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Your Ref:

Our Ref: DP354

Date: May 2005

Dear Mr Tucker

REPORT ON OBJECTIONS TO THE WEST OXFORDSHIRE LOCAL PLAN 2011

I have the honour to report that between 6 July 2004 and 6 January 2005 I, together with my assistant, Mr Anthony Thickett, held a Public Inquiry at the Council Offices, Woodgreen, Witney, into objections to the Draft West Oxfordshire Local Plan 2011, prepared by the council under Section 36 of the Town and Country Planning Act 1990, as amended by Section 27 and Schedule 4 of the Planning and Compensation Act 1991. The last sitting day of the Inquiry was 7 December 2004 and I gave formal notice to you of the closure by letter dated 24 December 2004.

The West Oxfordshire Local Plan 2011 was placed on first deposit for 6 weeks commencing September 2001. As a result of the Council's consideration of objections to the first deposit plan a revised plan was put on deposit for 6 weeks commencing February 2003. A number of Pre-Inquiry Changes (PICs) to the plan were subsequently agreed and placed on deposit in April 2004. I held a Pre-Inquiry Meeting in Witney on 30th March 2004 at which time there were 1680 outstanding objections for my consideration and 474 supporting representations. 131 further representations were made on the PICs. As notified to you in my letter of 24 December 2004 by that date there were 1179 outstanding objections of which 19 had been withdrawn conditionally upon my acceptance of PICs.

As the plan has been prepared in accordance with the 1999 Regulations, the revised deposit (2003) plan effectively replaces the deposit (2001) version of the draft plan. This report is based upon the revised deposit plan throughout. However, unless they are withdrawn, objections made to the first deposit plan remain for my consideration. In some instances, despite this, it is clear that the matter to which the objection relates has been entirely resolved by the revised deposit, e.g. by the deletion of a policy or proposal. When this occurs I have dealt with the matter briefly in my report.

The Inquiry sat on a total of 30 days, although not all were full days. This included three Round Table Sessions (RTS) to discuss Housing Land Supply, the Housing Strategy and Affordable Housing. Unfortunately, for various reasons, the affordable housing session was adjourned twice and was not completed until the last sitting day on 7th December. Other than that special session the Inquiry was effectively

concluded on 17th November 2004. My assistant, Mr. Thickett, sat with me at the first 2 RTS otherwise I presided at the Inquiry during July and early August and he took over the sessions later in August and for most of September. I took all Inquiry sessions from 28 September onwards.

I wish to record my personal appreciation of the Council's willingness to participate in a novel Inquiry process which I chose to introduce, on an experimental basis, to replace the formal Inquiry process with the cross-examination of witnesses. This was the 'formal hearing' process and a number of such hearings were held mainly to consider objections submitted by the North and East Witney Consortia but also housing proposals in Woodstock and Eynsham.

In view of the importance and complexity of issues relating to development options in Witney and their effect on highway proposals it was agreed that a special "Joint Formal Hearing" (JFH) would be held to discuss these matters with advocates present with an opportunity given for formal questioning in order to test the evidence presented. I was assisted at this session by my colleague Mr Rob Barker who was briefed to make a report to me on technical highways evidence. His report is appended to chapter 9 (Witney chapter) in this report. The JFH was held on 28-29 October and 11 November 2004.

Prior to, during and after the Inquiry I carried out visits, for the most part unaccompanied, to view those sites the subject of objection. I was assisted through the Inquiry and reporting period by Mark Wilson, a Planning Officer employed by the Planning Inspectorate.

Format of my report

Although the report is written throughout in the first person and signed by me, as the lead Inspector, sections have been written by the Assistant Inspector, Mr Thickett. However, I have overall responsibility for content. Mr Mark Wilson has assisted in drafting and checking and carried out initial site visits. I have reported upon objections in the order of the plan itself, although with some re-grouping especially in the Witney chapter. The Programme Officer prepared a skeleton report derived from the Council's database and committee reports but I have had to make extensive alterations to it. The chapter numbers are as in the plan.

For each item in my report I have listed the policy (with subject) and/or the heading. These are followed by a list of relevant objection numbers and then, under the heading "issues" I set out the matters for my consideration. I have not listed supporting representations. There were a large number of individual objections to certain policies and proposals in the plan. Where this occurs the objections are listed at the end of the report chapter concerned. As I have not identified individual objectors by name, the full list of representations, both supporting and objecting, which is held by the Council will need to be appended to the report. Other appendices are a list of inquiry appearances and the Core Document list.

In my conclusions I have concentrated upon the policies themselves, and, where I consider it expedient I recommend their rewording. Where objections are grouped so are the recommendations, at the end of each section. The recommendations have been given their own sequential numbering system with the prefix 'R' and chapter number. I have attempted to word them so that they make sense individually.

I have limited my formal recommendations to matters arising directly from the duly-made objections. As far as possible, I have attempted to be positive and to make the plan more meaningful. There will also be places where the Council will need to redraft

the wording of the supporting text to reflect the revisions made to the policies. In some instances I draw attention in my conclusions to inconsistencies which may arise within the plan as the result of a recommendation and I sometimes include a comment on matters which go beyond the scope of the duly-made objection but which I consider the Council might wish to consider further.

My report is written against the background of Government advice current as at mid-May 2005. The Inquiry took place at a time of radical change to the development plan system and, most significantly, Regulations under the Planning and Compulsory Purchase Act 2004 came into effect on 28 September May 2004. This will not directly affect the remaining procedures for the adoption of this plan but will affect any future review. I have been particularly mindful of the fact that the Council will need to bring forward a new plan (Local Development Framework) under the 2004 Act in a relatively short timescale. I consider it important that this plan should proceed to adoption as quickly as possible, especially as new regulations on Strategic Environmental Assessment come into effect in July 2006. It is with this in mind that I have in several instances recommended that no modification be made to this plan but that the matter be considered in a Development Plan Document prepared under the new Act.

The 2004 Act has the effect of making the current regional guidance, RPG9 part of the statutory development plan – as RSS9. Other Government policy advice in the PPG series is being superseded by Planning Policy Statements (PPS). At the time of the Inquiry only PPS7 had been issued but PPSs1, 6, 11, 12, 22 and 23 have been published during the reporting period. PPG3 has been amended by a Ministerial statement in January 2005, most significantly in respect of the approach to the allocation of land for affordable housing, although more detailed guidance is not yet available and Circular 6/98 remains extant. This may change shortly.

It is also significant that the Oxfordshire County Structure Plan, with which the local plan must conform generally, is itself subject to review and “roll forward” to 2016. An Examination in Public of that plan took place during October 2004 and the report of the Panel was published by the County Council in December, before the close of this Inquiry. The Panel confirmed the draft plan housing strategy and overall provision for West Oxfordshire and, consequently, it is reasonable to assume that the plan will be adopted on that basis. This, as I mention below, has important consequences for the timing of land release for housing in the district.

I briefly summarise below my main conclusions on the objections made.

My main conclusions

The overall level of the plan provision for housing (Figure 5.1). I drew attention at the Inquiry to the fact that the structure plan review would have the effect of re-phasing the housing requirement for West Oxfordshire to 2016. This is especially significant in Witney where there is only a very small increase in the anticipated annual provision. The structure plan review does not seek to compensate for the under-provision in the 1996-2001 period. This leads me to the conclusion that the local plan identifies more than adequate land and verges on over-provision. However, it does meet the requirement in the “Keith Hill” parliamentary statement of July 2003 for the plan to identify a 10 year supply from the date of adoption. The proposals map also identifies 5 years of allocations although only by allowing for undeveloped parts of sites already under construction.

Phasing policy H1. I recommend modifications to the manner in which this policy should be operated to give higher priority to previously developed land. I have

moved the second phase back to 2008 and recommend that all green field sites should be in that category. Although I accept that the need for affordable housing may be a consideration in bringing forward such sites it should be only to meet local, not district-wide, needs. I have also recommended a re-ordering of chapter 5 to give more emphasis to the sequential approach to land allocation and sustainability issues.

Witney housing allocations. A major part of the Inquiry was taken up by a consideration of the choice of North Curbridge as a housing proposal for the expansion of Witney in the face of objections furthering alternative allocations to the north and east of the town. In the event my conclusion is that no large new green field allocation need be made for development prior to 2011 because of the revised structure plan requirement mentioned above. I also consider that the alternatives have some merit, although I rule out the duly-made East Witney proposals with the Cogges Link Road in place. I have not deleted the North Curbridge allocation but have "de-phased" it to post 2011. I also consider that the whole strategy should be re-evaluated in the LDF. Also in Witney I favour a specific allocation at the Buttercross Works and indicate that the Stanton Harcourt Road site might be considered should the CLR be built.

Rural Settlement Policies and allocations. I have recommended an adjustment to the settlement categories to create a new category D for the key service centres but also to eliminate category A as in the draft plan. I recommend a re-wording of policies H5-7 and the deletion of the "rounding off" category as it might apply to green field sites. Such sites should be allocated in the plan and subject to phasing but I recognise that this may have to wait for the LDF.

I have recommended against the large allocation at Woodstock East (Housing Proposal 3) but instead recommend smaller allocations at Shipton Road (adjacent Marlborough School) in Woodstock and Eynsham East. I have agreed with the Council's decision, in a PIC, to delete references to Bampton as a key service centre and the allocation at New Road (Housing Proposal 5) but I do not favour a specific allocation for affordable housing on the site. I recommend an allocation for housing on part of the employment allocation at Charlbury. In general, I draw attention to the fact that sites which have permission should be treated as commitments and should not remain as proposals in the plan. The only exception might be the largest sites where development may take place over a longer period of time.

Affordable housing. I am satisfied that the plan target for affordable housing provision are not unrealistic although some questions remain on the methodology used in the Couttie Housing Needs Survey. I have accepted the 30% and 50% targets in policy H11 but only on the basis that these are 'sought'. This is reflected in the site-specific proposals where I do not find favour with wording which suggests a percentage contribution as a requirement. It must be negotiated taking account of development constraints and viability. In the larger settlements I do not consider that there is adequate justification for a site size threshold below 0.5 ha. or 15 dwellings.

Employment. I recommend relatively little change to the employment policies except in an update of the sites included under policy E1 and to bring policy E3 in line with recommended changes to the settlement hierarchy. I do, however, find favour with an allocation at the Lakeside Industrial Estate, Standlake, for general industry (class B2).

Transport. The proposals in the plan for a Cogges Link Road (CLR) in Witney to provide relief for congested Bridge Street and the town centre was one of the most controversial elements and, as I indicate above, was the subject of special treatment

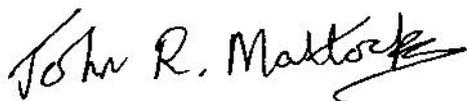
at the Inquiry. It is a highly complex issue, particularly because the road scheme is being actively pursued by the County Council, as Highway Authority. The County Council had submitted a planning application for the scheme on the first day of this Inquiry and had commissioned extensive Environmental Impact Assessment work in support. I am not aware of the outcome of their deliberations on the application.

I ruled that the principle of the construction of the road was a matter for this Inquiry as well as a consideration of the alternatives put forward. There is no doubt that the CLR, crossing the valley of the River Windrush, would have major environmental impact. My conclusion is that the alternative of west facing slip roads at Shores Green in combination with the northern section of the West End Link warrants further investigation because of the lesser environmental impact and similar highway benefit. I have recommended that the CLR (and West End Link) should remain as safeguarded routes under policy T4 but should not be a specific plan proposal. The timescale involved suggests that the strategy could be reviewed through the LDF process, including a consideration of the alternative 'non-CLR' option for development in East Witney rather than at North Curbridge. The least damaging alternative in environmental terms would have been a Newland link with Shores Green improvements, even though it would not have provide the same traffic benefits. It is most unfortunate that the option has been closed through development. Otherwise, I recommend the deletion of most of the schemes listed under policy T4 because they do not meet the requirements for safeguarding under PPG12 guidance.

Other matters

I would like to thank Mike Lee, the Programme Officer, for all the help he gave me. As a result of his assistance the Inquiry programme was organised in an efficient and effective way. I also wish to place on record my appreciation of the good working facilities provided to me and my assistants by the Council for the duration of the Inquiry and, in particular to Miss Rowley, Mr Grant and Mrs Bampsey for their hard work throughout. An Inquiry of this nature is a stressful time for all.

Yours faithfully



John R Mattocks
Inspector

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