

Planning and Strategic Housing

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WEST OXFORDSHIRE
DISTRICT COUNCIL

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Your Ref :
Our Ref :
Date : 28 Feb 2019

Dear Astrid

Submission Draft Eynsham Neighbourhood Plan 2018 – 2031

Thank you for the opportunity to comment on the submission draft Eynsham Neighbourhood Plan (ENP – version 3.12).

The District Council is wholly supportive of the Parish Council's intention to adopt a neighbourhood plan and we are pleased to see that a number of the comments we provided last year have been taken into account in the updated plan.

However, there are a number of remaining areas of concern as set out in plan order below. These are followed by a number of more general comments.

1. Introduction

As a minor point we would suggest replacing the sentence 'ENP policies are intended to be in general conformity with the West Oxfordshire Local Plan...' with:

ENP policies are ~~intended~~ required to be in general conformity with the West Oxfordshire Local Plan...

The text refers to pre-application engagement by developers being encouraged. This is a reasonable statement but appears rather out of context and perhaps should be relocated to the supporting text of one of the policies later in the document. It should also be made clear if this is referring to pre-application discussions between developers and the District Council and/or Eynsham Parish Council.

The text also explains that the plan includes a number of aspirations. It would be helpful to clarify from the outset that unlike policies, these aspirations will not be a material consideration in the determination of any planning application. This is particularly important given that a number of the aspirations are worded very much like policies.

The supporting text explains that the evidence base underpinning the ENP is summarised in the SA scoping report and includes the Eynsham Design Statement (2001) and official data presented in Rural Community Profile for Eynsham.

As the SA report is a separate document, for ease of reference and so that it is entirely clear what evidence the policies and proposals set out in the ENP are based on, it would be helpful if a list of evidence could be included as an appendix to the ENP itself with relevant links (e.g. web page references) provided where available. Whilst there is a list of 'references' set out at page 54 of the plan it is unclear the extent to which these documents are being relied upon as supporting evidence for the plan.

The text continues to refer to the alternative garden village planning application that was submitted previously at South Leigh/Barnard Gate. The application was withdrawn some time ago and the text should therefore be updated accordingly.

The text included in this section on masterplans appears rather out of context and should be relocated to the supporting text in the policies section of the document.

I understand the intention of the ENP is to stipulate a requirement for a masterplan to be prepared in certain circumstances. This should be clearly explained elsewhere in the document to avoid duplication and potential confusion.

2. Strategic Context

This section could usefully be re-ordered so that it more clearly sets out the background context to Eynsham as a place and as a community followed by the context within which the ENP has been prepared including the preparation and adoption of the West Oxfordshire Local Plan 2031.

In this regard the text should be updated to more accurately reflect the adoption of the West Oxfordshire Local Plan and factually set out what the Local Plan says about future growth in the Eynsham area with cross references/web links provided as appropriate.

It is important for the ENP to be clear from the outset that the Local Plan allocates a new garden village of around 2,200 homes to the north of Eynsham and an urban extension of 1,000 homes to the west of Eynsham.

This should be made clear within the text and Map 1 relocated accordingly to graphically illustrate what is allocated.

Furthermore, some of the references which have carried forward from the previous draft ENP could be deleted to make this section more concise and less 'anecdotal'.

Like Section 1 this section includes a reference to masterplanning which again appears a little out of context. As suggested above, the issue regarding masterplans should be dealt with in one part of the document, with any requirement placed on new development clearly explained and justified.

3. Vision and Objectives

As a general observation, the proposed vision is quite brief and succinct which is fine but in turn doesn't convey the sort of place Eynsham will be by 2031. An alternative potential approach would be to draft a vision along the lines of 'By 2031 Eynsham will be a place where...'. As currently worded it suggests a degree of maintaining the 'status quo' rather than positively setting out what the local community would like to see happen by the end of the plan period.

The vision is supported by 8 primary objectives.

ENV1 relates to housing mix which is clearly an important issue but is less appropriate to many smaller developments and obviously not applicable to non-residential forms of development. Perhaps it should be reworded to refer to 'Larger residential development (e.g. 10 or more homes) shall ensure....'

ENV3 relates to community facilities and suggests that new residents should have at least the same access to community facilities as existing residents. Again this infers a degree of status quo and perhaps it should be re-worded so that the objective is 'to ensure both existing and new residents enjoy excellent and convenient access to a range of community facilities with new development expected to contribute towards new and enhanced provision as appropriate'.

ENV8 relates to a new settlement requiring it to be built to Garden Village principles as a 'new, separate, community'. It would be useful if a footnote could be added to explain which garden village principles are being referred to here.

4. Policies

It should be noted that the comments set out below are focused on the 17 proposed ENP policies for the sake of brevity although a number of the comments made also have potential implications for some of the supporting text to those policies.

Indeed, one of the Council's key concerns is the extent to which the supporting text in places appears to introduce additional requirements over and above the policies themselves (see general comments below).

Policy ENPI – Housing

There are two main elements to this policy – housing mix and location.

Dealing with the issue of housing mix first, whilst I understand the intention, the opening sentence of the policy is a little confusing and unclear. For example, how would a proposal for a single house in Eynsham influence the mix of housing types and tenures in the garden village?

This should perhaps be re-worded along the lines of:

'Larger residential development proposals that come forward in the ENP area will be required to demonstrate an appropriate and evidenced mix of dwelling types, sizes and tenures to help meet identified needs.'

Criterion A of the policy appears to be rather superfluous given that it is the role of the Local Plan and the District Council to ensure the implementation of Local Plan Policy H4.

Criterion B raises some concerns insofar as it suggests that affordable housing provided in the Eynsham area under Local Plan Policy H3 should be focused on the 'particular local need for staff to support local tech businesses, research, medical and similar activities'.

Whilst there is likely to be a need for some provision of affordable housing to meet the needs of key local workers and employees, it is important that this is not at the expense of others identified as being in affordable housing need.

This should perhaps be re-worded along the lines of:

'Where affordable housing is provided in accordance with Policy H3 of the West Oxfordshire Local Plan 2031, particular support will be given to proposals that provide a well-balanced mix of affordable housing opportunities including provision for essential local workers.'

Criterion D requires residential development to be within walking distance of key village facilities with longer distances only supported when significant alternative benefits can be demonstrated. The supporting text provides some further explanation including specific distances to be used in determining applications that come forward.

Whilst I understand the intention of the policy to ensure new homes are provided close to key facilities to enable walking and cycling and maintain the 'compact' nature of the village, I retain the concerns expressed previously about the use of specific distance thresholds.

Whilst some indication of comfortable distances should be set out in the supporting text, in my opinion, the policy should avoid reliance on specific set distances as this is overly prescriptive and inflexible.

Consideration should also be given to relocating this element of Policy ENPI to another more general policy such as ENV7 – Sustainable Transport and requiring all development (not just residential) to be located within convenient distance of key facilities to encourage active non-car modes of travel. This may help to reduce the amount of supporting text which at present and as linked to Policy ENPI is rather long.

Policy ENP2 – Design

The policy seeks to promote high quality design in line with the NPPF and Local Plan and is a sensible inclusion within the ENP.

Whilst not critical, it would be sensible in the opening paragraph of the policy to be clear that there is an expectation that all development within the ENP area will be of a suitably high standard of design.

Thus it could be re-worded as follows:

'All new development in the Parish shall be required to achieve a high standard of overall design quality being well related to, and in keeping with, its immediate setting and character and, where relevant, to the wider village and landscape context, providing a pleasant and safe place for all residents to live.'

I note that Criterion A relates to heritage matters and the wording should therefore be consistent with relevant aspects of the NPPF/Local Plan.

Criterion A refers to development within or affecting the setting of a Conservation Area having to 'sustain or, where practicable, enhance its character or appearance'.

This is different from Policy EH10 – Conservation Areas as set out in the West Oxfordshire Local Plan 2031 which states that 'Proposals for development in a Conservation Area or affecting the setting of a Conservation Area will be permitted where it can be shown to conserve or enhance the special interest, character, appearance and setting.....'

Criterion G places a requirement on large-scale residential proposals to be supported by a masterplan. As outlined previously the supporting text set out earlier in the ENP dealing with this issue should be relocated to this section to avoid unnecessary duplication and confusion.

As a general observation, the policy includes several references to various factors being 'encouraged' rather than required. This lack of precision in the wording of the policy may limit its application through the development management process.

Policy ENP3 – Community Facilities

The aim of the policy is essentially to ensure that new development is supported by convenient access to community facilities.

As currently worded, the policy would apply to development regardless of type or scale. Thus a single dwelling proposal would be seen as needing to provide funding or land towards infrastructure. Perhaps as an alternative, the policy should relate to larger developments (e.g. 10 or more dwellings or 1,000m² for non-residential development)?

The way in which the policy is worded also needs to be given further consideration to enable it to be effectively used for development management purposes and to give it more precision. For example what is the definition of reasonable access or appropriate distance? What does it mean if a proposal comes forward that doesn't ensure reasonable access or an appropriate distance? Is it refused planning permission?

I have specific concerns regarding criteria G – as the requirement for a community building or pre-school would be determined on a case by case basis. Furthermore, as worded, it would mean that any residential proposal of 100 or more homes would be required to contribute which in some instances may not be justified or viable. I also have similar concerns regarding criterion H.

An alternative approach for this policy would be to adopt a more general approach to state something along the lines of:

'New development within the ENP area will be expected to benefit from convenient access to community facilities including education, health, recreation and leisure.'

'Larger development proposals that would have a potential impact on the capacity of existing facilities and/or their ability to serve the local population will be expected to address this situation either through direct provision or through an appropriate alternative mechanism such as a financial contribution.'

Policy ENP3a – Health Care Facilities

I welcome the revisions made to this policy which largely reflect the comments raised by the District Council previously, including the requirement for a health impact assessment.

As set out previously in relation to Policy ENP1, I have some concerns about the use of set distances to facilities including health. Due to the imprecise nature of the wording, it is also not clear how the policy would actually be used to inform planning decisions.

Does it mean that if development more than 1,000m from a primary health care facility comes forward it will be refused?

Policy ENP3b – Infrastructure and Utilities

The intention of the policy is clear and reasonable but further consideration should be given as to whether it is reasonable to impose the policy on a 'pre-occupation' basis.

In some instances, larger development proposals are likely to have 'trigger' mechanisms built into planning obligations whereby a certain number of homes are able to be built before the supporting infrastructure is fully provided.

Policy ENP4 – Green Infrastructure

The intention of the policy is supported in principle but the wording of the policy requires some further consideration. Does the policy for example apply to all scales of development? For example, criteria F - would all development proposals (irrespective of scale) be expected to be supported by a maintenance plan for Green Infrastructure?

Furthermore, the policy should recognise the fact that in some instances a maintenance plan for Green Infrastructure may be agreed through a legal agreement that follows on from a resolution to grant planning permission.

I would suggest the policy is re-worded along the following lines:

'Where necessary in respect of larger development proposals, a viable plan shall be in place for the long-term maintenance of any included Green Infrastructure secured through a legal agreement or other appropriate mechanism before consent is granted.'

Policy ENP4a – Enhancing Biodiversity

I welcome the revisions made to this policy which largely reflect the comments raised by the District Council previously.

ENP5 – Sustainability: Climate Change

I welcome the revisions made to this policy which largely reflect the comments raised by the District Council previously. There is however no specific need to cross-refer to Policy EH4 of the Local Plan.

As an aside, the wording of the EPC 'intentions' set out under Policy ENP5 should be reviewed as much of it reads very much like a policy for example 'all homes should be constructed to, combined heat and power schemes should... etc'.

Policy ENP6 – Education

I welcome the revisions made to this policy which largely reflect the comments raised by the District Council previously.

Policy ENP7 – Sustainable Transport

As a general observation, the title of the policy is sustainable transport but the first three criteria relate to road use by car.

More specifically, I have concerns that criteria A, B and C are overly restrictive and that access arrangements for development proposals are a matter for the planning application stage rather than prescription through the neighbourhood plan.

A more general policy along the following lines would perhaps be a potential alternative.

'Within the Eynsham NDP area, particular support will be given to proposals that help reduce reliance on the private car, maximising opportunities for non-motorised forms of movement including walking, cycling, riding as well as use of public transport such as bus and rail. Larger development proposals will be expected to make appropriate provision either directly and/or through a financial contribution towards helping to reduce car use.

New roads provided within residential environments should be effectively and safely integrated with consideration given to appropriate speed restrictions and home zone principles.

Larger development proposals will be expected to include electric vehicle charging points'.

This latter requirement would also help to pick up on the EPC intentions under sustainability/climate change.

Policy ENP8 – Connected Place – integration of new developments with the village

The focus of the policy is on the provision of appropriate connections for pedestrians, cycles, pushchairs and mobility vehicles in new developments. The intention of the policy is therefore supported in principle.

As per my previous comments in relation to Policy ENP1 – Housing, I have some concerns about the use of specific set distances to key facilities as set out in Table I.

Notwithstanding this, the other requirements of Policy ENP8 as set out in criteria A – C appear reasonable – subject to any comments received from Oxfordshire County Council as highway authority.

Policy ENP9 – Parking

The general intention of the policy is supported. I note that criterion D requires provision to be made for charging of electric vehicles at each new home.

Whilst the NPPF (2018) requires new development to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations, it does not require provision to be made at each new home – nor does the West Oxfordshire Local Plan 2031.

This is a significant requirement being introduced by the ENP and yet little information or justification is provided in the supporting text particularly in terms of viability and deliverability.

Policy ENP10 – Building a Strong and Stable Economy

I welcome the revisions made to this policy which to an extent reflect the comments raised by the District Council previously.

Policy ENP11 – Retail

The general intention of the policy is supported but I have specific concerns regarding criteria B which requires new homes to have ready access to a local convenience store without requiring the use of a private car.

It would be clearer if this policy were to focus solely on proposals involving retail uses (e.g. provision of or loss of retail) with the locational aspects of new housing deferred either to Policy ENP1 or ENP7. As set out previously however, I have concerns about the prescriptiveness of the set walking distances referred to under those policies.

ENP12 – Local Green Space

The policy seeks to designate 14 local green spaces as shown on Map 3.

It would be useful if the supporting text to the policy were to explain more clearly what a local green space designation is and what it is intended to achieve. The text should also set out the qualifying criteria for LGS designation i.e. spaces that are demonstrably special to the local community.

I note that supporting information is available in a separate document but for ease of reference it would be useful to include some further explanation in the ENP itself perhaps with a brief summary of each proposed LGS and why it is being designated.

I have not commented on the merits of the proposed designations as this will be a matter for the neighbourhood plan examiner to consider through the examination process.

Policy ENP13 – Trees

No specific comment.

Policy ENP14 – Sustainable Growth

The overall aim of the policy is to ensure that new development coming forward in the ENP area protects the character and community of Eynsham. This is a perfectly reasonable intention and is supported in principle.

Criteria A and B are also supported.

The remaining criteria C – G relate more specifically to strategic growth identified in the West Oxfordshire Local Plan to the west and north of Eynsham. I understand the intention of the ENP is to influence these strategic sites alongside the Council's proposed Area Action Plan (AAP) for the garden village and supplementary planning document (SPD) for West Eynsham.

There is however considerable overlap between this policy and ENP16 – New Settlements and Policy ENP17 – Strategic Development Areas.

I consider that a more appropriate approach would be to set out the intentions/requirements of the ENP in a single policy entitled 'principles for strategic development or strategic growth' or similar. This could set some specific parameters that development at the garden village and to the west of Eynsham would need to comply with as well as some more general parameters that would apply to both developments.

As an example, the policy could state something along the following lines:

'The ENP recognises and acknowledges the two strategic sites allocated to the north and west of Eynsham in the West Oxfordshire Local Plan and seeks to ensure that these proposals come forward in a timely, co-ordinated and comprehensive manner so as to minimise any potential negative impacts on Eynsham and to maximise the potential benefits to existing and new residents alike.'

Key guiding principles for any development at the garden village are as follows:

- A Compliance with 'garden village principles'
- B Effective and safe connectivity between the new village and Eynsham
- C A broad mix of housing types and tenures including opportunities for the elderly or disabled
- D Timely provision of adequate facilities including a neighbourhood centre to meet the social, educational, religious and cultural needs of the community
- E The provision of appropriately designed and located employment opportunities as part of or adjacent to the development
- F Vehicular access designed to minimise delays to through traffic and existing road users

Key guiding principles for any development to the west of Eynsham are as follows:

- G Effective and safe connectivity with the existing village of Eynsham but with vehicular access through the village to be limited
- H Development to conserve and/or enhance the significance of heritage assets
- I Development to ensure the rural setting of the village is retained in terms of the long-term quality and stability of any new urban-countryside boundary
- J The form of development to have regard to its impact on the village edge as viewed from public paths and bridleways, particularly over open fields towards the historic village centre and significant distant landscape features such as Wytham Hill.
- K Due regard must be given to impact on the natural environment and safeguard existing trees, hedgerows and water-courses
- L Provision of high quality greenspace in the form of a linear park
- M Ensuring that development is not at risk of flooding and does not increase the risk of flooding elsewhere

Key guiding principles that will apply to both strategic sites are as follows:

- N A co-ordinated approach between development to the west and north in particular in terms of transport and the timing and delivery of key infrastructure
- O Any development to ensure no harmful impact on the character and community of Eynsham
- P Any development to sustain the village character which results from its walkability and its designated and non-designated heritage assets while protecting these assets and their various settings
- Q Appropriate provision must be made to mitigate infrastructure constraints including the main access roads (A40, B4449, B4044) and the capacity of existing employment education and health facilities

Policy ENP15 – Eynsham Village Centre

No specific comment.

Policy ENP16 – New Settlements

See comments on ENP14 above.

More specifically, I note the wording at paragraph 16.3 which states that; '*Garden Village design principles require that there be a structural landscape buffer between the new and existing villages, reinforcing the separate identity of the two settlements*'.

It is not however clear which garden village design principles this is referring to. Having reviewed the TCPA garden city principles and also the latest MHCLG prospectus on garden communities, I can see no reference to the use of structural landscaping buffers and consider this matter to be more appropriately addressed through the AAP process.

Policy ENP17 – Strategic Development Areas

See comments on ENP14 above.

General Comments

As a general observation, I note that in some instances the supporting text introduces additional requirements that are not referred to in the policies themselves. Some of the text is also rather 'anecdotal' with some statements that don't appear to be justified by any evidence and in some instances commit others e.g. the District Council to certain actions beyond the scope of the ENP.

In addition, the numbering and referencing of some policies and criteria is in places confusing and could usefully be simplified so that Policy ENP3a for example becomes ENP4 etc.

I hope you find these comments helpful. If you require any additional information or clarification on any of the points raised, please let me know.

Yours sincerely



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