



Minutes from Full Council Special Meeting on the Neighbourhood Plan held On Monday 8th June 2015 in the West Room

Present:

Councillors:

Ian Hill (IH)
Matt Reid (MR)
Roger Beattie (RB)
Jeremy Bell (JB)
Tom Bindoff (TB)
Jane Bryant (JBt)
Rachel Huckvale (RH)
Terry Jackson (TJ)
Jon Lorimer (JL)
Jo Read (JR)
Bob West (BW)
Tony Williamson (TW)
Robin Wilson (RW)
Elizabeth Winton (EW)

In Attendance:

SODC Peter Canavan, Rhona Knott, Anna Badcock, Nick Hancock.

Officers:

Kristina Tynan, Rachel Gill

Members of the Public:

14

88/15 **Apologies for Absence**

There were none

89/15 **Declarations of Interest**

There were none

90/15 **Chairman's Remarks**

IH stated that the meeting was aimed at clarifying where we go with the NP (Neighbourhood Plan). No decision will be made tonight but the aim is to reach a level where we understand the principles involved in whether to go forward or not. IH suggested that the NP be raised at the July Parish Meeting so that we can get the public's view on whether to proceed. A decision can then be made in the July Full Council meeting.

In summary the meeting will look at basic principles not details.

91/15 **Introduction from Peter Canavan**

PC gave a brief talk on the background to Neighbourhood planning. Neighbourhood planning was introduced in the 2011 Localism Act which gave communities a greater say in the planning system. He stated that a NP must take direction from the SODC Core Strategy and must generally conform to this. In terms of NP process the first two main steps are area designation and evidence from Core Strategy. In the case of Watlington, it is designated as a large village and is allocated houses as it has services such as schools, doctor's surgery and a library. In turn the increase in population should support use of these services and retain the village as a service centre. In the Core Strategy Watlington was allocated 79 houses, out of a total for SODC of 1154 for the 12 larger villages. The majority of housing for SODC is in 'Science Vale' and the remainder proportionally allocated.

The NP should test the impact of this number of houses, and higher numbers of houses, on the current services, e.g. GP capacity, roads, environment. There are 3 options in terms of housing numbers:

1. Allocate a higher number if benefits can be identified.
2. Reserve sites for when local plan is adopted, assuming this will be a higher number.
3. Conform to core strategy (79) and have a process to review against local plan when published, e.g. 5yr rolling review.

PC also stated that Pyrton are starting a NP. There is no obligation to work together but PC stated that it would make sense to consider both together.

92/15 **Overview of SODC involvement from Anna Badcock**

AB asked to take questions as PC had covered the background information from SODC.

JB asked why 100% of development was allocated to towns and villages rather than some to more rural areas where unused farm buildings could be used for housing sites.

AB and PC answered that the main reason was sustainability – i.e. housing should be located where services are located in order to reduce car travel.

JB asked when the new housing numbers would be available and what the number for Watlington is likely to be.

PC stated that the new local plan will go up to 2031, the overall number of houses for SODC is 3,500. It is not possible to pro-rata the numbers as the strategy may not be the same. For example, SODC doesn't have a huge jobs growth agenda and the Oxfordshire strategy may be to build more where more jobs are created, also the plan date is 5 years longer. There may also be an impact from Oxford City overflow, although AB stated this will more likely be nearer Oxford. There may also be some impact from issues in Didcot. Goring, Woodcote and Nettlebed may be restricted due to their locations in the AONB.

All options are still on the table. In the 2012 numbers Watlington had one of the smallest allocations for a large village (the only smaller is 25 in Nettlebed). PC recommended keeping up to date with the local plan website. NH stated that a rough extrapolation used was 240-250 houses. AB stressed that 79 would be the lowest number.

RH asked how SODC would deal with Watlington having no NP.

PC said it would revert to the Local Plan/Core Strategy, ie 79 houses as a minimum, decision making would be SODC in order to retain the 5yr housing supply. There would be less local control on where new development was located.

There was then a discussion around the 5yr housing supply required by SODC. This means that land is identified for a 5yr supply and then housing built. If delivery does not keep up then SODC could be bypassed and developers able to do ad-hoc development in order to catch up, and the Local Plan is replaced with National Policy. This would also be the case if there were no up to date local plan. If this is the case then the NP would carry some weight, especially if it had good evidence for acceptable development. The weight of the NP really begins at the pre-submission stage.

RB asked what would happen if a developer asked for permission to build 240 houses in Watlington next month?

PC stated that this would be contrary to the current plan, and would go through planning and they would say no. This could be challenged by developers at appeal and would rely on SODC having a 5 yr land supply.

TW asked how urgent is the NP?

AB said her advice would be to continue as soon as possible.

IH asked what if there was an application for 79 houses. Benson recently has an application for a number equal to their core strategy allocation and the inspector said ok.

PC stated that it would be judged on its merits but similarly to the potential for a larger application already mentioned it would be contrary to policy because the Core Strategy states that sites for development in the larger villages would be identified by a site allocations document – or in the case of Watlington a Neighbourhood Plan.

IH asked that previous NPCC members be allowed to ask questions?

Resolved: That the previous NPCC members be allowed to ask questions.

MR asked if it is possible to stop developers acting as a cartel in order to fall behind on the 5 yr supply. PC said no but it is assumed that once permission is given development will start within the three year life span of that permission.

TJ asked what if schools and infrastructure are not sufficient.

PC stated that this is part of the evidence collection. NP needs to test capacity and find out solutions. S106 is still required, this means the developer has to provide access roads, sewage etc for larger developments. CIL (Community Infrastructure Levy) will apply to every house built on a m2 basis. Normally 10% of this would go direct to the parish but if there is a NP then it's 25%. In the case of Watlington this would be several hundred thousand pounds.

Neil Boddington asked about a case in Shiplake where it was stated that there is no longer a 5yr supply.

PC stated that each application was a separate case, e.g. for the Benson case where it was not mentioned either way. SODC has published a position statement on the Shiplake appeal:

<http://www.southoxon.gov.uk/sites/default/files/2015%206%2009%20SODC%20Statement%20on%20the%20Five%20Year%20Land%20Supply%20final.pdf>

Gill Bindoff asked about a Government letter which said it did not intend to exploit the situation (lack of 5yr supply)?

PC stated that a new Strategic Housing Market Assessment (SHMA) cannot take precedence over a local plan, there is a period of grace in order to make a new plan. So have your plan and use the evidence to test your SHMA.

JB asked how many sites are there in SODC with planning permission but not built on?

PC said there are a few sites in Thame, Henley and Didcot. He offered to send a link to an online document '5 year housing and supply statement' which detailed these sites:

<http://www.southoxon.gov.uk/services-and-advice/planning-and-building/planning-policy/our-development-plan/authoritys-monitoring>

93/15 **Overview of Existing Neighbourhood Plan from Nick Hancock**

NH gave a summary of how we got to where we are. He stated for the record that there is NO plan written yet.

History:

2011 – Localism act

2012 – WPC decided to go ahead with a NP

2012/2013 – Negotiation on NP boundary with local parishes. Initially they were positive but eventually they all said no thanks.

2013 Sept – NP area agreed

2014 – NPCC convened, 3 from Parish Council and 3 Non councillors, plus a Steering Group to oversee the work.

2014 March/April Consultation 1 – identified key issues, traffic high, housing low priority.

2014 Sept/Oct/Nov – traffic survey. A tender was sent to 4 suppliers. Helpers from WatNext were used to conduct the survey.

2014 December – 2015 Jan – Consultation 2. Documents assembled in order to tease out options. This ran until 31st Jan 2015. We were initially planning a referendum for Sept 2015.

NH gave the following reasons for re-assessing whether to continue with the NP:

1. **Additional documents need preparing**, e.g. habitat regulation assessment
2. **Threat of legal challenge**. From developers or other communities.

Up to now the split of pro-dev and anti-dev legal challenges has been around 50:50.

In the experience of other communities e.g. Thame or Henley the plans have yet to be adopted or are being challenged. Legal challenges can be submitted before or after the referendum, there is no control over them. WPC would be a key defendant and effort and money would be required to defend the plan. Councillors would have to defend the plan regardless of how they voted in the referendum and the level of effort required is unknown. Is this a sound investment for WPC?

3. **Number of houses is still unknown**

All we know is that the plan goes up to 2031 and some houses need to be built.

NH stated that it is time for WPC to stand back, reassess timing and budget and put it to the community. He felt there were 3 options:

1. Stop
2. Plough-on
3. Delay pending new timing plan and budget

NH felt that we need some confidence that the new government will continue support for the NP. DCLG (Department for Communities and Local Government) budget was increased by £20 m last year which sounds a lot but is in fact very small given the thousands of communities involved.

In summary NH suggested a consultation to decide whether to proceed. He also thanked PC, AB, RG and the committee for all their work.

94/15 **Right to reply from Peter Canavan and Anna Badcock to points raised in 6**

All questions were answered above.

95/15 **Pre-prepared and Ad-hoc questions for Peter Canavan, Anna Badcock, Nick Hancock and Councillors in general.**

Neil Mitchenall asked when the new Local Plan would be ready.

PC said there would be a draft by October 2015, this will be an informal document with some options that will be widely consulted on with all stakeholders including the public. The government's goal posts could also move. A formal document will be published in spring 2017 for further public consultation.

AB said that the decision on NP would be a case of balancing risk.

TW asked whether SODC would have to support WPC in the case of a legal challenge, e.g. if a number of developers challenged us? **AB** stated that whether it is 1 or 12 developers the risk is the same.

PC said that SODC would support WPC because SODC was still the Planning Authority and that the legal challenge has to be about the process, and the process is checked by SODC. The NP is adopted by SODC so SODC still makes the decisions.

Rhian Woods asked whether NH had any information on legal challenge costs.

NH said that Henley had incurred the cost of an extra consultation. Thame were challenged by a supermarket but did not fight against them. The appeal at Woodcote was by the developer against SODC for refusal of an application – having used the Woodcote NP policies – the appeal response was led by and paid for by SODC. Woodcote's NP is 'made' and an adopted part of the SODC Development Plan.

NH highlighted the level of commitment required, but also the benefit of an extra 10% CIL money and that the community could consider all issues not just housing, for example in Watlington traffic was the main issue raised and there have been lots of comments on retail, business and sports.

It is likely that any NP will have constant challenges.

TJ asked that if we go ahead with the NP do we need to consider all sites. **PC** said yes.

Does it count towards the total if it is not an Identified site? Yes it can. Any site has the same weight unless it is allocated in the local plan or NP, whether in SHLAA or not.

TB challenged how secure our evidence is for consultation 2, would a challenge be likely and do we need to start again? If so where would we start? **TB** specified criteria for site assessment as an area of concern as this was not asked as a specific question in consultation 2 and could be an area of challenge. Were there sufficient comments about this? He stated that in Chalgrove's consultation site criteria was a specific question.

PC stated that he wouldn't disregard any comments from a consultation and that they would require a response. If some work has gaps then it is legitimate to redo some areas. As long as people were invited to comment and the criteria were reasonable then it should be acceptable. The consultation should identify, scope and scale.

Rachel Gill to identify comments on this topic from consultation 2.

IH reiterated that this was an output not an input and that no sites have yet been selected, the aim of the consultation was to help us move forward and select sites. No sites have been selected yet.

Neil Mitchenall asked whether the work done so far was of any value **PC** said the work has value but that 'weight' was at the final consultation and based also on the level of disagreement. Work done so far can be referenced but does not carry material planning weight.

Gill Bindoff asked how other NP groups are coping with the difficulties described by NH.

AB/PC stated that Chinnor are setting up a NP as they do not have a problem with the quantity of applications but that sites proposed are not the best sites for the village.

PC said that there are 17 NPs currently in progress in SODC. Benson gave up due to lack of interest.

Sonning Common has identified reserve sites ready for increase in allocation when the new local plan is

published. Berinsfield has allocated extra in order to regenerate the village. Lewknor is now starting a plan following an application to develop land outside the village.

TW asked what is the next stage? Is it the right time to identify sites? Or do we do criteria first and narrow down the list? Do we whittle down sites in the draft plan or in a single issue consultation? Has the process been followed properly?

PC said that the process has been followed properly so far. The next step is to look at the evidence from consultation 2 and whether the time is right to identify sites, assess them and narrow them down. We could have a short list and do a single issue consultation on sites.

IH asked should we engage with developers now.

PC said yes, we can listen to what they have to say and shouldn't feel pressured, we can come back to them with an opinion at a later stage. If we approach one then we must approach all, preferably via agents or landowners, and all in the same way. **IH** asked that if a landowner has said he is not interested is there anything we can do? **PC** said no.

TJ asked what level of response is required. **PC** said a majority i.e. 51%, and that the examiner decided who should be invited to the referendum. For example Pyrton may be invited to a Watlington referendum and vice versa.

TJ asked whether small sites counted? **PC** said no, once there is a plan they are windfalls.

TW asked – given that some options are individual sites and some are groups of sites how can you be fair in approaching this? **PC** stated that once there are clear objectives identified then these will steer the plan. It is all about delivering the objectives.

TB asked whether Watlington and Pyrton could develop a joint plan?

AB stated that this had already been rejected by Pyrton. **PC** stated that a designated area can be changed but he would recommend working together rather than a joint plan.

BW asked what the biggest issue from consultation 1 was.

NH stated that this was traffic and that the NP had to address this or SODC would not approve the plan. He stated that important issues had not been covered in the meeting as it had focused on housing only.

MR asked about evidence gathering and material weight given to evidence in conjunction with the plan. **PC** said that this had to be part of an adopted policy. Supporting evidence was reviewed by the council and they could challenge and look for other evidence. It can have weight if produced in rigour, and gains weight when policy. **MR** asked if there could be joint use – e.g. in local plan. **PC** recommended that the NP make a story for the parish, as the scope and scale is Watlington, but remember it is not an island.

MR asked is there a mechanism for demonstrating and recording. **PC** said yes it is the NP documents. The draft plan is the first stage of reference for SODC. Facts still need to be tested against other things. Could Watlington vote in Pyrton? Yes – the relevant NP examiner will decide who is included in the referendum.

IH stated that all the pre-prepared questions should have been answered but approach him with anything extra.

96/15 **Representations from the Public**

Gill Bindoff asked that in assessing and evaluating the risk of whether to proceed please extend this to the wider community and let them contribute as a lot of people want to get involved. She noted that not having a NP was not just a risk for the Parish Council but for the whole community.

97/15 **Any other business**

98/15 **Chairman to conclude the meeting**

IH thanked everyone for attending, noting that a decision has yet to be made.

There being no other business the Meeting closed at 10:00pm