Para 1.8.2*

We note the commitment to keep the Plan under regular (annual) review. While we welcome the principle of regular reviews, the administrative burden of such regular reviews should not be underestimated. It is important for all stakeholders that the Development Plan (which will include the Plan once 'made') provides certainty for all parties. There is also a risk of consultation fatigue within the community, which could be counterproductive. We suggest that the review period is lengthened.

### ***Planning Policy Context***

#### *Para 2.1.1*

While the relevance of national policy – including the National Planning Policy Framework (NPPF) – is rightly noted, we observe that the Plan falls short in identifying the specific parts of the Framework that are relevant for the Plan. By contrast, Development Plan policies are specifically summarised.

Although specific paragraphs of the NPPF are cross-referenced in each of the proposed policies, it is an omission that this section fails to highlight and summarise the relevance of the key paragraphs from national policy.

#### *Section 2.2*

We note that there is no acknowledgment of the fact that work has started on preparation of a Joint Local Plan for South Oxfordshire and the Vale of White Horse District Councils, looking ahead to 2041. Acknowledgement of this emerging plan should be included.

## **4 - Vision Statement & Core Objectives**

### *Section 4 Vision*

We generally support the Vision, albeit it only addressed “villagers”. The ‘neighbourhood’ comprises more than its residents, including visitors, those that work or run businesses within the community, play or otherwise have a relationship with the area. Therefore, we would encourage more detail about the special qualities of the area, its relationships with its neighbours, and extending the Vision to cover all people that are involved in the neighbourhood.

#### *Para 5.1.4*

While we would recognise that growth arising from the Didcot Garden Town and Science Vale initiatives is inevitably leading to pressures on the area, including in terms of infrastructure and traffic, we suggest that the Plan should also embrace this as opportunity to deliver benefits to the community. This would help ensure that the Plan is in general conformity with the local and national policy context (one of the Basic Conditions for neighbourhood plans).

## **6 - Environment**

### *Green Gaps*

*Green Gap 5 South of Sutton Courtenay Parcels A5e and A4a*



## Para 6.1.12

We generally agree that this paragraph is accurate. Parcel A4a ('Kelaart's Field') does indeed include a Scheduled Monument (as confirmed in Figure 9.1 of the Plan, which identifies heritage assets in the area) and is owned by Milton Park (however, to be precise, the entity is MEPC Milton LP).

One important clarification, however, is that, notwithstanding what the Didcot Delivery Plan may say, this area is not a public area. Access to this privately owned area is at the discretion of the landowner. Kelaart's Field is subject to two longstanding agricultural tenancies and there is no public right of way (for confirmation, see Figure 6.8 PRow Network in the Plan, page 46), except for the recently adopted cycle path over Kelaart's Field.

It is also relevant to note that consultation with the local communities through the Milton Park 2040 Vision identified a demand for formal recreation facilities in the area of Kelaart's Field. Such an aspiration seems to be at odds with the approach proposed in the draft Plan.

MEPC supports the general principle of maintaining a physical separation between the village and the business park, and notes that the planning framework for the business park (the Milton Park Local Development Order 2012) only extends as far as the Scheduled Monument and includes a buffer zone restricting development in the setting of this heritage asset. Therefore, in reality, the heritage - and also the recognised wildlife/biodiversity value of Parcel A4a - will combine to maintain this as a gap. Its formal designation under draft Policy SC1 as 'Green Gap 5' is therefore superfluous as far as Parcel A4a is concerned. We therefore suggest that the boundary of Green Gap 5 is adjusted accordingly to exclude this parcel and rely on the heritage and biodiversity protections.

*Figure 6.7 Plan of Important Views*

Further to the clarification we have given above, we would note that viewpoint 'V27', in the centre of 'Kelaart's Field', is from an area of private land, not publicly accessible land. Enjoyment of this view is at the discretion of the landowner.

To avoid any misunderstanding, it would be appropriate to move this viewpoint to Sutton Courtenay Road, where views across the fields can be seen from the public highway, which would accord with the description of the view on page 44 ("West towards Milton over Kelaart's Field), or otherwise to distinguish between public and private viewpoints on this figure.

*Local Green Spaces (LGS)*

We have two important comments regarding to proposed Local Green Space 17: 'Kelaart's Field'.

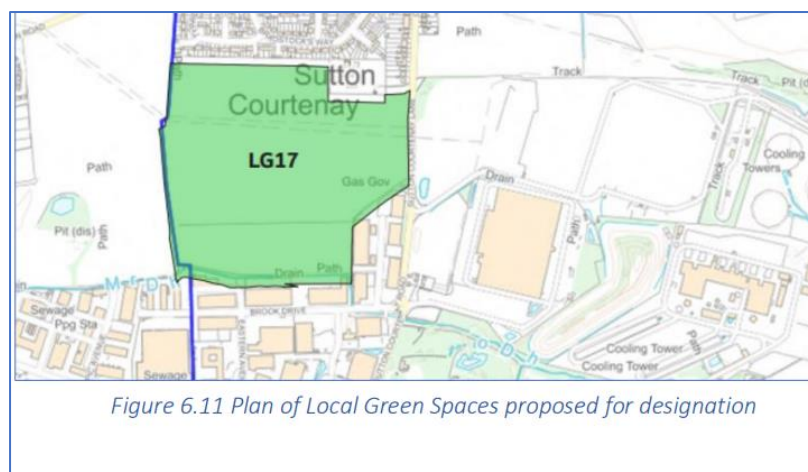
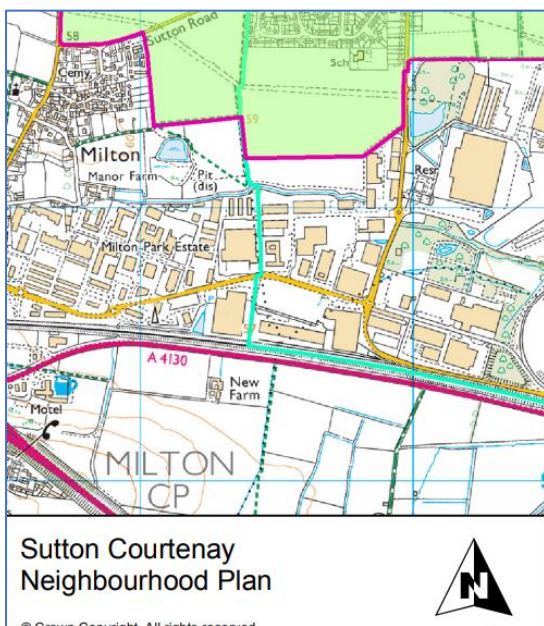
As the Plan recognises, designation of LGSs need to meet the three tests set out in the NPPF (paragraph 102). The third test is that spaces are not "...an extensive tract of land". LG17 is arguably an extensive tract of land. Reference to Figure 6.11 (Plan of local green spaces proposed for designation) quickly illustrates this point; LG17 is significantly larger in extent than the majority of the proposed spaces, with only LG19 and LG1 being anywhere near comparable in scale.

Furthermore, the evidence base for this issue recognises that at 26 hectares, this area “is a considerable tract of land”<sup>1</sup>. Its conclusion to designate the area should be revisited; it is inconsistent with the evidence base.

In addition, this evidence base should recognise that through an agreement between MEPC Milton Park and Oxfordshire County Council, the cycle path over Kelaart’s Field has been designated as public highway and all other paths across the land are permissive.

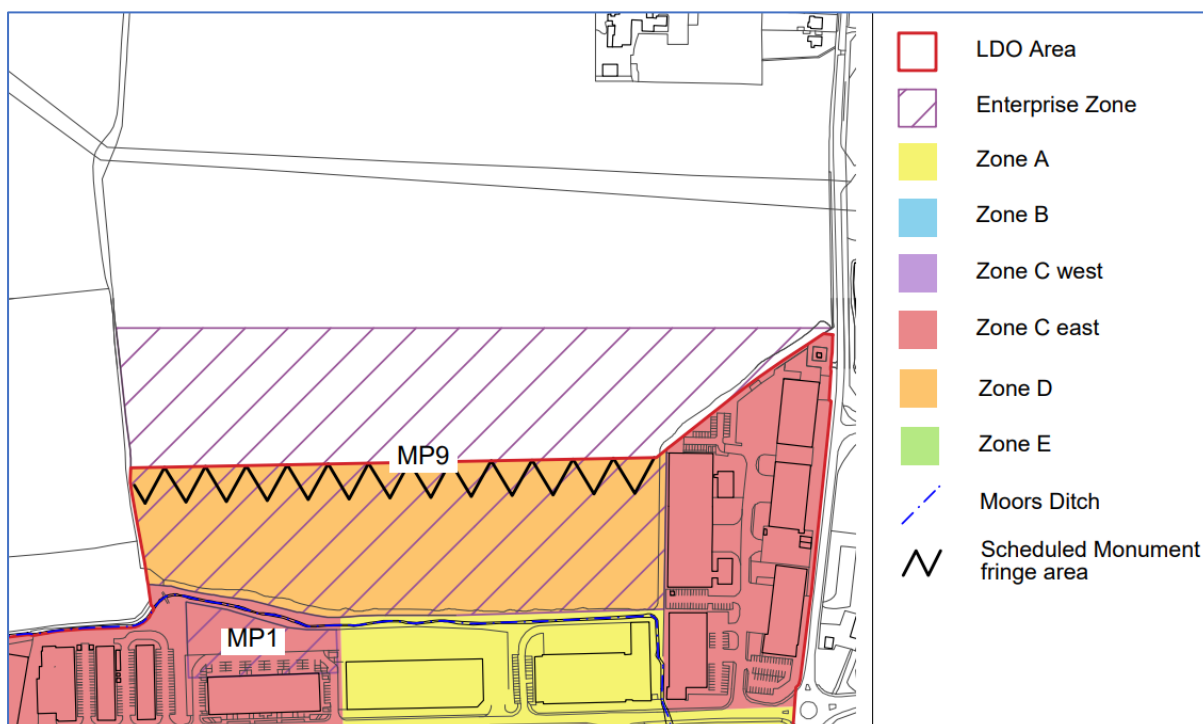
Notwithstanding that we are doubtful that LG17 meets the tests of the NPPF, it is also important to note that the drafting of LG17 is erroneous, both in detail and procedurally.

The southern extent of the area strays beyond the Designated Area, as seen when comparing the two extracts below:



<sup>1</sup> Local Green Space Assessment v1.5 April 2022 by Bluestone Planning; page 20.

The portion of the proposed LG17 within the Designated Area is also inaccurate in that it overlaps with an area included in the Milton Park LDO for development, as see in the following extract from LDO Plan 1:



The area identified as 'Zone D', including the Scheduled Monument fringe area, has been included in LG17. Presumably this is a drafting error arising from the evidence base and will be corrected (albeit we have the concern that LG17 fails the NPPF tests in any event). (For clarification, the hatched area shown in LDO Plan 1 identifies a previously designated Enterprise Zone area, which has since been adjusted to avoid the Scheduled Monument in Kelaart's Field).

Even when adjusted to avoid overlap with the LDO area, the remainder of Kelaart's Field remains an extensive tract of land, and therefore, it is doubtful that it would pass the NPPF tests for LGS. We suggest Policy SC5, notably in respect to proposed LG17, needs to be reconsidered and adjusted accordingly.

## 12 - Local Business and Employment

Section 12.1 We note that the employment section is inward looking i.e. focused only on the employment needs and opportunities within the Designated Area.

We consider it would be appropriate in the context to the employment policy to acknowledge that Sutton Courtenay benefits from close proximity to a significant range of employment opportunities, including the businesses as Milton Park, and other growth in the local area through the Garden Town initiative. That would also be appropriate in response to the residents survey results, which included comments about employment needs in the community being met at Milton Park (para 12.2.3; bullet 8).

In encouraging a sustainable local economy, we feel it would be appropriate for the Plan to support the connections to these employment areas, especially footpath and cycle connections, benefitting a community where people have abundant opportunity to live and work in close proximity, reducing the need to travel. This would accord with clear desire from the community (50% of respondents) for more investment in such links across the parish (Appendix 5 Priorities for CIL Spending).

## **Conclusion**

We are generally supportive of Neighbourhood Plans, but in this instance trust that our comments will be considered as part of the next steps in the plan-making process. We look forward to having additional opportunities to contribute as the Neighbourhood Plan progresses towards submission to the Vale of White Horse District Council.

# Response 19

## Respondent Details

Information
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q1. Are you completing this form as an:
Agent

## Your comments

<p>Q2. You can provide your comments on the Sutton Courtenay Neighbourhood Plan below. When commenting, you should bear in mind that the examiner will mainly assess the plan against the 'basic conditions', which are set out in the Basic Conditions Statement. If you are commenting on a specific section or a supporting document, please make this clear. After this publicity period consultation, the opportunity for further comments will be only at the request of the examiner. If you wish to provide evidence and any supporting documents to support or justify your comments, there is a facility to upload your documents below.</p>
<p>Dear Sir or Madam</p> <p>Sutton Courtenay Neighbourhood Development Plan (NDP) - Reg. 16 consultation</p> <p>Please find attached herewith submissions made to the above listed NDP consultation on behalf of our client FCC environment.</p> <p>Should you have any questions about the submissions, or need any further information, then please do not hesitate in contacting me at the details below.</p> <p>Kind regards,</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Partner Carter Jonas</p>

Q3. You can upload supporting evidence here.
<ul style="list-style-type: none"><li>File: Carter Jonas 7-6.pdf - [REDACTED]</li></ul>

## Your details and future contact preferences

Q8. After the publicity period ends, your response will be sent to an independent examiner to consider. As the neighbourhood planning process includes an independent examination of the plan, your name, postal address and email (where applicable) are required for your comments to be considered by the examiner. The opportunity for further comments at this stage would only be at the specific request of the examiner. All personal data will be held securely by the council and examiner in line with the Data Protection Act 2018. Comments submitted by individuals will be published on our website alongside their name. No other contact details will be published. Comments submitted by businesses, organisations or agents will be published in full, excluding identifying information of any individual employees. Further information on how we store personal data is provided in our privacy statement.

<b>Title</b>	-
<b>Name</b>	██████████
<b>Job title (if relevant)</b>	Partner
<b>Organisation (if relevant)</b>	Carter Jonas
<b>Organisation representing (if relevant)</b>	FCC Environment
<b>Address line 1</b>	Mayfield House
<b>Address line 2</b>	256 Banbury Road
<b>Address line 3</b>	Oxford
<b>Postal town</b>	Oxford
<b>Postcode</b>	OX2 7DE
<b>Telephone number</b>	██████████
<b>Email address</b>	██████████@carterjonas.co.uk

Would you like to be notified of Vale of White Horse District Council's decision to 'make' (formally adopt) the plan?

████████████████████

Mayfield House  
256 Banbury Road  
Oxford  
OX2 7DE

T: 01865 511444  
F: 01865 310653

Your ref:  
Our ref:

Planning Policy  
Vale of White Horse District Council,  
Abbey House  
Abbey Close  
Abingdon  
OX14 3JE

By email: [planning.policy@southandvale.gov.uk](mailto:planning.policy@southandvale.gov.uk)

7<sup>th</sup> June 2023

Dear Sir or Madam

## **SUTTON COURTENAY NEIGHBOURHOOD DEVELOPMENT PLAN: SUBMISSION CONSULTATION.**

**Comments duly made in reference to Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Localism Act 2011.**

### **1.0 Introduction**

- 1.1 Carter Jonas LLP acts on behalf of FCC Environment UK Ltd. ("FCC"), which owns, and operates the mineral extraction and waste management site to the east of Sutton Courtenay, between it and Appleford.
- 1.2 Around two thirds of FCC's land ownership is included in the designated area submission version Sutton Courtenay Neighbourhood Development Plan ("SCNDP").
- 1.3 FCC welcomes the opportunity to comment on the SCNDP and makes detailed comments on the following parts of the submitted document:
  - Proposed Policy SC1: Green Gaps
  - Landscape Character Area 6: Disturbed land to the east of the village
  - Proposed Policy SC5: Local Green Spaces
  - Proposed Policy SC7: Flooding and drainage
  - Proposed Policy SC11: Mineral and Waste Restoration
- 1.4 Much of this submission is focussed on understanding the priorities of the local community, and hopefully aiding in finding common ground in these matters to support a robust examination, and ultimately a strong 'made' plan. There are matters however, at proposed policies SC1 and SC5 which fail to meet the basic conditions.
- 1.5 Hereunder, FCC's detailed submissions are made, considering the relevant policies in turn, after some national context of policy, and guidance is considered.



## 2.0 The basic conditions and national policy

- 2.1 For a Neighbourhood Development Plan to be considered acceptable for adoption by a Local Planning Authority – for it to be ‘made’ and become part of the Development Plan – it should conform to the basic conditions.
- 2.2 The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are (conditions b & c not referenced as they relate only the neighbourhood development orders):
- a. *having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.*
  - d. *the making of the neighbourhood plan contributes to the achievement of sustainable development.*
  - e. *the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*
  - f. *the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*
  - g. *prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

### National Planning Policy Framework (NPPF)

2.3 When they are being drawn up, Neighbourhood Plans are required to have regard to national planning policies and guidance.

2.4 Paragraph 13 of the NPPF is clear that:

*“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”*

2.5 More specifically, paragraph 29 of the NPPF states that:

*“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.”*

2.6 Paragraph 30 of the NPPF, then states:

*“Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.”*

### Planning Practice Guidance (PPG)

- 2.7 Supporting the NPPF is a range of guidance, and the two most relevant sections of this guidance in the case of the proposed Local Green Space designation are:

Paragraph: 007 Reference ID: 37-007-20140306: *Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.*

Paragraph: 015 Reference ID: 37-015-20140306: *There are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed. However, paragraph 100 of the National Planning Policy Framework is clear that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. Consequently blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.*

Paragraph: 018 Reference ID: 37-018-20140306: *Areas that may be considered for designation as Local Green Space may be crossed by public rights of way. There is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation.*

### 3.0 Proposed Policy SC1: Green Gaps

- 3.1 FCC objects to Policy SC1: Green Gaps and Figure 6.3 because proposed Green Gap 6: East of Sutton Courtenay, does not meet the basic conditions.
- 3.2 Green Gap 6: East of Sutton Courtenay proposes a green gap (at land parcel reference A5d "part") which is part of a strategic allocation in the Local Plan 2031 Part 1 Strategic Sites and Policies (adopted December 2016).
- 3.3 The proposal for the green gap in this location means that the Neighbourhood Plan is not in general conformity with the strategic policies contained in the development plan that covers the neighbourhood plan area, and as such it fails basic condition (e).
- 3.4 The justification for the thin sliver of Green Gap is that the area is subject to surface water flooding. However, in restricting development opportunities in this area, it could preclude the delivery of a solution to the surface water management in this area as part of site allocation 6 of the Vale of White Horse Local Plan (as shown in Figure 2.1 of the SCNDP). Notwithstanding this, there is no need for an 'Green Gap' to cover the matter of surface water management, as policies specifically for this matter exist at national and local levels (and there is a proposed policy in the SCNDP at SC7).
- 3.5 FCC also cites that the Didcot Garden Town Delivery Document is not a development plan document and has no material weight. It is a vision document, and some of the ideas, and guidance within could be delivered as part of wider strategic planning, but it has not been through any kind of examination to understand its feasibility, viability, and deliverability. Therefore, any reliance placed on the Garden Town Delivery Document must be tempered and it should only be considered to be a potential vision for the future.
- 3.6 FCC accepts that the local community of Sutton Courtenay is very protective of the character of the village and wishes to maintain some separation between it, and surrounding settlements of Didcot and

Appleford. However, FCC raises some concerns that the cumulative nature of the Green Gaps, and the Local Green Spaces do not contribute to sustainable development and are an attempt at “a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.” (PPG Reference ID: 37-015-20140306). This is therefore contrary to national planning guidance and also fails to meet basic condition (e).

#### **4.0 Landscape Character Area 6: Disturbed land to the east of the village**

4.1 FCC notes the character area appraisal that is titled (with our emphasis) disturbed land to the east of the village and summarised in the SCNDP, at paragraph 6.2.11, which states that the FCC landholding:

*“...has been completely changed in character by extensive sand and gravel extraction and subsequent re-use as a large-scale waste disposal site.”*

4.2 FCC highlights that some of the land will be remediated, but some of it will not, and therefore will be considered previously developed land (or brownfield) and as such will have some scope for redevelopment. However, FCC accepts the opportunity identified at the same paragraph:

*“...for the creation of a new, more ecologically/visually interesting and accessible landscape in this area.”*

4.3 FCC suggests that these opportunities are unlikely to be fully realised unless some long-term strategic planning takes place, and this is likely to be at the scale of the forthcoming South & Vale Joint Local Plan. Moreover, these opportunities do not, and should not, preclude some form of carefully designed built development in the future, and could help to deliver new usable public open space.

#### **5.0 Proposed Policy SC5: Local Green Spaces**

5.1 FCC supports “LG1: Millennium Common” as a Local Green Space, because it is required to be maintained for public use under a Section 106 agreement associated with former uses of FCC land.

5.2 However, FCC raises some concerns that the cumulative nature of the Local Green Spaces and Green Gaps do not contribute to sustainable development and are an attempt at “a ‘back door’ way to try to achieve what would amount to a new area of Green Belt by another name.” (PPG Reference ID: 37-015-20140306). This is therefore contrary to national planning guidance and fails to meet basic condition (e).

#### **6.0 Proposed Policy SC7: Flooding and drainage**

6.1 FCC is aware of the flooding risks in Sutton Courtenay and the strength of local feeling surrounding the matter. However, proposed policy SC7 does not necessarily amplify the Vale of White Horse Local Plan Core Policy 42 on Flood Risk, or indeed standing advice from the Environment Agency on flooding. The policy amounts to repetition of existing policies and guidance.

6.2 Whilst this is not contrary to the basic conditions, to repeat policies of the development plan, it does not make for efficient decisions making. It could be that the detail in the policy, it better placed in supporting text to the overall vision of the SCNDP.

6.3 FCC would also like to take this opportunity to reassure the Parish Council, and local community, that its surface water management plan is able to cope with the required volume of water outfalling from the site. The proposed ponds have been designed to be sufficient to handle the required 100-year

storm with an additional 30% climate change in line with the SUDS Manual and current guidance the scheme is has been through rigourous assemsnst and is approved by the Environment Agency. .

## 7.0 Proposed Policy SC11: Mineral and Waste Restoration

7.1 FCC notes four paragraphs in the SCNDP related to “waste operations” (9.2.29 – 9.2.32). Whilst the content of these paragraphs is not disputed, FCC wishes to make the following observations:

- Where, at paragraph 9.2.30, it states that “...*there is a history of odour complaints in the Sutton Courtenay area, associated with waste activities...*” it fails to mention that there are significant mitigation measures in place to manage odour on FCC’s land. Rarely have complaints been upheld as a matter of public nuisance or a health risk.
- Also at 9.2.30, there is the very generic comment that “...*Landfill activities also have the potential to produce both fine and coarse particulates, the make-up of which will depend on the activities undertaken on-site and the types of waste being handled.*” This reference is without specific local evidence, and again fails to mention the significant mitigation measures in place on FCC’s site.
- Paragraph 9.2.31 details potential gaseous build-up/release as a result of landfilling activities. FCC is well aware of this matter and has been monitoring and managing gases across its site for several years. There is nothing to preclude development as a result of gaseous build-up/release on or adjacent to FCC’s site so long as the management procedures currently in place remain.
- Turning to paragraph 9.2.32, FCC agrees that it has proposed a scheme of restoration works on its site, and there are areas which will return to a green landscape. However, given the nature of the site, and its ‘capping’ it is not going to return to how it looked prior to gravel extraction, and landfill. Moreover, if the ‘opportunities’ identified in the SCNDP are to be realised, for publicly useable space, and the best and most efficient use of the “disturbed” land is to be made, then some sensitive development should be seriously considered. This development, however, would likely be at a strategic scale that would cross parish boundaries, so would need to be properly set out and manged through the Local Plan, rather than at a neighbourhood level.

7.2 Regarding the specific wording of proposed Policy SC11, FCC notes the first paragraph which states:

*“Land that has been the subject of mineral extraction but has been fully restored and completed its aftercare period, and would therefore no longer be a County Matter, will continue to be maintained in accordance with the agreed restoration proposals comprising a mix of agriculture, woodland, and nature conservation.”*

7.3 FCC has significant concerns about this proposed policy approach, and queries whether the implications of this policy have been tested for their feasibility and viability. If the policy has not been tested, then it cannot be considered deliverable, and cannot meet the basic conditions.

7.4 Under the conditions of the minerals and waste consents restoration is all that is required, and maintenance is not. Therefore, any future maintenance should be framed as a Parish Council aspiration rather than a policy.

- 7.5 FCC notes that the second paragraph of proposed SC11 accepts that some form of development might be acceptable its land in the future, where it is stated that:

*“Development proposals for this land which are in accordance with the objectives of the Policy SC1 – Green Gaps and which directly promote nature conservation and/or quiet recreation will be supported...”*

- 7.6 Notwithstanding the previous concerns FCC has raised in these submissions regarding ‘Green Gaps,’ it is considered that future development on FCC’s land could be achieved that would meet the criteria set out in proposed policy SC11 and achieve a net gain in biodiversity.

- 7.7 Finally, on this part of the SCNDP, FCC welcomes the ‘Community Aspiration’ which states:

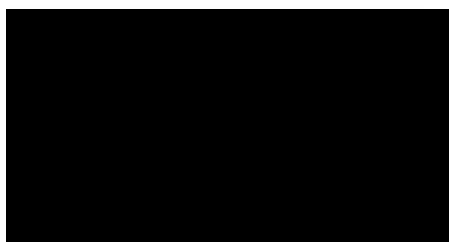
*“The Parish council will work with other interested parties (e.g., Didcot Garden Town, FCC and local landowners) to identify opportunities to enhance the landscape character of the disturbed land on the Eastern side of the village.”*

- 7.8 However, it must be recognised that opportunities to enhance the landscape character will need to be pragmatic and recognise that the character has changed and will continue to change with the possible introduction of new road (and potentially other) infrastructure, and employment development. Moreover, land improvements (and access) opportunities will need to be balanced with operating priorities, costs, and aspirations for reuse of the site for other uses such as mixed-use development which can all be achieved in a complimentary manner.

## 8.0 Conclusion

- 8.1 FCC recognises and commends the work the Parish Council has undertaken to prepare this Neighbourhood Development Plan, including its general objectives and aspirations.
- 8.2 FCC also believes that there is significant common ground between it, and the local community, however, as detailed in these representations, FCC considers some elements of the Neighbourhood Development Plan – especially conformity with the strategic site allocation and the cumulative nature and Green Gaps and Local Green Spaces – do not meet the basic conditions.
- 8.3 Finally, I trust that these submissions are helpful, and clear, but should there be any questions or should the eventual examiner have any questions then please contact me using the details below. I would also be very grateful if I could be kept up to date with any progress made in the examination and adoption of the Sutton Courtenay Neighbourhood Development Plan.

Yours faithfully



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