

Agenda

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Listening Learning Leading

A SPECIAL MEETING OF THE

Cabinet

WILL BE HELD ON THURSDAY 10 MAY 2018 AT 4.00 PM

MEETING ROOM 1, 135 EASTERN AVENUE, MILTON PARK, MILTON,
OX14 4SB

Members of the Cabinet

Member	Portfolio
Jane Murphy (Chairman)	Leader of the Council and Cabinet member for communications
Felix Bloomfield (Vice-Chairman)	Deputy Leader of the Council and Cabinet member for planning
Anna Badcock	Cabinet member for legal and democratic
Kevin Bulmer	Cabinet member for corporate services
David Dodds	Cabinet member for finance
Paul Harrison	Cabinet member for development and regeneration
Lynn Lloyd	Cabinet member for community services
Caroline Newton	Cabinet member for housing and environment
Bill Service	Cabinet member for partnership and insight

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ITEMS TO BE CONSIDERED WITH THE PUBLIC PRESENT

Reports considered with the public present are available on the council's website.

1 Apologies for absence

To record apologies for absence.

2 Declaration of disclosable pecuniary interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

3 Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

4 Public participation

To receive any questions or statements from members of the public that have registered to speak.

RECOMMENDATIONS TO COUNCIL

5 South Oxfordshire Local Plan (Pages 4 - 91)

To consider the head of planning's report.

6 Exclusion of the Public

To consider whether to exclude members of the press and public from the meeting for the following item of business under Part 1 of Schedule 12A Section 100A(4) of the Local Government Act 1972 and as amended by the Local Government (Access to Information) (Variation) Order 2006 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraphs 1 to 7 Part 1 of Schedule 12A of the Act, and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

ITEMS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED

The council hereby gives notice that it intends to hold part of this Cabinet meeting in private to consider the following items for the reasons set out in the 'exclusion of the public' item above. These reports are not available on the council's website.

7 South Oxfordshire Local Plan (Pages 92 - 99)

To receive the exempt appendices to the head of planning's report.

MARGARET REED
Head of Legal and Democratic

Cabinet Report



Report of Head of Planning

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To: CABINET

DATE: 10 May 2018

South Oxfordshire Local Plan

Recommendations

That Cabinet recommends Council to:

- (a) retain Chalgrove Airfield as a proposed allocation in the South Oxfordshire Local Plan;
- (b) agree to undertake the necessary site selection work and evidence base to support the inclusion of an additional site or sites in the South Oxfordshire Local Plan as set out in Option 3 of this report.

Purpose of report

1. To update councillors of the latest position regarding the emerging Local Plan for South Oxfordshire.
2. To inform councillors of a series of options and recommendations for moving forwards with the Local Plan.

Strategic Objectives

3. The delivery of the South Oxfordshire Local Plan will contribute towards four of the Council's six strategic objectives.

4. The Local Plan has a key role to play in delivering the district's future as it sets out the level and distribution of development to 2033, which will help to shape the future of South Oxfordshire.
5. The potential of Didcot, is a strategic objective, which is supported by the retention of the existing allocations of land at Didcot for residential and employment related development. To further support this, additional allocations for residential development have been proposed which reflect extant planning permissions.
6. A key role of the South Oxfordshire Local Plan is to identify sufficient employment and housing land for existing and future communities. This directly supports the strategic objective to deliver 'homes and jobs for everyone.'
7. The emerging Local Plan supports the strategic objective to 'build thriving communities'. In addition to the provision for different land uses, the policies within the plan will ensure that developers provide the necessary infrastructure to support the new communities.

Background

8. This report follows the earlier report to Cabinet and Council in April 2018, and whilst all the appendices to those reports are included for completeness, not all are referred to directly in this report.
9. The South Oxfordshire Local Plan is the key document in the Development Plan for the district between 2011-2033 and, on its adoption, will replace the existing adopted Core Strategy and adopted Local Plan.
10. The Local Plan sets out the overall level and distribution of development required for the district. It sets the framework within which Neighbourhood Plans can be produced and steers the future pattern of development across South Oxfordshire. The Local Plan includes a full suite of planning policies which are used in the determination of planning applications.
11. All local authorities are under a statutory obligation to prepare a local plan. The current Development Plan for South Oxfordshire comprises saved policies of the Adopted Local Plan, Adopted Core Strategy and made Neighbourhood Development Plans. In addition the County's Minerals and Waste Local Plan forms part of our Development Plan. The emerging Local Plan will replace both the existing 'saved' policies of the Adopted Local Plan to 2011 and Adopted Core Strategy (2012).
12. We have previously consulted at the following stages
Issues and Scope – June 2014

Refined Options – February 2015

Preferred Options – June 2016

Second Preferred Options – March 2017

Publication – October 2017

13. The first two stages of consultation were based on a plan period up to 2031. Once the plan is adopted, it is expected to have a life of 15 years from the date of adoption so that it provides an effective plan for future development. Our previous work programme indicates that the plan was likely to be adopted in 2018, therefore the plan period was to 2033.
14. The June 2016 Preferred Options version of the Local Plan did not contain all of the policies which would be used in the determination of planning applications.
15. The March 2017 Second Preferred Options version of the Local Plan complemented these earlier consultations and updated the Plan in terms of its evidence base and in response to representations made. It also included a full set of Development Management policies which would be used to determine planning applications.
16. The Local Plan was published under Regulation 19 for public consultation for a period of seven weeks which closed on 30 November 2017. Following the close of the consultation period, the Council was advised that Homes England (HE) as landowners had been unable to reach agreement with the tenants, Martin Baker, to secure the land at Chalgrove Airfield for housing. Chalgrove is included in the draft Local Plan as a strategic allocation (3,000 homes). The other key allocations are Culham (3,500 homes) and Wheatley campus (300 homes) and a regeneration scheme at Berinsfield (1,700 homes).
17. Given the position with Chalgrove we need to review how best to proceed with the Local Plan. HE have confirmed that they will continue to seek to reach an agreement through commercial negotiations, but in the event this cannot be reached, they are prepared to seek use of their statutory powers, which includes Compulsory Purchase Order (CPO) powers. Martin Baker has written to the Council confirming that it will continue to oppose Chalgrove as a strategic allocation and that it would oppose any CPO.
18. Legal advice has been sought on the potential impact on the South Oxfordshire Local Plan of this updated information and the options for progressing the Local Plan.
19. Officers have informed the Planning Inspectorate (PINS) that there is a delay with the anticipated programme towards submission and will continue to update PINS on progress. It should be noted that PINS require six weeks' notification of the intention to submit a Local Plan for examination.
20. We also received a representation to the Regulation 19 public consultation from Oxfordshire County Council which is attached at Appendix 9. The County Council raises a number of concerns, in relation to Chalgrove. The key issue relates to transport infrastructure and the requirement for a substantial investment in additional infrastructure which is likely to be needed. The County Council is concerned about whether such investment will be forthcoming and advises that further evidence is needed to be confident that the infrastructure challenges associated with development at Chalgrove Airfield are able to be addressed.
21. Further to a meeting held on 20 February 2018 between Homes England, Oxfordshire County Council and South Oxfordshire District Council, we wrote to Homes England (attached at Appendices 6 and 7). Their response is at Appendix 8 and 13. We also wrote to Oxfordshire County Council which is attached at Appendix 10 and their response is at Appendix 15.

22. All parties remain committed to working together to seek to resolve the outstanding concerns in respect of transport infrastructure.

What level of development are we planning for?

Housing (Objectively Assessed Need OAN)

23. In April 2014, the councils across Oxfordshire published a Strategic Housing Market Assessment (SHMA), and this identified that South Oxfordshire needs additional housing beyond that which is planned for in the existing Core Strategy.
24. As well as this, Oxford City Council indicated that they would have difficulties in meeting their identified housing need entirely within the city boundary and that other districts across the county could be asked to consider taking some of this “unmet housing need.”
25. In response we decided that we needed to review our existing plan and consider how we can plan for additional growth in the most sustainable way.
26. The SHMA made recommendations in terms of a housing range that we should be planning for, recognising that the affordable housing evidence provided a basis for considering higher housing provision. The SHMA identifies a total need for between 14,500 and 16,500 homes for South Oxfordshire over the twenty-year period 2011-2031. This would equate to an annual provision of between 725-825 new homes.
27. Given that we originally anticipated the adoption of the Local Plan at the end of 2018 as set out in the published Local Development Scheme and that Government guidance requires Local Plans to have a time span of 15 years from the point of adoption, the annual requirement for housing has been rolled on for the additional two years (to 2033). This may need updating again.
28. The SHMA considers that the provision of 750 dwellings a year would support economic growth in South Oxfordshire. This is primarily to meet the needs of our existing businesses wishing to expand and to allow for new business formation at similar rates to the past. A proportion of this provision would also meet the need for affordable housing in the district.
29. Officers have previously advised that there is a risk in not adopting the upper end of the range set out in the SHMA of 825 homes per year. However, it is noted that the other planning authorities in the housing market area have progressed their Local Plans on the basis of the mid-point and have been found sound.
30. We have previously consulted, in the draft Local Plan, upon making provision for 17,050 new homes to be delivered to meet the District's own needs during the plan period (2011 to 2033). This equates to 775 homes a year, which reflects the midpoint of the recommended range in the SHMA. This is considered to be an appropriate response to meeting our housing needs. Not only does this go beyond the committed economic growth housing requirement for South Oxfordshire, but also provides an uplift to deliver affordable housing identified in the SHMA. The midpoint of the SHMA has been selected as the Objectively Assessed Need for housing which represents an appropriate and sound basis for the amount of new housing we need

to plan for. This equates to 775 homes a year and a plan period total to 2033 of 17,050 homes. This may need rolling forward again to ensure we have 15 years planned development at the point of adoption.

31. The Ministry for Homes, Communities and Local Government (MHCLG) published a revised National Planning Policy Framework (NPPF) for consultation on 5 March. Whilst it remains a draft for consultation, it provides an indication of how national policy may change. Importantly, it proposes that any local plans submitted for examination within six months of its final publication will be assessed against the policies in the current version of the NPPF. Plans submitted after the end of the six month transitional period will be assessed against the policies in the new NPPF. The date for the final NPPF has not been confirmed, though April's Planning Update Newsletter from MHCLG indicated that the document would be published in the summer. This presents some difficulty in determining when the six month transitional arrangements will end. On the basis of this information, it could reasonably be expected to be between December 2018 – February 2019.
32. This consultation document was accompanied by a series of other documents including draft Planning Practice Guidance. The details of the standard methodology for calculating housing need are included in the supplementary documents. The methodology remains unchanged since the Government publication on 'Planning for the right homes in the right places' which consulted upon a standard methodology for calculating housing need (Objectively Assessed Need). For South Oxfordshire this annual need was 617 dwellings per annum. Following updated baseline information, the latest calculation would be 612 dwellings per annum.
33. As set out above, the Objectively Assessed Need (OAN) contained within the emerging Local Plan aligns to the mid-point of the range of Oxfordshire's Strategic Housing Market Assessment which is 775 dwellings per annum (dpa).
34. As can be seen, the transitional arrangements have potentially important consequences in terms of the OAN, i.e. the emerging Local Plan is based on an OAN of 775dpa, whereas the standard methodology that would apply after the end of the transitional period would result in an OAN of 612dpa.
35. Further, the draft guidance says that in certain circumstances it will be appropriate to plan for an uplift in housing numbers, including where (as is the case here) there is a Growth Deal in place. The draft national practice guidance states that:

"Circumstances where an uplift will be appropriate include, but are not limited to; where growth strategies are in place, strategic level infrastructure improvements are planned, funding is in place to promote and facilitate growth (i.e. Housing Deals, Housing Infrastructure Fund). In these circumstances, the local housing need figure can be reflected as a range, with the lower end of the range being as a minimum the figure calculated using the standard method."

Source: Draft PPG March 2018
36. The transitional arrangements are thus a highly relevant point to be considered alongside the options below.
37. The draft planning practice guidance makes specific reference to Housing Deals as a circumstance where an uplift to the standard need would be appropriate. It advises that in such situations the local housing need can be expressed as a range rather

than a single figure. For South Oxfordshire, the lower end of the range would be the figure calculated using the standard method and the higher end would be the 2014 SHMA figure which has been used as the basis for the Oxfordshire Housing and Growth Deal.

38. In addition, if the Council sought to pursue a lower housing number at this stage, this would contradict the direction, currently being implemented, regarding the Oxfordshire housing and growth deal, which has now been signed by all Oxfordshire Districts, and would have a direct impact upon this. However further uncertainty and delay may give rise to further speculative planning applications. In addition, a national draft Housing Delivery Test (HDT) has also been published, though a bespoke Oxfordshire wide HDT is being developed which would reduce the pressure on the districts for a limited period.
39. There will be a requirement to prepare and maintain one or more statements of common ground as evidence of the statutory duty to cooperate. With reference to the duty, the draft Framework has been amended to state that this duty cannot be deferred. In South Oxfordshire a number of statements of common ground have been prepared to evidence the engagement and areas of agreement with neighbouring authorities and statutory consultees.
40. This affects the consideration of our OAN; old v new. If we are to consider new OAN, then we will need to assess our economic growth, which may create an uplift to our OAN. This is a major piece of work, which could take 12-18 months and is required to be applied across our housing market area (County). This work is currently planned as part of the Joint Statutory Spatial Plan (JSSP) work.
41. Whilst there exists a disagreement between South Oxfordshire and Oxford City, Cherwell and West Oxfordshire District Councils regarding unmet housing needs, we consider that the duty has been discharged, but that our approach in part defers the level of contribution pending examination of Oxford City's Local Plan. However, it is noted that the disputed 1,200 shortfall in homes between our contribution and the apportionment of the working assumption no longer exists when the new standard method for the local housing need assessment, excluding any agreed uplift, is applied to Oxford City's housing need.
42. In addition to the above, through the Oxfordshire Growth Deal, part of the freedoms and flexibilities afforded to the districts is to reduce the housing land supply requirement to three years for the duration of the preparation of the JSSP. Reducing the housing land supply requirement will lessen the pressure on the delivery trajectory and provide greater flexibility during this period. However, we should not ignore what may happen once this relaxation period has been lifted.

Options for consideration

43. In light of the position at Chalgrove, officers reported their recommended approach to Cabinet on 20 March and then Council on 27 March 2018.
44. Council voted against submitting the Local Plan in its current form and asked Cabinet to reconsider two of the options in the report to Cabinet on 20 March (option 2 and option 3) and report back to Council. Option 2 includes replacing the proposed

allocation at Chalgrove Airfield with another site(s) and option 3 proposes adding an additional reserve site(s) to the South Oxfordshire Local Plan which could come forward for development in the event that Chalgrove failed to deliver. Council may choose to propose new options, which are not outlined below, supported by the necessary information and in recognition of any associated implications.

45. The options and their likely timetable for delivery are detailed below. In addition the potential implications are also included. The programme for all options, may require an additional year to be added to the end of the Plan period to reflect a 15 year horizon from the point of adoption, which would mean a roll forward of housing/employment/retail, etc needs.

OPTION 1 – NO CHANGE TO THE SOUTH OXFORDSHIRE LOCAL PLAN

46. Council could decide to maintain the Local Plan proposals and timescales for submission as is and rely on the commitment from HE to deliver Chalgrove. Minor changes to the Local Plan to reflect the emergence of new national guidance, the position on Chalgrove Airfield and an updated trajectory can usefully be included.
47. Option 1 would enable the council to proceed to the formal submission of the Local Plan by end June 2018. This date has been updated to reflect the six week notification time from the Planning Inspectorate from the point of a decision by Council on 15 May 2018.
48. Submitting the Local Plan within this timescale would mean that the plan would be assessed against the current version of the NPPF.
49. It should be noted that if HE needed to use its compulsory purchase powers to deliver Chalgrove the CPO process will delay the delivery of the site. The council would need to adjust its housing trajectory accordingly, which, depending on the extent of such timing, could present a housing shortfall in the plan period.
50. However, Option 1 also introduces a significant element of risk, insofar as the Local Plan Inspector may find relying on a CPO process to secure the land for development for a strategic allocation unsatisfactory and potentially not meeting the requirement for available and deliverable sites for development and therefore not effective, rendering the Plan ‘unsound’.
51. During examination, if the Inspector raised concerns with the soundness of the Plan then the council would have the option of requesting the Inspector to recommend modifications to the Plan to make it sound.
52. The Inspector could suggest that an additional or replacement site should be added to the Local Plan, to cover for the potential that Chalgrove did not come forward. This would require the council to consult on this additional or replacement site(s) through a modifications process during the examination.
53. Once the Local Plan is submitted, the timetable is largely steered by the Planning Inspector, including any potential delay created by any route that might be chosen to address concerns raised by the Inspector.

54. If the Council did have to consider / consult on additional sites this would be likely to add at least six months delay to the Local Plan process.
55. It is likely that the Inspector would suspend the hearing sessions of the Examination to allow such concerns to be addressed. Any risk that this could impact on the Local Plan's overall spatial strategy for development could be discussed at the hearing sessions.
56. Assuming that there would be a need to consider alternative sites the next steps in the process for Option 1 could follow the below timetable:

June 2018	Submission to Secretary of State (Regulation 22)
September 2018	Examination in Public (Regulation 24)
Winter 2018	Main modifications consultation
Early 2019	Inspector's report (Regulation 25)
Spring 2019	Adoption (Regulation 26)

57. There may be scope for the council to commit to an early review of the plan to address any concerns raised by the Inspector. This could be done by way of a main modification to the submitted plan. The scope for this, and the structure of the proposed review mechanism (e.g. the timing and extent of the review) would require careful consideration. The Local Plan already includes a commitment to undertake an early review once Oxford City has adopted its Local Plan. In addition, there is already a requirement to regularly review Local Plans (every five years).
58. It is considered that the 'no change' approach places the Local Plan at risk in respect of its deliverability. It is at risk of failing the examination on the grounds of its soundness and its effectiveness to deliver.
59. Cabinet made a recommendation to Council on the basis of Option 1, but Council did not support this. If Cabinet were minded to consider that Option 1 was the preferred option, then to support this would require further justification to persuade Council of the merits. Officers advise that no new material has been produced that is relevant to our Local Plan since Cabinet/Council last met on this matter.

OPTION 2 – REMOVE CHALGROVE PROPOSAL AND ADD REPLACEMENT SITE(S)

60. Option 2 involves removing Chalgrove from the Plan altogether and finding an alternative site or sites.
61. The work required to support the identification of a replacement site follows a broadly similar approach to that of identifying a reserve site. The work involved is set out later in the report.
62. Option 2 would alter the existing Local Plan strategy to such an extent that Council would likely need to reconsider the Local Plan and undertake a further two rounds of public consultation prior to submission for examination. (A regulation 18 and regulation 19 consultation.) This is because the council must demonstrate that it has undertaken meaningful consultation prior to producing the final version of its Local Plan. At a Regulation 19 stage it is not advisable to alter the plan to such a significant extent. The additional consultation stage provides the safest approach balanced

against this option. It also ensures that those who wish to make representations to the Local Plan can have their views taken into account in the formulation of the Local Plan prior to its publication.

63. Officers have reviewed the original timetable and drawn up a more detailed week based project plan, which reflects the current position before a final decision is made by Council. It is considered that this would add at least 18 months to the timetable.

April - May 2018	Information review of alternative sites
April - May 2018	Housing and employment land availability assessment update.
April - May 2018	Objectives Development
May 2018	Round Table Session – Information review of alternative sites
May - June 2018	Site Filtering exercise
June - Oct 2018	Evidence Base updates
October 2018	Round Table Session – outcomes of site filtering and evidence
Oct - Dec 2018	Draft Regulation 18 Local Plan
January 2019	Cabinet/Scrutiny/Council
Feb - March 2019	Regulation 18 Consultation
March - April 2019	Review consultation responses
May - Aug 2019	Update Local Plan and evidence base
September 2019	Cabinet/Scrutiny/Council
Oct - Nov 2019	Regulation 19 Consultation
January 2020	Submission to Secretary of State (Regulation 22)
April 2020	Examination in Public (Regulation 24)
July 2020	Main modifications consultation
September 2020	Inspector's report (Regulation 25)
October 2020	Adoption (Regulation 26)

64. As can be seen, under Option 2 the Local Plan would be submitted for examination after the end of the six month transitional period set out in the new (draft) NPPF. This means that the Plan would be considered against the policies of the new NPPF. The Council's OAN would be assessed against the new standard methodology plus any uplift as required and the Oxfordshire Housing and Growth Deal
65. It would also place the submission of the Local Plan beyond the 1 April 2019 deadline in the Oxfordshire Housing and Growth Deal, which would mean that we had failed to meet this agreed milestone and that we were in breach of the 'Deal'.
66. Option 2 would fundamentally weaken HE's case for CPO as the site would no longer be included as an allocation in an emerging Local Plan.
67. This would not necessarily preclude Chalgrove coming forward at a later date, subject to its availability.

OPTION 3 – RETAIN CHALGROVE AIRFIELD BUT ADD AN ADDITIONAL SITE

68. This option assumes that Chalgrove remains in the Local Plan, but that an additional reserve site or sites be included and provides an option for housing delivery in the event that the site at Chalgrove or the other strategic allocations do not come forward in a timely manner or at all.

69. This would involve the council undertaking the necessary work to identify an additional site(s) and ensure the necessary evidence is produced before the Plan is consulted upon again under Regulation 19 and then submitted for examination. Given that this option provides a reserve site(s), it is not considered that an additional regulation 18 stage would be required.
70. The work required to support the identification of an additional site follows a broadly similar approach to that of identifying a replacement site. The work involved is set out later in the next section of this report.
71. The likely timetable for progressing this option is set out below. Officers have reviewed the original timetable and drawn up a more detailed week based project plan, which reflects the current position before a final decision is made by Council. This timetable has been prepared to ensure submission in December 2018, the anticipated deadline for the transitional period under a new NPPF. The timetable provides more detail on the work required to appraise and filter additional sites in the next few weeks. The time required to complete the evidence base has been reviewed as much of this work is reliant on external consultants and their ability to match our timescales. It includes the potential for consultation on main modifications to the Local Plan. If this is not required, then the Local Plan could be adopted in June 2019.

April - May 2018	Information review of alternative sites
April – May 2018	Housing and employment land availability assessment update.
April 2018	Objectives Development
May - June 2018	Site Filtering exercise
May 2018	Round Table Session – Information review of alternative sites
April – Aug 2018	Evidence Base updates
September 2018	Round Table Session – outcomes of site filtering and evidence
Sept – Oct 2018	Draft Local Plan
October 2018	Cabinet/Scrutiny/Council
Oct - Dec 2018	Publication of the Local Plan for consultation (Regulation 19)
December 2018	Submission to Secretary of State (Regulation 22)
March 2019	Examination in Public (Regulation 24)
June 2019	Main modifications consultation
August 2019	Inspector's report (Regulation 25)
September 2019	Adoption (Regulation 26)

72. The availability of a reserve site in the Local Plan could weaken HE's case for CPO. The wording regarding the additional 'reserve' site or sites will be important in this regard. The status of the site or sites will need to be written in the policy.
73. Further, the promoters of the 'reserve' site may well seek to progress their site regardless of their 'reserve' status. The triggers for releasing a 'reserve' site or sites must therefore be clear in the policy to ensure that this is limited.
74. The implication of this would be that the Local Plan would then likely be submitted under the proposed transitional arrangements for the NPPF and before the 31 March 2019, Housing and Growth Deal deadline.
75. It is considered that this option provides an efficient and proactive route for the Local Plan whilst reducing the risk to the overall soundness of the Local Plan. Councillors may wish to include one or more of these reserve sites within the Local Plan. The

identification and selection process of reserve sites is not at this stage in the process, but officers will engage with councillors on the selection process prior to a recommendation to Cabinet/Council for the next stage.

76. As part of considering option 3, councillors could consider a potential sub-option – option 3a. Option 3a would be to delay the submission of the Local Plan beyond the transitional arrangements, but before the 31 March 2019 deadline. This opportunity will depend on the timing of the publication of the final NPPF and could present only a marginal timescale, and in the event that the NPPF is seriously delayed, no opportunity at all. Selecting this approach could enable the council to take advantage of the local calculation of housing need. The further implication of using a lower OAN figure would be to undermine the growth deal commitment to plan for 100,000 homes by 2031.
77. There is a further consideration as to whether we continue to plan to deliver more housing than is required or whether the level of development is then reduced if the new figures indicate a lower requirement.

PROCESS FOR CONSIDERING ALTERNATIVE/ADDITIONAL SITE(S)

78. As part of the Local Plan process, it is necessary to consider all reasonable strategic site options prior to the selection of those sites which are ultimately included in the Publication Local Plan. The reasonable alternatives provide the appropriate starting point for considering additional/alternative site(s). These have been promoted to the Council through the Local Plan process up to and including the Regulation 19 stage already undertaken.
79. We have consulted upon alternative sites through the development of the Local Plan. A brief summary of the history is provided below.
80. In the Refined Options (February 2015) version of the South Oxfordshire Local Plan we refer to the ways in which we could help Oxford City meet its unmet housing need and suggest that some approaches might be:
 - An extension to Oxford in the Green Belt at Grenoble Road
 - Wick Farm Area beyond Barton also in the Green Belt
 - A new settlement – Junction 7 of the M40
 - Extensions to existing settlements
81. In the first Preferred Options (June 2016) we refer to our consideration of seven possible locations for a strategic new community:
 - Chalgrove Airfield
 - Harrington
 - Culham Science Village
 - Lower Elsfield
 - Wick Farm
 - Thornhill
 - Grenoble Road

82. We put forward as distinct consultation options those locations outside Oxford's Green Belt:
 - Chalgrove Airfield
 - New settlement at Harrington at J7 of the M40.
83. We also concluded that the preferred option was a new community at Chalgrove Airfield.
84. At the Second Preferred Options (March 2017) we proposed the following allocations:
 - Land adjacent Culham Science Centre
 - Land at Berinsfield
 - Land at Chalgrove Airfield
 - Land at Oxford Brookes University, Wheatley (Holton Parish)
85. The Publication (October 2017) of the Local Plan retained the allocations proposed in the Second Preferred Options.

Sustainability Appraisal

86. The assessment of all the sites which have been considered at each stage of the Local Plan process are set out in the Sustainability Report, including the addendum report. There are advantages and disadvantages to all the sites as set out in the detailed assessment of the Sustainability Appraisal.

Process

87. It is not intended that a further Call for Sites process be undertaken as it is reasonable to expect that those alternatives have been promoted in anticipation of the submission of the Local Plan.
88. There are sites in addition to the above which have been promoted since the Second Preferred Options stage through the Local Plan process which should be considered through any process for considering alternative/additional sites.
89. Essentially the Local Plan and its evidence base would need to be updated to reflect additional site(s). By way of example, if the additional or replacement site was one which has already been consulted upon, and it was being recommended, then the requirement would be for the plan to be updated, to go back through the democratic process (Cabinet, Scrutiny and Council) and then to go out for a second Reg. 19 consultation. Alternatively, if it is a new site being recommended, then we would advise to go back a further stage in the consultation process, to a Reg. 18 consultation.
90. Part of the site selection process requires input from developers promoting the alternative sites to provide the most up to date information regarding their site and the work undertaken to date to progress it. The amount and quality of information will vary considerably across the sites. Officers will review the information available to us and identify the gaps to ensure that we can update our evidence base consistently in order to inform the alternative site selection process.
91. A key part of the information review is to contact many of the statutory consultees to ask for their input into the assessment of alternative sites. These responses will seek

observations/concerns for each of the sites including any updates. It will also be an opportunity for stakeholders to consider what the impact may be on infrastructure provision across the area should Chalgrove not deliver and what would change if it is replaced with an alternative site(s).

92. This element of the work will also involve the identification of the parts of the Local Plan and its evidence base which are relevant or reliant upon Chalgrove Airfield.

SHELAA update

93. This part of the work programme will involve officers undertaking site visits to all alternative sites with an update to the existing Strategic Housing and Employment Land Availability Assessment. The SHELAA would also be updated in view of the time elapsed since its last update.

Objectives Development

94. This workstream which can be undertaken concurrently with the above is to undertake a review of the Sustainability Appraisal and the way in which it can be used to formulate criteria more appropriate to the selection of additional site(s).
95. A site selection methodology paper will be drawn up alongside this work to steer the filtering process.

Filtering Exercise

96. This stage of the process effectively pulls together the information collected in the previous stages and starts to filter the full list of alternative sites. This work will be supported by the production of a background paper on site selection. Councillors will be briefed and involved in this part of the process.

Evidence Base Updates

97. Once the filtering exercise has commenced, the evidence base to support the Local Plan can be updated as below:
 - Updating the Sustainability Appraisal (SA),
 - Updating the Habitats Regulations Assessment (HRA) – including traffic flow data,
 - Additional Evaluation of Traffic Impacts study,
 - Updating the Infrastructure Delivery Plan,
 - Updating the Strategic Flood Risk Assessment,
 - Updating Historic Impact Assessment,
 - Updating the Leisure Studies report,
 - Updating the landscape work to include a new site(s)
 - Updating the retail study report.
98. These tasks can be undertaken concurrently, though the SA and HRA would follow at a staggered pace. The Local Plan itself can be updated, including any necessary supporting topic papers, during this time.

Steps to adoption

99. In any event, whether submitting the Publication Local Plan as consulted upon or following a second publication consultation, the council would submit the Local Plan to the Secretary of State for independent examination, together with the supporting evidence base studies and reports. If a second consultation stage were required, the supporting material would include a summary of the representations made to both publication stages of consultation.
100. Once the Local Plan is submitted, the timetable is largely steered by the Planning Inspector, including any potential delay created by any route that might be chosen to address concerns.
101. Following the examination, the Inspector may recommend changes to the Local Plan, which the council would then consider (and usually accept unless there was a good planning reason not to). A 'Modifications' version of the Local Plan would then be published for consultation, incorporating any recommended changes the council agrees. The Local Plan would then be finalised and adopted.

Financial Implications

102. The preparation of the South Oxfordshire Local Plan is undertaken by officers within the Planning Policy team and is supported by an extensive evidence base. The activities of this team are met from the existing Planning Policy budget. Clearly any delay will mean further updates which each have a cost as the evidence base will start to become increasingly dated. The length of the delay will have a direct relationship with this cost as some reports and assessments have a different tolerance to the duration of time. If either option 2 or 3 are taken forward this will have a certain cost implication. Many of the documents which support the Local Plan will require to be updated by the inclusion of a replacement or additional site(s). Much of the technical supporting evidence base has been prepared by external consultants and the additional work required will vary across the evidence base. By way of example, the addition of a new site or sites will require a re-run of the Evaluation of Transport Impacts (relying on our partner, Oxfordshire County Council, as Highway Authority) and significant site specific updates to the Infrastructure Delivery Plan. However, officers believe updates can be covered from within the existing policy budgets as much of the evidence base can have addendum reports rather than necessitating a complete rewrite.
103. Option 2 or 3 will require officer resource to support the necessary contractual requests for additional work and to review additional material. There will be a requirement for officers to revisit some of the statements of common ground and to update the Local Plan itself. Under option 2 this will require officers to review against the NPPF requirements because this approach will fall outside of the transitional arrangements. As the work programme for the team was focussed on the necessary preparatory work for the examination, it shifts the timescale back and will create some management challenges which will require a flexible approach to officer resource.

Legal Implications

104. The Publication version of the South Oxfordshire Local Plan has been produced for publication under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“Local Planning Regulations”).
105. Local authorities are required by law to prepare a development plan for their administrative area and the process for doing that is governed by statute. The regulations require local authorities to notify and invite comments from a range of specified persons and organisations on their development plan proposals.
106. In the absence of an up to date Local Plan, South Oxfordshire remains vulnerable to challenge. The recently published Housing Land Supply calculation for South Oxfordshire (April 2018) demonstrates that a five year housing land supply (HLS) for the district exists. This shift into a positive position is a result of both pragmatic decision making and allowed appeals. Whilst this current identified supply will assist in defending speculative development on sites which are not identified in the adopted or emerging Local Plan, this is not an opportunity to be complacent and we will continue to be challenged through the appeal process.
107. In the absence of a five year HLS, local authorities are having imposed upon them by decision of the Secretary of State, planning permissions which need not necessarily comply with the current or emerging Local Plan. It is therefore essential that the Local Plan is progressed expeditiously if the threat of adverse planning decisions is to be avoided.
108. Section 33A of the Planning and Compulsory Purchase Act 2004 (as inserted by the s110 of the Localism Act 2011) (“s33A”) provides that local planning authorities must co-operate with other local planning authorities in maximising the effectiveness with which activities such as the preparation of local plan/development plan documents are undertaken so far as they relate to strategic matters. This ‘duty to cooperate’ requires the local authority to engage constructively, actively and on an ongoing basis in any process by means of which activities such as the preparation of Local Plan are undertaken.
109. If the person appointed to carry out the independent examination considers that the council has not complied with its duty under s33A in relation to the preparation of its Local Plan the person can neither recommend adoption nor modifications and in such cases, the council cannot then adopt the Local Plan.
110. Legal advice has been sought from the QC and counsel engaged by the council to advise on the Local Plan. A copy of the full advice is attached in the confidential appendices 11 and 17. This is not for publication because it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
111. Councillors must take the legal advice into account before exercising their judgment.

Risks

112. Specific risks relating to the delivery of strategic allocations and the overall level of delivery have been raised elsewhere in the report.
113. Risks relating to the extent to which the unmet housing needs are initially planned for and the consistency of approach to taking land out of the Green Belt have previously been raised and are included in the report to Council of September 2017. There is no additional risk. The Green Belt report which forms part of the evidence base for the Local Plan did not consider the potential for additional land to be designated as Green Belt. If replacement land is sought, then an assessment to determine an appropriate location(s) for this will need to be undertaken.
114. More generally, a failure to progress a Local Plan that identifies future development requirements for the area and strategic locations where these requirements can be accommodated will result in a policy vacuum, increasing the risk of ad hoc development proposals being submitted and potentially, to decisions being secured by appeal.
115. The absence of a Local Plan could result in an uncoordinated approach to development, leading to inappropriate and incremental development being allowed on appeal that does not take account of cumulative implications and requirements for supporting infrastructure, with the potential for adverse environmental impacts.
116. The council is currently in a position where it cannot demonstrate a sufficient level of land for housing and there are planning applications pending which have been submitted on this basis. It is therefore critical that progress is made on agreeing the emerging Local Plan. Any delay in progressing the Local Plan to submission and examination increases the risk of inappropriate development and lack of delivery of key infrastructure.

Other Implications

117. The implication of Option 2 would be that the Local Plan would certainly be submitted beyond the proposed transitional arrangements for the NPPF. The timing of the publication of the final version of the NPPF will be important for Option 3 as it may be possible to submit under the proposed transitional arrangements. The Government's new housing need calculations could then be used as the lower end of a range for local housing need, although it is not clear the extent to which any additional need to factor in economic forecasts would have to be undertaken. This could create uncertainty at a time when a second Publication version of the South Oxfordshire Local Plan is being considered. This would be a new risk at that time.
118. The draft planning practice guidance makes specific reference to Housing Deals as a circumstance where an uplift to the standard need would be appropriate. It advises that in such situations the local housing need can be expressed as a range rather than a single figure. For South Oxfordshire, the lower end of the range would be the figure calculated using the standard method and the higher end would be the 2014

SHMA figure which has been used as the basis for the Oxfordshire Housing and Growth Deal.

119. In addition, if the Council sought to pursue a lower housing number at this stage, this would contradict the direction agreed under the Oxfordshire Housing and Growth Deal, which has now been signed by all Oxfordshire Districts. This would have a direct impact upon this and we would lose Deal benefits and damage relationships with the other councils. Officers suggest caution on this approach. In addition, a national draft Housing Delivery Test (HDT) has also been published, though a bespoke Oxfordshire wide HDT is being developed which would reduce the pressure on the districts for a limited period. However further uncertainty and delay may give rise to further speculative planning applications.
120. The draft NPPF sets out proposals for national policy which, if taken forward into the final version, would impact upon the approach taken by an Inspector examining the Local Plan.

Conclusion

121. Cabinet is asked to consider the information available and to recommend to Council on which option to adopt to progress the Local Plan.

Appendices

1. Representation to SODC LP on behalf of Martin Baker dated 30/11/2017
2. Letter on behalf of Martin Baker dated 5/12/2017
3. Letter from Homes England dated 16/01/2018
4. SODC response to Homes England 09/02/2018
5. Letter from Homes England and attachments 15/02/2018
6. SODC response to Homes England dated 27/02/2018
7. SODC letter to Homes England dated 05/03/2018
8. Letter from Homes England dated 06/03/2018
9. Representation to SODC LP from Oxfordshire County Council dated 30/11/2017
10. SODC letter to Oxfordshire County Council dated 27/02/2018
11. CONFIDENTIAL Legal Advice - subject to legal professional privilege
12. Chalgrove Parish Council – legal advice
13. Letter from Homes England dated 16 March 2018
14. Letter from Homes England dated 19 March 2018
15. Letter from Oxfordshire County Council dated 20 March 2018
16. Letter from Martin Baker dated 22 March 2018
17. CONFIDENTIAL Legal Advice (supplementary) - subject to legal professional privilege

Background Papers

None



South Oxfordshire Local Plan 2033 Publication Version Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:

South Oxfordshire Local Plan 2033

Please return by 5pm on Thursday 30 November 2017 to: Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email planning.policy@southoxon.gov.uk

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

2. Agent's Details (if applicable)

Title	Mr	Mrs
First Name	James	Vicky
Last Name	Martin	Fowler
Job Title (where relevant)	Joint Managing Director	Partner
Organisation representing (where relevant)	Killinchy Aerospace Holdings Limited and Martin-Baker Aircraft Company Limited	Gowling WLG
Address Line 1	Lower Road	4 More London Riverside
Address Line 2	Higher Denham	
Address Line 3		
Postal Town	Near Uxbridge	London
Post Code	UB9 5AJ	SE1 2AU
Telephone Number		0207 759 6650
Email Address		vicky.fowler@gowlingwlg.com

Sharing your details: please see page 3

Part B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

 STRAT 9

Policies Map

4. Do you consider the Local Plan is: (*Please tick as appropriate*)

4. (1) Legally compliant

Yes

 √

No

4. (2) Sound

Yes

No

 √

4. (3) Complies with the Duty to Cooperate

Yes

 √

No

5. Please provide details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Chalgrove Airfield is currently identified as a strategic housing site in draft Local Plan Policy STRAT 9. Chalgrove Airfield is, however, leased to Killinchy Aerospace Holdings Limited ("Killinchy"). Killinchy's lease is not due to terminate until March 2063 and is a protected lease under the Landlord and Tenant Act 1954 allowing Killinchy to apply for a new lease in March 2063. The delivery of development at Chalgrove Airfield, therefore, requires the agreement of Killinchy to surrender its lease.

The use permitted by the lease is for buildings, constructions, runways, taxi tracks, access roads and hardstandings for research and development work of aircraft ejection equipment, the supply, testing and fitting of aircraft ejection equipment and the provision of technical and administrative facilities in connection with that use. This includes the operation of aircraft used for research and development work on aircraft ejection equipment and the test dropping of such equipment and also for aircraft operated either by the tenant or its customers or prospective customers. The remainder of the premises can be used for that purpose or for agriculture.

Killinchy's operating subsidiary, Martin-Baker undertake the development and testing of aircraft ejection equipment and the operation of a pyrotechnic facility at Chalgrove Airfield and also use the runway at Chalgrove for the landing and take-off of its own aircraft as well as the aircraft of customers. Martin-Baker has been the world leader in the design and manufacture of ejection and crashworthy seats for nearly 70 years. As a company Martin-Baker have delivered over 70,000 ejection seats to 93 air forces around the world. Alongside ejection seats, Martin-Baker also develops a range of special crashworthy seats for helicopters and fixed-wing aircraft, currently equipping over 60 helicopter variants. Altogether, Martin-Baker has saved over 7,500 lives with its ejection seat technology.

Martin-Baker's latest designs offer unprecedented life-saving capabilities, with over 17,000 seats currently in service in 54 different aircraft types across 84 countries and these numbers are ever

growing. Martin-Baker own over 53% of the global ejection seat market and this is forecast to grow in the coming years.

Martin-Baker operates from two sites in the United Kingdom, Denham and Chalgrove and operates a track testing facility at Langford Lodge in Northern Ireland. Pyrotechnics have always played a large part in the design and production of Martin-Baker's ejection seats and, most importantly, their ejections. Martin-Baker manufactures and tests all of its own pyrotechnics at Chalgrove Airfield. The operations at Chalgrove Airfield also provide a world class testing centre approved to US and NATO military standards. Testing undertaken at the airfield includes airborne ejection tests from 2 specially modified aircraft.

The business operations undertaken by Martin-Baker have, therefore, not just national importance but also global importance in terms of the centre being approved by Defence Departments around the world and being only one of two such testing facilities in the World. Martin-Baker needs to continue its operations at Chalgrove Airfield for the foreseeable future.

The directors of Killinchy/Martin-Baker have been in discussions with the Homes and Communities Agency (HCA) (who now own the freehold of part of the airfield) on a non-committal basis to see if there are solutions which would meet the HCA's desire to ensure that an appropriate amount of housing is delivered at Chalgrove Airfield but which also ensures Martin-Baker's ability to operate at Chalgrove Airfield is protected.

The directors recognise the role of the HCA and the need for housing in South Oxfordshire District Council and why the Council have selected Chalgrove Airfield as a strategic site. As noted above, however, Martin-Baker's operations are of global importance. Importantly Martin-Baker has unrestricted use of the airfield in terms of its testing facility and flights taking off and landing on the runway and is able to operate a globally significant pyrotechnic facility. The directors of Killinchy/Martin-Baker continue to have concerns with the siting of such a large number of residential units next to a world-class and internationally important testing facility. Martin-Baker need to have the comfort that its existing operations at Chalgrove Airfield and its use of the runway would not become restricted either through planning conditions imposed on the use of a relocated runway or its existing facilities or through nuisance claims being brought.

Martin-Baker acknowledges that the HCA has done a lot of work on master-planning to seek to provide that comfort and discussions have continued to date. At this point in time there is no agreement between Killinchy/Martin-Baker and the HCA in respect of the surrender of Killinchy's lease over that part of the site required for redevelopment and the relocation of the existing runway to facilitate the redevelopment of the scale proposed by the HCA. Until Martin-Baker are satisfied on the issues raised in this representation Killinchy' are unable to agree to a surrender of its lease.

If Martin-Baker is unable to be satisfied on the issues raised, so that there is no agreement to surrender their lease, there can be no certainty of delivery of the proposal within the plan period.

(Continue on page 4 /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at 5 above. (NB Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy STRAT 9 currently requires that the strategic allocation safeguards land for the future operations of Martin-Baker. As explained above, Martin-Baker's concerns are wider than having land safeguarded for its future operations it needs to operate unhindered. The policy, if it is to remain, should require the strategic allocation to deliver:

"a layout and form that respects and protects Martin-Baker's existing operations continuing unhindered and to ensure that the relocation of the existing runway enables Martin-Baker to have unrestricted use in terms of aircraft movements and the operation of its pyrotechnic facility".

Martin-Baker reserves the right to make representations to the Inspector conducting the Examination (at the Inspector's request) as to whether the above modification is achievable and, therefore, whether the policy is deliverable. If the development supported by the policy is not deliverable then the allocation should be removed given the importance of Martin-Baker's operations.

The supporting text should also make reference to the noise assessment required to support this proposal paying careful attention to the relationship of the site to the existing and relocated runway and that appropriate mitigation must be incorporated within the proposal to enable Martin-Baker to have unrestricted use in terms of aircraft movements.

The inclusion of 3 pitches for Gypsies and travellers should be removed from the allocation. This requirement imposes an additional land-use requirement on a site where the developable area would need to be constrained to protect Martin-Baker's operations.

(Continue on page 4 /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Killinchy and Martin-Baker would wish to reserve their position. As noted discussions are continuing. This is, however, a strategic allocation and given Martin-Baker's operations are of global importance it is right that the strategic allocation and the relationship between residential development and Martin-Baker's operations are fully considered by the inspector examining the plan.

Please note the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Date:

Sharing your personal details

Please be aware that, due to the process of having an Independent Examination, a name and means of contact is required for your representation to be considered. Respondent details and representations will be forwarded to the Inspector carrying out the examination of

Agenda Item 5

the Local Plan after the Publicity Period has ended. This data will be managed by a Programme Officer who acts as the point of contact between the council and the Inspector and respondents and the Inspector.

Representations cannot be treated as confidential and will be published on our website alongside your name. If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online, however the original representations are available for public viewing at our council office by prior appointment. All representations and related documents will be held by South Oxfordshire District Council for a period of 6 months after the Local Plan is adopted.

Would you like to hear from us in the future?

I would like to be kept informed about the progress of the Local Plan

I would like to be added to the database to receive general planning updates

Please do not contact me again

Further comment: Please use this space to provide further comment on the relevant questions in this form. **You must state which question your comment relates to.**

Alternative formats of this form are available on request. Please contact our customer service team on 01235 422600 (Text phone users add 18001 before you dial) or email planning.policy@southoxon.gov.uk

Please return this form by 5pm on Thursday 30 November 2017 to: Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email planning.policy@southoxon.gov.uk

Your Reference

Our Reference
2603095/VJF01/VJF01



Mark Mallon
Berwin Leighton Paisner LLP
Adelaide House
London Bridge
London
EC4R 9HA

Gowling WLG (UK) LLP
4 More London Riverside
London
SE1 2AU

DX 132076 London Bridge 4

5 December 2017

Dear Mark

Chalgrove Airfield

I write further to the Killinchy Aerospace Holdings Limited's shareholders meeting held on Friday 1 December. Following the Homes and Communities Agency's presentation on Monday 20th November the shareholders were given the opportunity to vote on whether discussions should continue with the Homes and Communities Agency with a view to part of the airfield being developed for a new housing settlement.

I confirm that the majority of the shareholders of Killinchy Aerospace voted not to continue discussions and to reject the offer made by the Homes and Communities Agency. The reasons for the rejection relate solely to the operational requirements of Martin-Baker Aircraft Company Ltd (Martin-Baker), both present and potential future operations as set out below.

As you are aware Killinchy's operating subsidiary, Martin-Baker, undertake the development and testing of aircraft ejection equipment and the operation of a pyrotechnic facility at Chalgrove Airfield and also use the runway at Chalgrove for the landing and take-off of its own aircraft as well as the aircraft of customers. Pyrotechnics plays a large part in the design and production of Martin-Baker's ejection seats and, most importantly their ejections. Martin-Baker manufactures and tests all of its own pyrotechnics at Chalgrove Airfield.

As explained in the representation to the emerging Local Plan, the business operations undertaken by Martin-Baker have not just national importance but also global importance in terms of the centre being approved by defence departments around the world and being only one of two such testing facilities in the world.

The shareholders of Killinchy are not convinced about having such a large population near an important pyrotechnic facility nor that by having such a larger number of people near the facility that this would not lead to disruption, particularly if the number of firings were increased. The prospect of the number of firings increasing would occur if the volume of work undertaken at Chalgrove increases which cannot be ruled out.

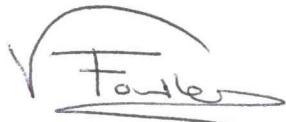
The shareholders are also concerned about restricting Martin-Baker's development of future products. If Martin-Baker's operations extended to other products then the company could require the whole airfield to undertake the related activity. The shareholders of a globally important company are naturally keen to ensure that they are not restricting the ability for Martin-Baker to develop new products.

The number of airfields across the country has been declining. Chalgrove Airfield currently has three runways albeit at this point in time only one is used. Chalgrove Airfield should, however, be seen as a strategically important facility. We live in uncertain times and were it to be necessary for Martin-Baker to ship its products by air to its customers it would need to have the longer runway.

I am keen to stress, as I know there has been a suggestion within the council, that this is not just Killinchy holding out for a better financial offer. The rejection has nothing to do with the financial offer but from a genuine and real concern to protect both Martin-Baker's existing operations and importantly those which could come forward in the future.

I would like to take this opportunity to thank you and the Homes and Communities Agency on the work which went into the presentations and discussions.

Yours sincerely



Vicky Fowler
Partner
+44 (0)207 759 6650
vicky.fowler@gowlingwlg.com

cc Adrian Duffield, Head of Planning
 John Cotton, Cabinet Member for Planning



Homes England

Holly Jones
Planning Policy Manager
South Oxfordshire District Council
135 Eastern Avenue
Milton Park, Milton
OX14 4SB

16 January 2018

Dear Holly,

Housing Development at Chalgrove Airfield

I write to confirm that Homes England is grateful for the dialogue it has had with South Oxfordshire District Council, Oxfordshire County Council, various parish councils and stakeholders concerning the opportunity for housing development at Chalgrove Airfield.

This dialogue has enabled the Homes England to establish a positive partnership with your authority to bring forward the development of an important strategic brownfield site. As a sustainable development delivering a wide range of transport, social and community infrastructure to link the scheme to the existing village, together with its ability to deliver market and affordable housing, Homes England confirms its commitment to bringing this site forward for development. The allocation of the site in the draft Local Plan (Policy STRAT9) is a significant step forward in the process of delivering this site and the Homes England is grateful for this. It remains the Home England's intention to submit an outline planning application for the site's redevelopment in the spring of 2018. Our pre-application discussions with your Council continue to progress the proposals towards this submission date.

As you know, Homes England's tenant – Martin-Baker Aircraft Company Limited (MBACL) – has rejected our latest proposal to work with them to bring forward our proposals. Whilst it is the Homes England's intention to continue to work with MBACL to agree terms, should that not be possible, I can confirm that the Homes England will seek all necessary approvals to the use of its statutory powers, including where necessary and appropriate a CPO to bring this site forward for development. I confirm that in whichever option brings the site forward for development – private treaty agreement or compulsory purchase – the Homes England's objective is to retain MBACL on site and all our negotiations are conducted on this basis. This will continue to be the case.

The Homes England looks forward to continuing the partnership working with all parties over the coming months and years in the delivery of this important scheme.

Yours sincerely,

Ken Glendinning
Head of Strategic Land

Homes England
Fry Building, 2 Marsham Street, London, SW1P 4DF

0300 1234 500
homesandcommunities.co.uk

Planning

HEAD OF SERVICE: ADRIAN DUFFIELD



Listening Learning Leading

Ken Glendinning
Homes England
Fry Building
2 Marsham Street
London
SW1P 4DF

Contact officer:
Planning.policy@southoxon.gov.uk
Tel: 01235 422600

Textphone users add 18001 before you dial

Your reference:
Our reference:

9 February 2018

Dear Ken,

Thank you for your letter setting out your approach to housing development at Chalgrove Airfield.

South Oxfordshire District Council welcome the continued commitment from Homes England to bring forward the site at Chalgrove Airfield for development. The Council also welcome your stated intention to retain Martin-Baker Aircraft Company Limited (MBACL) on site.

With reference to progress on the South Oxfordshire Local Plan, I can advise that the extension to the public consultation period and volume of responses have impacted on our timetable and we are now beyond the date we thought we would be able to submit the Local plan for examination. The Council will shortly be publishing an updated Local Development Scheme to set out the likely changes to the Local Plan timetable. This will indicate that the revised date for submitting the Local plan for examination is end March/start April 2018.

Your letter indicates that, in the event that an agreement with MBACL cannot be reached, that Homes England would be prepared to seek approval to use its statutory powers, including a Compulsory Purchase Order. I would be grateful if you would confirm whether such an approach would also include the use of such powers to bring forward land outside the ownership of Homes England to ensure necessary off site highways infrastructure can be delivered.

I would be grateful to receive a detailed timetable and description of the process which is entailed with bringing forward development at Chalgrove Airfield. Please clarify whether the approval of Minister(s) has been sought to embark upon this approach and what, if any, formal steps have commenced to ensure this can be delivered.

This site is included within the Council's forthcoming Local Plan to deliver much needed housing and infrastructure. As such the housing trajectory to reflect all committed and planned development has been informed by the discussions

regarding likely start dates for construction. Whilst there is some flexibility within the trajectory, please would you outline your anticipated programme for the delivery of housing at Chalgrove Airfield and in particular when you envisage obtaining whatever consents are needed to commence the CPO process; the timescales for each prior stage before making a draft Order; the timescales for each key stage from then until confirmation of the Order; and key stages from confirmation until the actual delivery of homes on the site (where any stages might overlap rather than being consecutive please indicate this).

I look forward to your response.

Yours sincerely



Holly Jones
Planning Policy Manager



Homes England

Holly Jones
Planning Policy Manager
South Oxfordshire District Council
135 Eastern Avenue
Milton Park, Milton
OX14 4SB

15 February 2018

BY EMAIL ONLY

Dear Holly,

Housing Development at Chalgrove Airfield

Thank you for your letter dated 9th February.

I am writing to respond to two points raised in the letter, namely Homes England's intention to use its compulsory purchase powers to bring forward the site if it cannot be acquired by agreement and the timeline for delivery of new homes. I also provide an update on our investigations into off-site highways improvements necessary to mitigate the effects of our proposals.

I set out our position on each point under separate headings below.

CPO

I confirm that Homes England's Board has approved the commencement of preparatory work that will be required prior to the making of a CPO including serving notices on landowners to ascertain details for their interests and exercising the agency's statutory powers to enter and survey the site within the indicative masterplan at Chalgrove Airfield and to purchase any additional land and rights to ensure the effective delivery of the scheme while at the same time trying to acquire the site by agreement.

Whilst this has necessarily focussed on Martin-Baker Aircraft Company Limited (MBACL), there is other third party land that is needed to deliver off-site highways improvements.

As you know, we have entered already into private treaty negotiations with MBACL. Our most recent offer to MBACL has not been accepted, hence our resolution to commence the preparatory work that will be needed should it be necessary to acquire their interest using compulsory purchase powers. We will continue to negotiate to reach terms with MBACL in tandem with carrying out the preparatory work for the CPO; however should our negotiations be unsuccessful, we will have undertaken the necessary preparation for a CPO, and will be asking our Board to resolve to use our compulsory purchase powers to deliver the land that is needed to facilitate our proposals for part of the site, with the remainder being offered back to MBACL. We are confident MBACL will remain on the site and operate and grow their business as they do now because that forms the basis of the private treaty negotiations.

In terms of our negotiations with other third parties regarding the land necessary for the highways improvements, we have not started these because the extent of off-site improvements is not yet agreed with Oxfordshire County Council (OCC). Until such time as Homes England knows the extent of the land that is

required, we consider it would be unhelpful to enter into negotiations because this would only cause confusion.

We anticipate that the off-site highways solutions will be agreed in principle over the next two months or so with OCC and your authority, and once we have reached that position, we will approach the relevant landowners to start the process of private treaty negotiations to acquire the necessary land. We anticipate that our private treaty negotiations with all parties will continue throughout the spring and beyond. Our project timetable assumes submission of a planning application by the time of the Examination in Public (EiP) into the draft Local Plan – estimated to be July 2018 – with an Inspector's report anticipated by the end of 2018. Based on the expectation that the allocation for Chalgrove Airfield (STRAT 9) will be approved, we anticipate this will be the point at which the application is approved by SODC. We envisage that if terms have not been agreed for acquisition by agreement, then this will be the point at which our Board would be asked to make a formal resolution to make the CPO. Assuming that to be the case, then in broad terms, we would expect the inquiry into the CPO to be held in mid to late 2019, with a decision by the end of 2019.

We are in the process of instructing our team to undertake the preparatory work for the CPO process. Once they are instructed – surveyor, solicitor and QC – we will provide you with a detailed update on our strategy and timetable. At this stage, we envisage these appointments will be completed in early March. If the CPO is confirmed and there is the normal delay before ownership is transferred to Homes England, this would mean Homes England controls all of the land to deliver the scheme within a further 3 months. This is early 2020 and is the date by which planning permission would be granted.

Timetable

We have outlined a broad estimate of the timescale for the planning process, namely submission of an application in July 2018 and determination by the end of 2018, aligning with your authority's estimate of when the Inspector's report would be received. If there is no judicial review at this stage and Homes England controls all of the land necessary to deliver all of the off-site highways improvements, we have assumed that the s106 agreement would be signed within 3 months because it is our intention to progress discussions with your authority and other stakeholders throughout the planning process, hence we are confident we could meet this timetable.

As you know, Homes England has already 'soft market' tested the proposal with a number of leading developers, and as we move through the planning process, we will start the formal selection process so that by the time the planning permission is issued, we will have selected our partner. This will allow seamless transition for our development partner to start immediately on submission of reserved matters and condition discharge. If this starts in Spring 2019, we have assumed this stage will last approximately 12 months, and a start on site will occur in Spring 2020. On this timetable, the first house would be occupied in 2021.

In the event that it is necessary for Homes England to compulsorily acquire any interests, we anticipate that this process will formally start (subject to the necessary resolutions and approvals being obtained) as soon as the Inspector's report is available confirming the allocation and/or your Council has resolved to approve the proposals. As we will have identified all of the affected landowners earlier in the process and notice will have been served on them in July 2018 as part of the planning process, our private treaty negotiations will continue after submission.

However if we have not been able to acquire all of the interests by either of the triggers identified above, the affected interests will be included in the formal start of the CPO process. At this stage we can only indicate the timetable in the broadest terms, and the Planning Inspectorate is indicating around 12-18 months from the start of the process. We have assumed therefore that the Inquiry would be late summer / early autumn with a decision by the end of 2019. Again, assuming no judicial review and transfer of the interests within say 3 months, as we have explained above, the planning permission would be issued in early 2020 when the legal agreement is signed. With our development partner following exactly the same process but just a year later, this would mean that a start on site would be in 2021 and the first house occupied in 2022.

In effect, if the use of compulsory purchase powers is necessary, this delays a start on site by around 12 months. These different development timescales are set out on the attached schedules. We have also attached an indicative build out rate for the scheme. We have assumed that neither the planning process

nor the CPO itself will not be judicially reviewed. Should this occur, clearly the broad process that we have outlined would slip.

Off-site highways improvements

Our discussions with your authority and OCC on off-site highways improvements continues. I attach a note prepared by AECOM which identifies each of the improvements that are being investigated and an initial estimate of the cost and the proportion that would be expected to be funded by our proposals at Chalgrove Airfield. The current estimate is approximately £90m and I confirm this is in line with our estimates and the development is viable on this basis. This remains 'work in progress' and AECOM and OCC continue to discuss the cumulative package of measures.

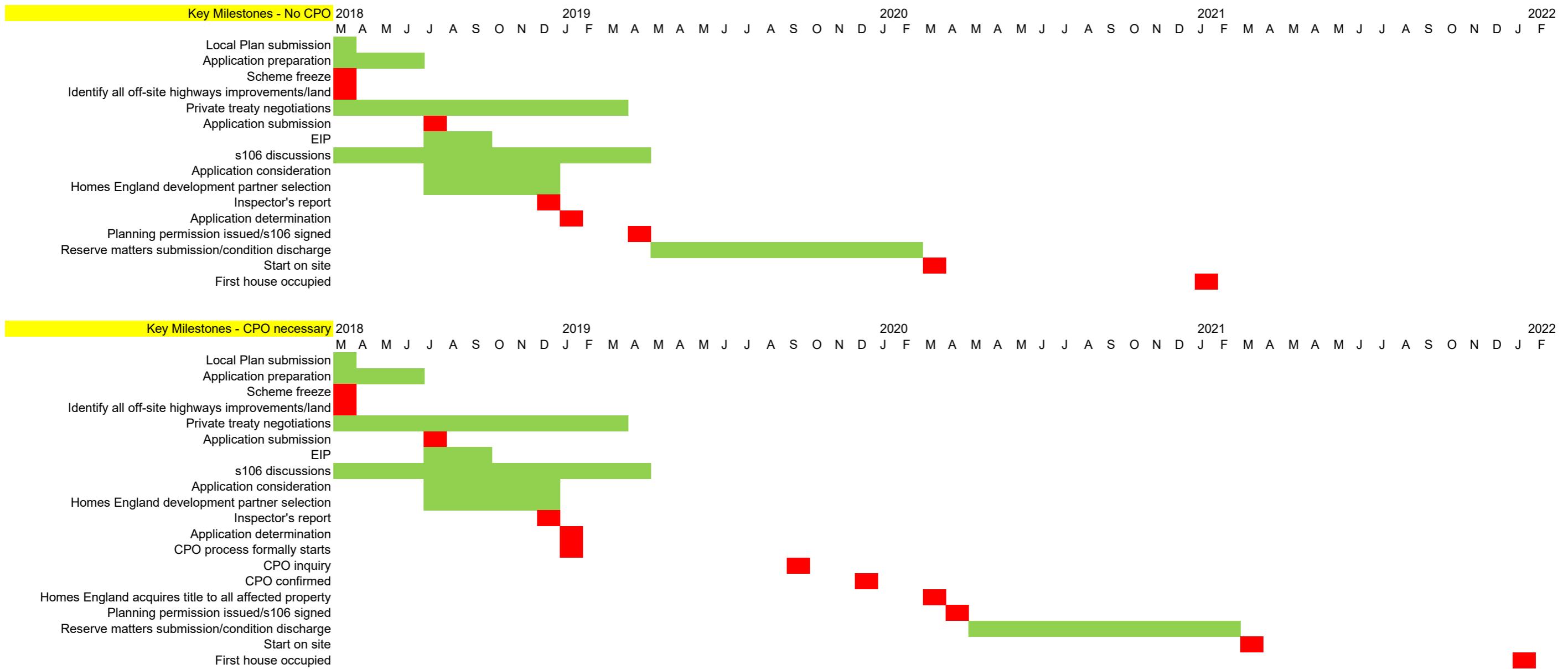
I trust this provides you with a clear explanation of Homes England's position and I look forward to discussing this with you at our meeting next week.

Yours sincerely,



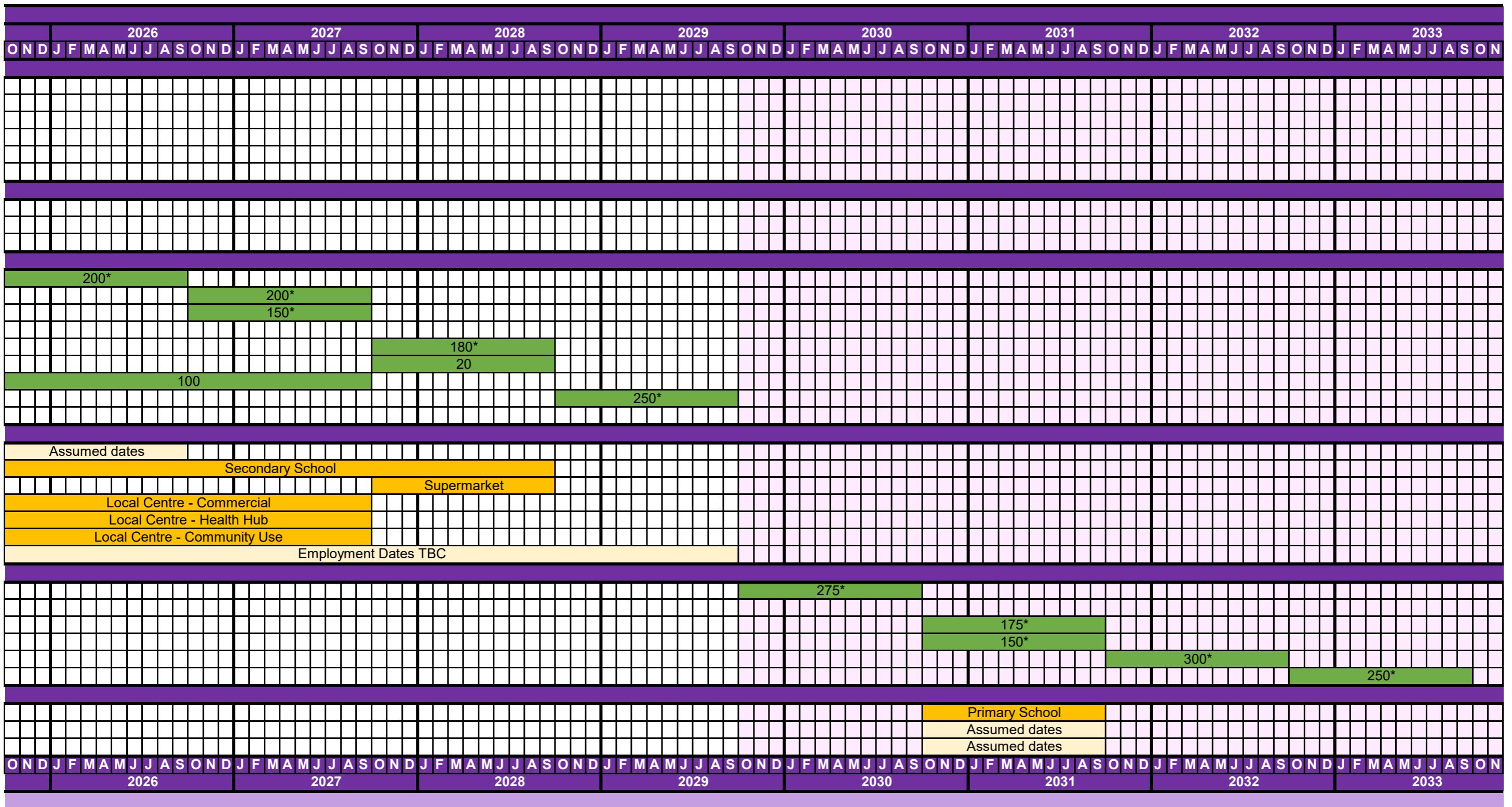
Ken Glendinning
Head of Strategic Land

Chalgrove Airfield - Planning and CPO timetable



HCA Chalgrove Airfield - Indicative Construction Programme (August 2017)																			
Dates	2020		2021		2022		2023		2024		2025								
	J	F	M	A	M	J	A	S	O	N	D	J	F	M	A	M	J	J	A
Phase 1																			
Phase 1.1						50													
Phase 1.2									150										
Phase 1.3																			
Phase 1.4												200*							
Phase 1.5												200*							
Phase 1.6													150*						
Phase 1 Infrastructure																			
Green Space and SUDS												Assumed dates							
Primary School												Primary School							
Relocated Runway															Assumed dates				
Phase 2																			
Phase 2.1																			
Phase 2.2																			
Phase 2.3																			
Phase 2.4																			
Phase 2.5																			
Phase 2.6																			
Phase 2.7																			
Phase 2.8																			
Phase 2.9																			
Phase 2 Infrastructure																			
Green Space and SUDS																			
Secondary School																			
Supermarket																			
Commercial																			
Health Hub																			
Community Use																			
Employment																			
Phase 3																			
Phase 3.1																			
Phase 3.2																			
Phase 3.3																			
Phase 3.4																			
Phase 3.5																			
Phase 3.6																			
Phase 1 Infrastructure																			
Primary School																			
Green Space																			
Green Space																			
Dates	J	F	M	A	M	J	A	S	O	N	D	J	F	M	A	M	J	J	A
	2020		2021		2022		2023		2024		2025								

*assumes at least two outlets



Location	Intervention	Costs in Cost Plan	
Stadhampton	Bypass Option 1B – Safeguarded route in SODC Draft Local Plan Most effective route for drawing traffic away from Stadhampton. Alternatives: Combination of Option 2/3	Cost to Chalgrove	£10m
		Total Delivery Cost	£16.7m
Chiselhampton	Ongoing discussions with County to provide a scheme for B480/B4015 junction.	Cost to Chalgrove	£0.8m (exc general highways)
		Total Delivery Cost	£1m NB: This needs refreshing
Watlington	Edge Road to link the B4009 W/B480 N/B4009 E – Route safeguarded in SODC Draft Local Plan This will take traffic away from the constrained town centre, which is sensitive to traffic and AQ. Also facilitates housing delivery as part of the emerging Watlington NDP.	Cost to Chalgrove	£4.3m
		Total Delivery Cost	£13m
Benson	Edge Road around the northern side of the town, included as part of the emerging Benson NDP. Delivered through housing sites allocated as part of the NDP.	Cost to Chalgrove	£2.3m
		Total Delivery Cost	£9m
Hollandtide Lane	Improvements to highways safety to include passing places and selected widening. Details TBC and being discussed with OCC.	Cost to Chalgrove	£9.3m
		Total Delivery Cost	£9.3m NB Likely to reduce depending on outcome of discussions with OCC.
Walking/Cycling	Local Network improvements to facilitate walking/cycling	Cost to Chalgrove	£2.3m
B480	The B480 will be diverted into the site. The existing B480 will be downgraded to a Green Lane, with vehicle use restricted.	Cost to Chalgrove	Included within on-site cost package
Public Transport	Bus Service Improvements in line with the Local Plan Sustainable Transport Study (STS). To include 1) High frequency Oxford-Watlington Service 2) East-West Route Chalgrove – Berinsfield – Culham – Abingdon/Didcot.	Cost to Chalgrove	£18m Costs based on assumed annual subsidy levels prior to achieving commercial viability.
Cuxham	Public Realm scheme in Cuxham to reduce the environmental impacts of traffic, e.g. on pedestrian safety. Alternative would be to provide a new route around the edge or further afield. This has been drawn by NEW Masterplanning. Due Diligence of this route currently being undertaken.	Cost to Chalgrove	£1.6m Based on Public realm scheme.
		Total Delivery Cost	£1.6m NB: Cost highly dependent on which option is progressed.
Little Milton	Downgrade the Haseley Road/Rofford Lane Rat Run Speed reduction/public realm features on the approaches to the village. HGV reduction measures through wider enforcement strategy. Long term potential bypass if the Oxford-Cambridge Expressway does not come forward.	Cost to Chalgrove	£10m
		Total Delivery Cost	£12.6m NB: Cost would decrease if a bypass is not required.
Oxford Gateway	Phased series of junction capacity enhancements and implementation of bus priority measures on the B480 between Grenoble Road and the Ring Road. Mitigation measures may also be required for the A40 and A4074 routes into Oxford.	Cost to Chalgrove	£21.2m
		Total Delivery Cost	£21.2m NB: potential cost of final package subject to variation.
Great Haseley, Berrick Salome, Brightwell Baldwin, Pyton, Shirburn, Britwell Salome	Public realm measures in local villages which are not expected to experience traffic flow increases. Intended as a preventative measure to avoid these routes becoming rat runs. The exception is Shirburn, which will receive traffic, where measures would be intended to address excess vehicle speeds in the village and improve crossing safety.	Cost to Chalgrove	£4m
		Total Delivery Cost	£4m
Miscellaneous	As yet unidentified improvements	Cost to Chalgrove	£6.4m

Planning

HEAD OF SERVICE: ADRIAN DUFFIELD



Listening Learning Leading

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Tel: 01235 422600

Textphone users add 18001 before you dial

Your reference:
Our reference:

27 February 2018

Dear Nick,

We recently meet with your colleagues, Ken Glendinning and Kate MacBride and Oxfordshire County Council.

I welcome the clarity the provided over the CPO process you are considering for Chalgrove Airfield and would wish to continue these discussions to ensure that the programme to which you are working is realistic.

I recognise that there remain significant concerns from Oxfordshire County Council in respect of bringing forward development at Chalgrove Airfield, which were raised through their representation at the Regulation 19 stage of the South Oxfordshire Local Plan.

Their concerns regarding development at Chalgrove Airfield are largely focussed on matters relating to highways; their delivery, timing and costs, but also include education provision. We discussed several examples with your colleagues which demonstrated further work is required on the practical implementation, including who would be delivering the highway works and the extent to which you are in a position to secure the land and access needed to achieve this.

Homes England wrote to us in 15 February 2018 (Copy attached), there appears to be a mismatch in expectations, particularly in relation to contributions towards highway infrastructure. At the meeting, Oxfordshire County Council suggested that a figure at least double that put forward by yourselves had previously been indicated as a likely highways contribution. We were disappointed in your offer and I would be grateful if you could shed some light on this. There has certainly been a great deal of expectation locally of a much greater offer, but I understand that there has been nothing in writing to date at this higher level. Are you able to advise on this?

I welcome your colleagues undertaking to share your viability work with Oxfordshire County Council and us in relation to the scheme at Chalgrove Airfield, as well as details of the wider infrastructure costs.

Part of the meeting focussed on delivery and the ability of Homes England to forward fund some of the highway schemes. Clearly there needs to be a mechanism to assist in the clawing back of funds from other developers when these come on stream. It would be helpful to understand what experience you have had elsewhere in this situation and what examples you consider to be particularly successful. In addition where there are no other schemes to fill the funding gap, the councils are keen to understand how you propose to deliver the scheme.

Since our discussion last week I can update you that a meeting of the Council's Cabinet (public) is to be held on Tuesday 13 March to discuss next steps for the South Oxfordshire Local Plan. A formal decision is being sought on next steps and therefore, at this time we are not intending to submit the local plan

We wish to continue our dialogue with Homes England and the County Council in respect of the proposal to bring forward a housing led scheme at this location. I understand that your colleagues are setting up a meeting with Oxfordshire County Council to continue your discussions and I look forward to being involved and to move forward in a positive direction.

I would also appreciate further details from Homes England on what linkages you see in relation to your current activities within South Oxfordshire. You are involved in Didcot, Berinsfield and Chalgrove – I would therefore hope that you have considered infrastructure and transport integration on a wider scale to ensure that this involvement delivers maximum benefits to residents and is not fragmented?

Yours sincerely

A handwritten signature in black ink, appearing to read "Adrian Duffield". Below the signature is a thin horizontal line.

Adrian Duffield

Adrian Duffield
Head of Planning

Senior Management Team
CHIEF EXECUTIVES OFFICE



Nick Walkley
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Listening Learning Leading

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Tel: 01235 422100

Textphone users add 18001 before you dial

Your reference:
Our reference: MS/SL-Chal-AF

5 March 2018

Dear Nick,

Chalgrove Airfield

My colleague Adrian Duffield wrote to you last week regarding the ongoing dialogue between ourselves and also with Oxfordshire County Council in respect of the proposed development at Chalgrove Airfield.

I would be grateful for an early reply to that letter which I can share with Councillors and with the County Council which answers the questions raised. We are preparing a report for our Cabinet regarding the Local Plan and officers are proposing some revisions in our approach to its submission.

I would wish to continue discussions with Homes England to ensure that the programme to which you are working is realistic and that matters relating to highways, their delivery, timing and costs, and also education provision, can be resolved in an open and transparent manner, and one which brings benefits to local residents.

I would also like to extend an invitation to you and to the Rt Hon Sajid Javid MP, who I have copied into this letter, to visit Oxfordshire and, in particular Didcot Garden Town, where you have additional interests. We have worked closely with the County Council to submit a significant Housing Infrastructure Funding bid in order to bring forward the delivery of the required housing targets.

I look forward to hearing from you.

Yours sincerely

Mark Stone
Chief Executive

cc. The Rt Hon Sajid Javid MP
Ken Glendinning – Homes England
Bev Hindle – Oxfordshire County Council



Homes England

Adrian Duffield
Head of Planning
South Oxfordshire District Council
135 Eastern Avenue
Milton Park, Milton
OX14 4SB

BY EMAIL ONLY

6 March 2018

Dear Adrian,

Housing Development at Chalgrove Airfield

We refer to our meeting of 20 February 2018 with the Council and Oxfordshire County Council and also to your letter of 27 February in relation to the proposed level of highway infrastructure to support the allocation of development at Chalgrove Airfield.

On behalf of Homes England, we wish to reiterate our commitment to working with the Council and Oxfordshire County Council to find an acceptable solution to the provision of appropriate highway infrastructure to facilitate development at Chalgrove.

Homes England is committed to making substantial investments in transport infrastructure as part of the Chalgrove Airfield development. We will also provide significantly enhanced sustainable travel opportunities, such as high quality bus services, the exact package of measures is being discussed in detail with Officers of the Councils, and is in line with the Council's 2033 Local Plan (Regulation 19 Version). It is a shared priority of Homes England and both Councils that these investments lead to the delivery of much needed infrastructure.

The three main areas where we have anticipated third party funding requirements are the Stadhampton Bypass, and Watlington and Benson Edge Roads. In the case of Stadhampton, we are prepared to work with the County Council to agree a funding and delivery mechanism which would allow us to front-fund the full cost of the Bypass. In Watlington, we are working with Developers, Officers and the Neighbourhood Plan Group to progress the delivery of the Edge Road. We are confident that agreements will be reached on land, technical delivery, timing and funding. In the case of Benson, we understand that similar agreements are well progressed and we have made a commitment to provide gap funding. In all three cases, the Local Planning and Highways Authorities can have confidence that the infrastructure will be delivered without a funding shortfall.

Your letter refers to Homes England forward funding some of the highway schemes with reference to a mechanism to assist in the clawing back of funds from other developers when these come on stream. Whilst Homes England wishes to assist, as a public body expending public monies, we have to be certain that any decisions that we take are accountable and made transparently, in accordance with both planning policy and legislation.

Following our meeting, we have taken legal advice about the proposal to forward fund other highway infrastructure not directly related to the Chalgrove scheme. As you will be aware, Regulation 122 of the

Community Infrastructure Regulations 2010 (as amended) states that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Homes England is concerned that a number of the highways improvements which the County Council considers should be forward funded by Homes England should be delivered by third party funding and are not fairly or reasonably related in scale or kind to the Chalgrove development. We have been informed of the recent Scottish case *Aberdeen City and Shire Strategic Development Planning Authority (Appellant) v Elsick Development Company Limited (Respondent)* ((Scotland) [2017] UKSC 66), where supplementary planning guidance was promoted by the local planning authority which required developers to enter into planning obligations to make financial contributions to a strategic transport fund on the basis that such contributions were pooled and spent on required infrastructure. Our position is informed by this guidance in that an obligation must be fairly and reasonably related to the permitted development and that it is not lawful to restrict development by way of planning obligation until the developer undertakes to make a financial contribution towards infrastructure which is unconnected with the development of the site.

In addition, we assume that the claw back of funds from subsequent developments would be in the control of the County Council as highway authority as any highway related financial contributions payable under a section 106 agreement would be paid to it. If the highway infrastructure has already been provided, how will the County Council be able to justify other developers subsequently paying for it on the basis that it is necessary to allow that development to go ahead? We are very interested to understand how such a legal mechanism would work and whether either the District or County Council has taken any legal advice about taking this approach.

Homes England therefore has concerns about the limitation on the suggested use of planning obligations imposed by Regulation 123 of the CIL Regulations which restricts the pooling of planning obligations for five or more developments. Has any consideration been given to how this could be addressed if funds need to be clawed back from more than five other developments?

Whilst Homes England is very keen to work together with both authorities to find an appropriate solution to ensure the delivery of development in line with the Council's draft Local Plan, we need to understand from the Council and the County Council how it considers that Homes England front funding development in the way suggested (1) can be justified in planning policy terms (2) will meet the requirements of Regulation 122 of the CIL Regulations and planning law and (3) how any claw back mechanism would work.

Homes England recognises that the Government has issued a consultation in relation to reforming S106 contributions and the collection of developer contributions for strategic infrastructure. Notwithstanding the issues raised in the consultation, Homes England has concerns about the legality of the Councils' proposals for the reasons set out in the letter.

We are happy to meet with you to discuss any of the above and understand the need to reach a solution as quickly as possible in light of the Council's intention to submit a report to Cabinet on 20 March.

Yours sincerely,



Ken Glendinning
Head of Strategic Land



OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO SOUTH OXFORDSHIRE LOCAL PLAN PROPOSED SUBMISSION DOCUMENT

Comments close 30th November 2017

Overall Comments

South Oxfordshire currently does not have a five year supply of deliverable housing sites and adopting a new Local Plan will address that issue. While Oxfordshire County Council wishes to support the District Council in its aim to get a new Local Plan adopted, it is concerned that the Plan as currently written is not sound.

The County's key concerns relate to certainty around provision of infrastructure. We recognise that the Inspector examining the new Local Plan will be concerned to ensure that the Plan allocates sites which can viably provide for necessary infrastructure. At this stage we are not able to give reassurance that the necessary infrastructure has been identified and costed. Most of the soundness issues we are raising on this Local Plan relate to these infrastructure concerns.

The way forward is further joint working. Progress has been made this year through the Oxfordshire Growth Board in relation to the publication of an Oxfordshire Infrastructure Strategy (OxIS) and matters such as a decision in principle to prepare an Oxfordshire Joint Spatial Plan. Through the Growth Board, a £215 million Government investment deal for the County was announced with the budget on 22 November 2017. Progress is also being made on wider proposals for the 'Cambridge-Milton Keynes-Oxford Arc', with the National Infrastructure Commission publishing a report on 17 November 2017.

Achieving the long-term ambitions for planned growth in the county will require a sustained partnership approach. South Oxfordshire District Council was the only one of the six authorities in the County not to sign the Memorandum of Cooperation for meeting the objectively assessed need for housing in Oxfordshire last year. We hope that the number set out in the Memorandum for South Oxfordshire District to contribute to Oxford's unmet need can yet be achieved through modification of this Plan, and seek also that further consideration be given to modifications to allocate land close to Oxford.

The County Council wishes to participate at the oral examination of the Plan in order to explain its comments and help the Inspector address any queries in respect of issues the County has responsibility for.

Local Plan Topics

INFRASTRUCTURE DELIVERY

1. The County Council is concerned about whether necessary infrastructure will be able to be funded and delivered. The County Council has responsibilities, for example for transport and education, yet is dependent on funding for example from central government grants and through S106 agreements in respect of development.
2. It is not clear that South Oxfordshire's CIL Charging Schedule will be amended to ensure that S106 contributions can be obtained. As set out in the County's response to the Second Preferred Options, the County Council is concerned that there could be less funding coming forward for specific infrastructure needs from large developments if these are subject to the Community Infrastructure Levy (CIL). The County Council has recently (11 October 2017) supported an amendment to the Regulation 123 list allowing for some schools to be funded through S106 for large developments, but it remains the case that S106 contributions to infrastructure will be restricted unless there are further changes to the Regulation 123 list, and possibly also the CIL Charging Schedule, recognising the new Local Plan sites.
3. Where CIL funds are obtained by the District, the County needs to be confident that a fair proportion of those funds will be available for infrastructure provided through the County Council e.g. highway improvements and schools. There is as yet no agreement on how funds will be apportioned, which means that the County Council is not able to plan for spending.
4. The limitation of CIL and S106 to fully fund necessary infrastructure means that the County Council frequently faces funding shortfalls on costly strategic transport and education infrastructure required to deal with the impacts of growth and needs additional funding sources to ensure its timely delivery. The Oxfordshire Infrastructure Strategy (OxIS) identifies that delivering the necessary infrastructure to support jobs and housing growth in the county to 2040 is estimated to cost £8.35 billion, of which there is currently a £7.14 billion shortfall. We need mechanisms to ensure that funding comes forward when needed.
5. Although the processes for obtaining government funding, amending CIL documents and spending CIL funds are outside of the Local Plan process, an understanding of the funding which is likely to be available for infrastructure is fundamental to examining whether District Plan allocations can be delivered. If there is little or no prospect of adequate funding being obtained for infrastructure necessary in respect of a proposed allocation, then that site should not be allocated for development.
6. The County is also concerned that there has been insufficient attention to what infrastructure is required to support the development proposals in this Plan, its phasing and how much it will cost. An understanding of infrastructure requirements is needed, but the pressure to progress the Plan to submission has meant that key elements of infrastructure, such as those surrounding transport,

have not been adequately investigated through the Evaluation of Transport Impacts (ETI) nor reflected in evidence documents such as the Infrastructure Delivery Plan (IDP). Further ETI work is needed and changes to improve the accuracy of the IDP will be sought. Specific concerns are set out in more detail in respect of each proposed allocation in this response.

7. Urgent progress should be made on infrastructure evidence, a spending strategy for CIL and revision to the Regulation 123 list. This is considered necessary to make the plan deliverable and therefore be considered sound.

Soundness Issue 1 – Further work is required on infrastructure evidence supporting the Local Plan (including the Evaluation of Transport Impacts and the Infrastructure Delivery Plan). The Regulation 123 list should be revised to enable further infrastructure to be obtained through development.

HOUSING NUMBERS

8. This Proposed Submission Local Plan indicates (e.g. Table 5c of the Plan) that the total predicted housing supply to 2033 is 22,563. This figure is in excess of that being planned for which is set out as 20,800, made up of 17,050 for the District's own need (set out in Policy STRAT2) and 3,750 as a contribution to Oxford's unmet need (set out in Policy STRAT3). The difference between 22,563 and 20,800 (1,763) is in excess of the difference between the 4,950 houses apportioned to South Oxfordshire by the Oxfordshire Growth Board and the 3,750 proposed by SODC to contribute to Oxford's unmet need (1,200).
9. The County Council considers that the correct figure to plan for is 22,000, acknowledging the proposed 17,050 for the District's own need to 2033 and 4,950 for Oxford's unmet need to 2031. Such a Local Plan would be in accordance with the resolutions of the Oxfordshire Growth Board and the Memorandum of Cooperation signed by all other Oxfordshire Councils. Planning for this figure requires no change in the proposed housing number of 22,563, although it does reduce the size of the flexibility buffer South Oxfordshire District Council has included.
10. The Growth Board apportionment of 4,950 homes to South Oxfordshire was based on the outcome of a joint programme of work that tested a range of spatial options and provided high level evidence of each district's capacity to sustainably accommodate an element of unmet need. South Oxfordshire's proposed contribution of unmet need in this Local Plan is a quarter of the 15,000 homes which is the Growth Board's working assumption of the total scale of unmet need. The County Council considers this approach is unsound.
11. All other local planning authorities in Oxfordshire have accepted their full share of unmet need according to the Memorandum of Cooperation and are taking their figure through their local plan process: the proposal for 3,750 homes leaves an undersupply of 1,200 homes across the Oxfordshire housing market area and there is no mechanism in place for it to be picked up elsewhere in the short term. In under-providing for unmet need there is a risk that South Oxfordshire District

Council's approach will undermine the Growth Board apportionment process which is justifying the unmet need figures in the other districts' local plans.

12. It is acknowledged that there is a government consultation on a new SHMA methodology (14 September 2017 to 9 November 2017) but this Plan is proceeding in advance of any resolution on that. The County Council has responded on the SHMA methodology consultation identifying a number of concerns with the proposed new SHMA methodology.

13. It is also acknowledged that this South Oxfordshire Local Plan includes a proposal to undertake a Partial Review to address the housing numbers further upon adoption of the Oxford Local Plan. A plan review, or alternative work through a new Oxfordshire Joint Spatial Plan, would already be anticipated as circumstances change, so it is considered that this is not a positive response. We also consider that the partial review mechanism may not be effective in relation to addressing the locations for Oxford's unmet need (discussed further in paragraph 23 below).

Soundness Issue 2 – The scale of housing need being planned for should be amended to be 22,000 (17,050 + 4,950) to be consistent with the resolutions of the Oxfordshire Growth Board. Policy STRAT3 should be amended to reflect the 4,950 figure.

14. The sources of housing supply as set out in the Plan (5.2 and 5.8) are:

- Completions (approximately 3,400)
- Strategic allocations (8,500 of which 6,575 are expected in the plan period)
- Retained core strategy allocations and commitments (approximately 10,000)
- Sites in towns (1,155)
- Sites in larger villages (1,049)
- Windfall and sites in smaller villages (500)

15. The strategic allocation total is made up of:

- Land Adjacent to Culham Science Centre – 3,500 (1,650 in plan period)
- Berinsfield – 1,700
- Chalgrove Airfield – 3,000 (2,925 in plan period)
- Wheatley Campus – 300

16. Culham Science Centre is likely to start building later and not complete building within the Plan period. It will be difficult to build out the Culham site as there is a need to progress with transport infrastructure improvements such as the Didcot-Culham River Crossing and Clifton Hampden Bypass first. Given the evidence available, it appears optimistic to suggest 1,650 houses can be built on the land adjacent to Culham Science Centre in the plan period and that the other allocations will largely build out. These concerns are set out in more detail later in this response in respect of each site.

17. As the focus of this County response is on infrastructure for key sites, we have not reviewed the deliverability of the retained Core Strategy allocations (Table 5a) which include 300 houses by the Orchard Centre, 300 houses at Vauxhall

Barracks and 642 houses at Ladygrove East. We anticipate further work with the District Council in respect of the Didcot Garden Town Masterplan in respect of such sites, particularly having regard to the capacity constraints on the existing highway network. There is likely to be a need for additional infrastructure to enable such sites to proceed.

18. The reliance on Neighbourhood Plans to deliver sites suitable for some 2,000 houses in the towns and larger villages is a matter of concern to us as noted in our responses to the First and Second Preferred Options (August 2016 and May 2017). The only allocations proposed in this Plan for a larger village are those at Nettlebed (three sites for 46 houses). The requirements for the other towns and villages are now as follows (Policy H3 and Policy H4):

- Henley-on-Thames – 350
- Thame – 510
- Wallingford – 295
- Cholsey – 195
- Crowmarsh Gifford – 110
- Goring-on-Thames – 140
- Sonning Common – 150
- Watlington – 260
- Woodcote - 160

19. The County's concerns with leaving such a large number of house allocations to neighbourhood plans relate to effective infrastructure planning. The locations of housing allocations will need to be considered upon each individual Neighbourhood Plan. Policies H3 and H4 also provide for speculative planning applications in the event that neighbourhood plans do not proceed to allocate sites which could lead to unforeseen consequences as infrastructure will then need to be considered incrementally in respect of individual planning applications.

Soundness Issue 3 – The plan is not justified as there is not a robust and credible proportionate evidence base for deliverability of the housing figures. Further work is required and additional allocations may be needed.

LOCATIONS OF HOUSING

20. The County Council's comments at earlier stages indicated that there may be a need for other site allocations close to Oxford. Apart from the redevelopment of Wheatley Oxford Brookes for 300 houses, the sites proposed are not particularly close or convenient to Oxford. The Oxfordshire Growth Board in its strategic spatial options analysis assessed sites at Grenoble Road, Wick Farm and Thornhill as potentially suitable for addressing Oxford's unmet need. The County Council itself has put forward a landholding at Guydens Farm on the B480 and Oxford Road close to the Eastern Bypass and Grenoble Road, and is seeking that land in that area be allocated. Please see our separate County Council Property and Facilities response for further detail on this. Sites close to Oxford could be well connected to Oxford's key employment locations and the City

centre and help to deliver the Oxford Transport Strategy. Such sites would build on existing public transport and other infrastructure capacity and help fund the delivery of planned transport investment in Rapid Transit corridors and cycling and walking improvements.

21. Planning for Oxford's unmet need should not be done in isolation of the spatial implications of the housing number. The spatial strategy fails to recognise the implications of providing for the significant number of people who will need to commute into Oxford. In the absence of allocations which are close or easily accessible to Oxford, there is likely to be an increase in long distance commuting by private car, adding pressure to the already congested highway network in and around Oxford.
22. Other Oxfordshire emerging local plans identify sites for Oxford's unmet need in specific locations where there is access to existing, or planned, fast and frequent public transport links (Rapid Transit), and cycling and walking links to the City centre and key Oxford employment locations and/or where development will strengthen the business case for strategic infrastructure. The County Council does not accept that Green Belt is an absolute constraint as exceptional circumstances are being justified in other circumstances, including within South Oxfordshire at Berinsfield and Culham. The locations that other Districts have put forward are:
 - Cherwell: Sites to be removed from the Green Belt in North Oxford, A44 corridor, South and South East of Kidlington;
 - Vale of White Horse: Sites in the Abingdon and Oxford Fringe Sub-area, including sites removed from the Green Belt through Local Plan Part 1 and Dalton Barracks which is proposed to be removed from the Green Belt through Local Plan Part 2;
 - West Oxfordshire: Sites at Eynsham Garden Village adjoining the Green Belt and West Eynsham.
23. The Proposed Submission Local Plan Policy STRAT3 includes a proposal to undertake a Partial Review of the Local Plan on adoption of the Oxford Local Plan (para 4.28). Policy STRAT3 does not commit to when a partial review would be completed. The County Council considers that a partial review may not be an effective way forward, particularly given that proposals are being developed for a Joint Spatial Plan. Instead, to make the Plan sound, the joint work undertaken through the Oxfordshire Growth Board strategic work programme on Oxford's unmet need should be referred to, and modifications should be prepared after consideration of additional sites.

Soundness Issue 4 – The plan has not been positively prepared in addressing the needs of the neighbouring Oxford City and its likely unmet need. Further work is required to assess the potential for site allocations which are close and accessible to Oxford City in order to encourage sustainable journeys and reduce air pollution. Policy STRAT3 should be consequently amended as the housing sites will be identified and a partial review will not be needed.

OXFORD'S UNMET AFFORDABLE HOUSING NEED

24. The significant need for affordable housing is the driver behind the scale of Oxford's Objectively Assessed Need as identified in the SHMA 2014. No commitment is made in this Plan to work with Oxford City in respect of housing people who have registered for assistance. Other Districts, such as Vale of White Horse, have included a commitment in their Plans to work jointly with Oxford City to put in place arrangements for allocating affordable housing to those on the Oxford City housing register.

Soundness Issue 5 – Policy STRAT3 and supporting text should be amended to include a commitment to work jointly with Oxford City Council to put in place arrangements for allocating affordable housing.

TRANSPORT OVERVIEW

25. The County Council has produced documents that help to identify transport issues and plan for the future such as the Local Transport Plan 4 which was updated in 2016 and the Oxfordshire Infrastructure Strategy 2017 (OxIS). We are also actively engaged where possible in reviewing government initiatives such as the Oxford to Cambridge Expressway and East-West Rail, and initiatives of others such as a Thames Crossing at Reading.

26. We have worked with Districts in preparing Evaluations of Transport Impact (ETI) in respect of Local Plans. The ETI uses the Oxfordshire Strategic Model. Given its strategic nature, the model does not specifically address local areas, resulting in the need for additional modelling in those areas. A particular area of concern is Abingdon, as the strategic model does not appear to validate well and there is an Air Quality Management Area. Abingdon itself is in the Vale of White Horse, but will be affected by development in South Oxfordshire, such as that at Culham. The cumulative impact of development for South Oxfordshire and Vale of White Horse is currently being tested. Until this work has been completed, it is not possible to comment fully on the transport impacts.

27. Another area of particular concern in respect of the strategic model is the area around Chalgrove Airfield given that it has in the past not been affected by significant levels of development. Additional or alternative transport infrastructure options to mitigate the effects of development at Chalgrove Airfield may need to be assessed in the ETI. The suggested Watlington, Stadhampton and Benson bypasses have been included as suggested mitigation, but further work is needed to assess the suitability of these and their impacts.

28. Transport impacts in areas towards the edge of the County have not been fully assessed. Discussions with neighbouring authorities have taken place regarding the sharing of data but further work is needed to assess transport impacts outside the area of detailed modelling. The impacts of growth across the County boundary, for example at Princes Risborough, need to be fully understood.

29. In the absence of designed and funded transport infrastructure it is likely that the County Council will object to planning applications for development on allocated sites in its capacity as the Highway Authority.

Soundness Issue 6 – Further Evaluation of Transport Impacts is needed to ensure that the Plan is supported by a robust and credible evidence base.

PUBLIC TRANSPORT, WALKING AND CYCLING

30. The County Council supports references to promoting public transport, walking and cycling.

31. Amendments should be made to paragraph 4.33 which sets out a strategic approach for Science Vale as set out in the box below. The amendments are needed as the text is currently not clear, for example it suggests a ‘cycle strategy’ which may or may not be referring to the Science Vale Cycle Strategy or the Active and Healthy Travel Strategy which are available on the County Council’s website as part of Local Transport Plan 4.

Soundness Issue 7 – Text changes to clarify the strategy for Science Vale:

4.33 Our strategic approach for Science Vale:

- ...
- A “step change” in travel choices away from car travel towards public transport, cycling and walking with Didcot at the heart of a fully connected Science Vale
- ~~Didcot's role as a major rail interchange strengthened, including aspirations for rail services direct from Grove and Wantage~~
- Didcot Parkway Railway Station and its role as a major rail interchange improved
- Culham railway station to be improved and transformed into a focal point for the new community
- A new railway station at Grove in the longer term
- Improvements to capacity of the rail lines
- ~~A cycle strategy for Science Vale that enables people to reliably travel between their homes and their jobs by means other than the private car linking Didcot with the key employment centres at Culham Science Centre, Milton Park and Harwell~~
- Convenient bus services throughout the area
- More and better cycling and walking links to encourage reliable, active and healthy travel

32. There are a number of references in the Plan to the South Oxfordshire Design Guide, and some references to other guides such as the Chilterns Building Design Guide by the Chilterns AONB Board and Secured by Design by the Police Department. Appropriate reference should also be made to the County Council’s Cycling Design Standards 2017, Walking Design Standards 2017, and Residential Road Design Guide 2nd Edition 2015. These are all available on the

County Council's website. A suggested location for such a reference is in Policy DES3 on Design and Access Statements as set out in the box below.

Soundness Issue 8 – Reference to Oxfordshire County Council's design guidance, for example in Policy DES3:

'Where an application is required to be supported by a Design and Access Statement, this must demonstrate how the development proposal meets the key design objectives of the South Oxfordshire Design Guide and the design criteria set out in Part 2 of the Guide, as well as other relevant design guidance such as Oxfordshire County Council's Cycling and Walking Design Standards'.

EDUCATION OVERVIEW

33. The County Council produces an annual Pupil Place Plan which is made available on its website. Pupil numbers at both primary and secondary level are forecast to increase and new schools are required together with extensions to existing schools. A key concern is how to fund these required additional pupil places, a matter also discussed in the Pupil Place Plan. Unless funding can be assured, it may be that the Local Plan is not effective – that is it may not be deliverable as the identified school places may not be forthcoming.
34. The size of the allocations at Culham, Chalgrove Airfield and Berinsfield means that they create a need for whole new primary schools. Two new primary schools are likely to be required on each of these. At Berinsfield it is intended that one of the new primary schools will involve a relocation of the existing one.
35. The primary school pupil generation from approximately 300 houses at Wheatley can be expected to be accommodated at the existing primary school, but there would be a capacity issue if more houses are proposed in the area, and it is not clear how this can be resolved as the existing primary school is already as large as most in the County at two forms of entry. It could be that a new school would be needed on the Wheatley Oxford Brookes site if sufficient capacity could not be found elsewhere.
36. Additional secondary school capacity will be needed in the District. It is proposed that growth at Culham, Berinsfield and surrounding areas will be addressed by a new secondary school on the land adjacent to the Culham Science Centre. Growth at Chalgrove and surrounding areas is proposed to be addressed by a new secondary school on the Chalgrove Airfield site, which will involve relocating the existing Icknield Community College in Watlington.
37. Additional capacity for primary provision in the towns and larger villages will need to be considered through Neighbourhood Plans and the Didcot Garden Town Masterplan. An additional secondary school is planned at Didcot North East and a new secondary, Aureus, opened on Great Western Park in Didcot in September 2017. Other secondary schools, such as Wheatley Park School and Wallingford School are expected to expand.

38. In addition to primary and secondary schools, publicly funded provision is also expected for Special Education Needs and for early years and child care.

39. The County Council is not confident that the policies for the strategic sites provide for the anticipated need for additional land for education. Furthermore, the Infrastructure Delivery Plan does not make clear the anticipated requirements. As set out in Soundness issue 1, the County Council is concerned about how proposed new and expanded schools will be funded. It is the case that new schools are generally only deliverable if the sites and construction costs are fully provided through developer funding. If the operation of S106 and CIL does not ensure sufficient investment, then the County Council considers that the Plan is not effective as it will not enable the delivery of sustainable development.

Soundness Issue 9 – Further work is required, in particular on the Infrastructure Delivery Plan and the Regulation 123 list, to have confidence that the Plan will be effective - that is that it will be deliverable over the plan period in relation to providing for new and expanding schools.

MINERALS

40. The County Council accepts that the District has had regard to the adopted Minerals and Waste Core Strategy 2017 in its Proposed Submission Local Plan. Policy EP5 is supported. This policy indicates that development will normally be directed away from Minerals Safeguarding Areas but where that cannot be avoided, all opportunities for mineral extraction will need to be fully explored. The policy is broadly in line with the Mineral and Waste Core Strategy Policy M8.

41. Parts of the strategic development sites at Culham and at Berinsfield are within Minerals Safeguarding Areas for sharp sand and gravel. In addition, there are sharp sand and gravel deposits underlying the Chalgrove Airfield area although these are not safeguarded. Development sites which arise from neighbourhood plans may be within mineral safeguarding areas, there are in particular potential concerns in Wallingford, Benson and Cholsey. Government planning practice guidance on Minerals is to show Mineral Safeguarding Areas on the District's Local Plan policy maps and this could help in this case.

42. In accordance with the proposed Policy EP5 in the Local Plan, it will be necessary for applicants to consider the opportunities for mineral extraction prior to developing sites within mineral safeguarding areas for housing, and to consider how development of the sites might happen along with potential quarrying on other sites nearby. Additional text, perhaps located to support Policy EP5, should clearly set this out.

Soundness Issue 10 – Additional text is required to support Policy EP5 noting Mineral Safeguarding Areas need to be taken into account in respect of allocations at Culham Science Centre and Berinsfield, and that they also need to be taken into account in preparing Neighbourhood Plans. Mineral Safeguarding Areas could be added to the Policy Map.

DEVELOPMENT MANAGEMENT POLICIES

43. The County Council's focus in these comments is on issues of particular concern regarding infrastructure. We have not reviewed the development management policies in detail.

Local Plan Sites

44. Site allocations are subject to individual policies which are discussed in some detail in later comments under the site headings. In addition, we have a general concern that the policies are loosely worded and not consistent with one another. In respect of matters that the County Council has a particular interest in, we note for example that some policies refer to public transport while others don't. We consider that modifications are required to refine site policies. Some suggested text is in Attachment 1. These comments are provided separately from general concerns about the allocations set out in the main text of this response.

Soundness Issue 11 – Omissions and inconsistencies between site allocation policies should be addressed through modifications.

CULHAM SCIENCE CENTRE AND LAND ADJACENT

45. There are two adjoining allocations: STRAT6 refers to the Culham Science Centre and STRAT7 refers to land adjacent to it. STRAT7 includes both the Culham No.1 site which has some existing development on it, and the land to the west of the railway line which is greenfield. The exceptional circumstances for removing the land from the Green Belt are set out in the Plan.

46. As set out in our response to the Second Preferred Options in May 2017, we support in principle redeveloping land at Culham Science Centre for employment growth, particularly in science and technology and innovation, and allocating land for significant mixed use development. The proposed scale of development would significantly strengthen the business case for known infrastructure priorities. These include accelerating investment in significant rail capacity upgrades between Didcot and Oxford, including at Culham station, together with more frequent rail services; providing for a new Didcot-Culham Thames Crossing, and bypassing Clifton Hampden.

47. As set out in earlier paragraphs, there is minerals safeguarding over parts of this land - the County Council is not objecting to the allocation of the land adjacent to Culham Science Centre in respect of this, but expects it will be taken into account in any development proposals. In addition to minerals safeguarding, the Minerals and Waste Core Strategy includes an appendix listing existing and permitted waste management sites which remain safeguarded pending adoption of a Site Allocations Document. These include Waste Management Site Number 216 on the Culham No. 1 site. Policy STRAT7 provides for the retention and increase in employment land so is considered not to be contrary to this safeguarding, as retention or relocation of a waste facility should be possible.

48. A scoping application has been lodged, P17/S3719/SCO, in respect of a residential led mixed use development on the land adjoining Culham Science Centre – a Culham Science Village. The County Council has provided a response which is available on the District Council's planning application register.
49. A clear policy steer should be provided within the Local Plan to ensure that the transport effects of new development are fully addressed and there is no mathematical reduction in the number of trips expected as a result of supposed development rights at the Culham No. 1 site. Only existing trips on the network can be discounted from the future trip numbers generated by the housing allocation. This is important as a reduced forecast for traffic growth could impact on infrastructure delivery, which is highlighted as a key requirement for site delivery.
50. The most significant issue from the County's point of view is road transport capacity. There are capacity issues west towards Abingdon, south towards Didcot via the Culham Bridges and east to Clifton Hampden. It is expected that these can be largely addressed through planned transport infrastructure, but transport assessment work is ongoing. The District Council has recognised that this is a site is likely to be unable to build out during the plan period due to highway constraints (some 1,650 of the total 3,500 homes are expected in the plan period), but we seek that this be made more explicit in the Local Plan as set out in the box below. In addition, references to contributions to the new Thames crossing between Culham and Didcot and the Clifton Hampden bypass which are made in STRAT7 should be added to STRAT6 if a viable contribution can be made.
51. Policy STRAT7 as drafted does not specifically mention the need for improved cycling and walking links. This omission should be corrected. It is proposed, for example, that there be a new walking and cycling bridge over the Thames north of Culham (reflected in the Infrastructure Delivery Plan ref DW130). This new route will connect to the National Cycle Network Route 5 to Abingdon, Radley, Kennington and Oxford, and to the Thames Path, which would otherwise only be accessible via a long diversion to Abingdon. Suggested amended text is set out in Attachment 1.
52. The County Council supports the proposal in Policy STRAT7 that there be a supplementary planning document (SPD) to ensure that there is comprehensive development of the land on and adjacent to Culham Science Centre. The SPD should be prepared as soon as possible, involving the County Council and the developers. It should be expected that the SPD will be completed prior to an application for development so that it is complied with. Suggested amended text is set out in Attachment 1.
53. As set out in Soundness Issue 1, further work is required on the infrastructure evidence supporting the Local Plan. The Regulation 123 list should be revised to enable further infrastructure to be obtained through development.

Soundness Issue 12 – The Local Plan needs to be amended to clearly state the

infrastructure challenges associated with development at and adjoining Culham Science Centre and the need to ensure that these are able to be resolved prior to any development proceeding. Given that mitigation through a new Culham-Didcot Thames Crossing and Clifton Hampden Bypass is likely to be required, and funding for that is not yet assured, it should be made clear that development will not start early in the plan period and that the site will not fully build out in the plan period. Both policies should provide for potential funding contributions to the Culham-Didcot Thames Crossing and Clifton Hampden Bypass.

BERINSFIELD

54. The District Council has been working for over a year on a regeneration project for Berinsfield to be funded by development. The County Council supports the inclusion of proposals within the Local Plan and has been liaising with the District as the community investment scheme has progressed. The County Council is also providing advice in respect of its property interests as the proposals involve relocating and expanding existing facilities on County land within the existing part of Berinsfield such as the library.
55. The exceptional circumstances for removing the land from the Green Belt are set out in the Plan. It is understood that the District Council seeks to ensure that the profits from development are used to support Berinsfield. The County Council's primary concerns are about ensuring that necessary infrastructure is funded and provided, and we therefore welcome the District Council led approach.
56. As set out in earlier paragraphs, there is Minerals safeguarding over parts of this land, but the County Council is not objecting to the allocation in that respect given the recognition of the need to consider mineral working in the Local Plan.
57. A scoping application has been lodged, P17/S3835/SCO, and the County Council has provided a response which is available on the District Council's planning application register.
58. Berinsfield is located to the east of Culham Science Centre, and given that a lot of traffic will use the A4074, it can be expected that traffic issues concerning the effects on Abingdon, and travel through Clifton Hampden and to Didcot and will be on a lesser scale. However, those issues still need to be addressed and this is not reflected in the Plan as drafted, for example there is nothing in this policy like that at Culham regarding a contribution to the Didcot-Culham Thames Crossing and/or Clifton Hampden bypass and this should be amended to ensure a consistent approach to road transport. In addition, reference should be made to the need to upgrade the Golden Balls roundabout on the A4074.
59. A key additional transport concern with the Berinsfield allocation, relates to how the bus stops on the main bus route on the A4074 will be beyond normal walking distance for the new occupants. It is expected that pump-priming of additional bus services which travel through the expanded Berinsfield will be needed. Amendments are suggested in Attachment 1.

60. Discussions are ongoing with the District regarding the need for a new primary school and the future of the existing primary school. We understand that current proposals are to set aside land for two new primary schools, one of which would involve relocating the existing school.
61. The County Council's strategy for secondary education involves a new secondary school on the land adjacent to the Culham Science Centre to the west of Berinsfield. Good public transport links between Berinsfield and Culham will be needed. Given that development at Culham could be more delayed than at Berinsfield, flexibility will be required around how to provide the necessary secondary capacity.
62. As set out in Soundness issue 1, further work is required on the infrastructure evidence supporting the Local Plan. The Regulation 123 list should be revised to enable further infrastructure to be obtained through development.
63. It is considered that Policy STRAT8 as written, while appropriately noting the importance of investing in social infrastructure, and making mention of public transport, does not appropriately reference the need for improved highways infrastructure and make provision for better walking and cycling links. As with other sites, the proposal for a masterplan should also be formalised into a SPD. Some of these issues are addressed in Attachment 1.

Soundness Issue 13 – The Local Plan needs to be amended to clearly state the infrastructure challenges associated with development at Berinsfield and the need to ensure that these are able to be resolved. Further consideration should be given to how much development is possible in this location prior to a new Culham-Didcot Thames crossing and Clifton Hampden Bypass being funded.

CHALGROVE AIRFIELD

64. The County Council has raised concerns in the last two consultations over the proposed allocation of land at Chalgrove Airfield. The concern is driven by the remote location and how various villages may be affected. This is also a complex site, for example it is proposed to move an existing runway to the north and allow for the use of that by Martin Baker Ltd. The Local Plan and its evidence do not provide a clear picture of what additional infrastructure is needed, but it is apparent that proposed transport infrastructure already included in the County's Local Transport Plan 4 will not be sufficient. We consider that a substantial investment in additional infrastructure is likely to be needed, for example to improve connectivity between this area and other areas for employment, shopping and high level services and facilities e.g. hospitals. We are concerned about whether such investment will be forthcoming given the funding deficit for already planned infrastructure in the County. The County Council generally seeks that new development be directed to locations which make the best use of existing infrastructure or support the case for already planned infrastructure.

65. A scoping application has been lodged, P17/S3565/SCO, and the County Council has provided a response which is available on the District Council's planning

application register. The response refers to our understanding that the landowners (the Homes and Communities Agency) will continue to engage with groups at Chalgrove, Cuxham, Stadhampton, Chiselhampton, Watlington, Little Milton, Shirburn, Berrick Salome and Benson amongst others and that it may be that agreements outside of the planning process are appropriate to address some issues.

66. The County's key concerns relate to transport infrastructure. Due to the rural location of the site, there is a risk that this will be a car-based development. Although the proposed allocation suggests some local employment and encourages walking and cycling links, there will be effects on the highway network. The Evaluation of Transport Impacts does not, to date, adequately address this, as set out later in this response.
67. The County's concerns around education infrastructure are more straightforward to address than transport, but still require a range of actions to be successfully implemented. To address primary and early years education needs, two new primary schools in addition to the existing one in the village of Chalgrove are likely to be needed, and other child care facilities may be required. To address secondary school capacity, the County Council's strategy involves relocating Icknield Community College to a new secondary school site on Chalgrove Airfield. The alternative of enlarging Icknield Community College through procuring additional land in its current location at Watlington is not as attractive. Having two competing small secondary schools in close proximity is not an alternative that is acceptable from a strategic perspective.
68. We are aware that the Homes and Communities Agency wrote to the District Council on 31 August 2017 about infrastructure improvements, and that letter is on the Chalgrove Airfield development website. It refers to the Homes and Communities Agency being committed to funding for the schools, which the County Council welcomes. In respect of transport, the letter sets out some proposals, but it is our view that these are not sufficient to establish that the allocation is deliverable. For example:
- There are commitments relating to part funding new edge roads or bypasses at Watlington, Stadhampton and Benson. The County Council queried the proposed safeguarding in its May 2017 comments and maintains a number of these queries, as set out later in this response in respect of the safeguarding and the ETI. It is not clear what the wider impacts of such new roads are. It is not our understanding that there are any legal agreements with landowners at this stage to bring about such roads. Whether the County Council would be able to suggest the imposition of a Grampian Condition (that is a condition preventing development until such an edge road / bypass is funded or built) is unclear as such conditions can normally only be imposed where there is reasonable certainty over the infrastructure improvement coming forward within a specific timeframe.
 - There is a commitment to funding and delivering a scheme at Hollandtide Lane to improve highway safety and accommodate a greater volume of traffic. Improving Hollandtide Lane will potentially lessen impacts on other settlements such as Stadhampton and Berrick Salome as it will provide a more direct traffic route between Chalgrove Airfield and Benson. However, it

is not clear what the wider traffic impacts of this are, and there has been no assessment to date in the ETI. There is no safeguarding proposed to provide for widening the road and it is not clear whether compulsory purchase of land might be required.

- There is a commitment to improving bus services which is welcomed, but support to pump-prime services should be based on services becoming eventually commercial.
 - The letter does not identify what measures may be needed in respect of rat-running, and impacts on villages such as Little Milton and Cuxham.
69. At this stage, given the information available, we are not able to comment on whether the transport impacts of development at Chalgrove Airfield will be able to be mitigated sufficiently for an application for the scale of development proposed. We foresee that there will be additional or alternative transport mitigation works required to those set out in the August 2017 letter, once further assessment has been undertaken. For example, since then, further to the ETI work to date it is apparent that there will be a requirement to improve Golden Balls roundabout.

Soundness Issue 14 – Further evidence is needed to be confident that the infrastructure challenges associated with development at Chalgrove Airfield are able to be addressed. If confidence can be achieved, then the Local Plan will need to be amended to better set out the infrastructure requirements and likely phasing of development having regard to the timescales for providing the necessary infrastructure.

WHEATLEY

70. The redevelopment of the Wheatley Oxford Brookes site for some 300 houses is a relatively small scale allocation which raises no strategic issues for the County Council. The District Council's decision to retain this land in the Green Belt is not a matter that requires comment from the County.
71. The proposal to remove a further area of land from the Green Belt at Wheatley to allow for an allocation to proceed in a Neighbourhood Plan also raises no strategic issues.
72. Development of some 300 houses on the site would need to address bus services as well as cycle and walking links. The Policy STRAT10 omits the former issue, which should be added to help ensure that the policy is effective, as set out in the box below.
73. A scoping application P16/S3686/SCO was made in 2016 by the landowners for up to 750 dwellings. The County's response raised concerns as that quantum of development would not be able to be absorbed by the existing schools without expansion. A larger quantity of housing would also have additional transport implications. It should be made clear in the allocation what the acceptable quantum of housing is, as 'at least 300' provides little guidance. It is recommended that this is replaced with 'approximately 300' as set out in the box below unless by the time this is considered by the Inspector it has become clear,

through negotiations, that more housing can be catered for by a local primary school expansion and transport effects can be mitigated in which case the agreed number can be included.

Soundness Issue 15 - Policy STRAT10 text – amendments are required to specifically refer to the need to deliver public transport improvements, and to clarify that the land should deliver approximately 300 homes. Suggested amendments follow:

Land at Wheatley campus will be developed to deliver ~~at least~~ approximately 300 new homes.

ix – support for bus services through the site.

DIDCOT

74. The County Council responded on the Didcot Garden Town Proposed Delivery Plan in July 2017. The County Council supports the delivery of housing and economic growth in Didcot.

HENLEY-ON-THAMES, THAME AND WALLINGFORD

75. The County Council considers that there is scope for suitable sites to be found at Thame for the 510 additional houses suggested, and at Wallingford for the 295 additional houses suggested. To help ensure that developments can viably address transport mitigation measures, larger sites are preferable. There is a recent resolution to approve development for some 502 homes at Wallingford which the County Council did not object to (P16/S4275/O – resolution 8th November 2017).

76. We set out our concerns about additional housing at Henley-on-Thames in our response to the Second Preferred Options in May 2017. The numbers have been amended so that Henley-on-Thames has a reduced requirement, now 350 houses. The County Council remains concerned that suitable sites will be difficult to find for that number of houses given that the transport network in the area is over capacity, but accepts that the issue may be able to be addressed through the Neighbourhood Plan process. As Henley is outside the area of detailed modelling in the Oxfordshire Strategic Model, additional transport evidence will be needed to support a revised Henley and Harpsden Neighbourhood Plan assessing the impacts on the transport network and proposed mitigation measures.

LARGER VILLAGES

77. The Local Plan clearly sets out the housing numbers that must be met at the larger villages (Benson: 0; Berinsfield: 0 due to strategic site; Chalgrove: 0 due to strategic site; Chinnor: 0; Cholsey: 175; Crowmarsh Gifford: 110; Goring-on-Thames: 140; Nettlebed: 46 through allocations; Sonning Common: 150; Watlington: 260; Wheatley: 0 due to strategic site; and Woodcote: 160). Given

the relatively small numbers, the County Council will seek to address any concerns through Neighbourhood Plans or individual applications.

Safeguarding for Transport Schemes

78. The County Council generally supports safeguarding for transport schemes. Support for safeguarding does not mean that there is commitment to funding a scheme. Given that ETI work is not complete, it is not known whether additional safeguarding is needed.
79. The County Council in its Second Preferred Options comments in May 2017 referred to the need to consider safeguarding to provide for upgrading Culham Station and the railway line in that vicinity. We accept that the policy for the allocation of land (STRAT7) addresses this by indicating that the layout of the development should recognise plans for improvements to Culham Station and any associated future rail capacity upgrades and that safeguarding is not required.
80. The route for the Oxford to Cambridge Expressway has yet to be identified. If an agreed route in future includes land within South Oxfordshire, the scheme route should be protected by safeguarding in a review of the Local Plan or Joint Strategic Spatial Plan.
81. Comments below refer to each of the proposed safeguarding maps.

DIDCOT-CULHAM RIVER CROSSING AND CLIFTON HAMPDEN BYPASS

82. We support the proposed safeguarding of two alternative options for the River Crossing road, and land to provide for a Clifton Hampden bypass. Some funding is being sought in the HIF Bid made in September 2017 and some funding is expected to come from developers. The safeguarding should mirror that included in the Vale of White Horse Local Plan Part 2, or be amended to ensure consistency. It is noted that these routes could contain archaeological deposits of such significance as to cause a constraint to development as set out in paragraph 139 of the NPPF. A programme of archaeological evaluation will need to be undertaken before this potential impact can be understood.

DIDCOT NORTHERN PERIMETER ROAD

83. The area safeguarded between Hadden Hill A4130 and Lady Grove is known as NPR3 – the third part of the Didcot Northern Perimeter Road at the eastern edge of Didcot. Funding has been achieved for this and work is commencing on detailed design.
84. Additional safeguarding has been included for widening along Lady Grove to the B4016. This would provide for widening should it be required in conjunction with an option for the Didcot-Culham River Crossing.

SCIENCE BRIDGE

85. Funding is being sought as part of the HIF Bid made in September 2017. The safeguarding mirrors that included in the Vale of White Horse Local Plan Part 1.

A4130 DIDCOT TO WALLINGFORD ROAD SAFETY IMPROVEMENTS

86. A relatively small area of safeguarding is proposed west of Brightwell-cum-Sotwell around the junction of the Wallingford Road. Developer funding has been sought towards these improvements and the County Council intends to carry out some realigning for safety purposes when funding allows. The scheme 'providing improvements to the A4130 between Didcot and Wallingford' is included in the County Council's LTP4.

SANDFORD PARK AND RIDE SITE

87. The County supports this safeguarding. This proposal for a new 'outer' Park & Ride site on the A4074 is consistent with that proposed in the Oxford Transport Strategy part of the County Council's Local Transport Plan 4.

DIDCOT CENTRAL CORRIDOR IMPROVEMENTS

88. This safeguarding is proposed to enable bus priority and other public realm and sustainable transport measures. The District Council is leading with work being done on the Didcot Garden Town project in respect of this.

ABINGDON SOUTHERN BYPASS

89. This area of safeguarding mirrors that contained in the Vale of White Horse Local Plan Part 1, with only a small part of the scheme within South Oxfordshire. The land is safeguarded to provide for the possibility of a major new road in this location should it become necessary and feasible. Advice from the County Council on archaeological assessment will need to be sought. Funding for such a road is not currently being sought as it is not identified as being required for proposed development in either the Vale of White Horse or South Oxfordshire.

BENSON, STADHAMPTON AND WATLINGTON BYPASSES

90. The safeguarding proposals have not been amended from that included in the Second Preferred Options. The proposals arose from Neighbourhood Plans in the case of Benson and Watlington, and from the Chalgrove Airfield developers in the case of Stadhampton. The potential need for these has been considered in the ETI Stage 2 work and our comments on this are set out later in this response.

Our concerns are primarily about the effects of these on the wider strategic network.

91. If the safeguarding proceeds, each area of safeguarding needs to be wide enough to enable such new routes to effectively provide for future traffic by diverting the relevant A or B road. Advice from the County Council on archaeological assessment will need to be sought, and the Stadhampton proposal is identified in an area of particular archaeological interest. A small amendment to the Watlington safeguarding map is likely to be required to reflect ongoing discussions with the site promoters. The Stadhampton safeguarding may need to be amended to better reflect what is required in the area.
92. Funding for such bypasses is not being sought by the County Council. The proposed safeguarding of these bypasses appears to be related either to local issues or to the effects of the development at Chalgrove Airfield. Funding would therefore logically come from those sources if it is found that the bypass proposals are necessary and do not divert traffic to cause unacceptable negative effects on other parts of the highway network. Additional funding may also be necessary for traffic calming on those parts of the villages where the A or B road has been diverted.

HARWELL STRATEGIC LINK ROAD AND SOUTHERN DIDCOT SPINE ROAD

93. Additional safeguarding is proposed for a Southern Didcot Spine Road. Our May 2017 response queried its omission at that stage and we now support its inclusion. Such a spine road is only required if there is development in this location, and would be funded by such development. There is no proposed site allocation in this area, but a development proposal has been scoped (P17/S3029/SCO) and it is understood that a planning application may follow.
94. The safeguarding for the Harwell Link Road mirrors that in the Vale of White Horse Local Plan Part 1. The link road is being constructed at present.

A4074/B4015 GOLDEN BALLS JUNCTION

95. Additional safeguarding to that included at Preferred Options to provide for an improvement to the roundabout at Golden Balls is included and is supported by the County Council as this is shown in the ETI as likely to be needed.

Detailed Comments on Evidence

INFRASTRUCTURE DELIVERY PLAN

96. There are a number of errors in the Infrastructure Delivery Plan (IDP) published as evidence supporting the Proposed Submission Local Plan. As a number of necessary infrastructure items are either missing or the indicative cost is too low,

this could give the impression that site allocations are more viable than they are in reality.

97. The County Council seeks that changes are made to the IDP as soon as possible to inform the Examination. It is noted that the IDP is meant to be viewed as a 'live document' able to be updated. We are happy to share data to help derive appropriate costs.
98. The IDP needs to be updated to reflect additional Evaluation of Transport Impacts (ETI) work that is deemed necessary. At the moment, the ETI cannot be relied on to have identified all the optimum transport mitigation measures needed for the proposed development allocations.
99. The IDP over-relies on the Sustainable Transport Study which does not adequately identify likely infrastructure improvements, as set out later in this response.
100. Some known proposals do not appear to have been referred to in the IDP, for example the proposed Sandford Park & Ride and the Didcot to Wallingford A4130 improvements. The IDP should be checked against the County Council's published Local Transport Plan 4 2016.
101. Reference to projects such as the Benson, Watlington and Stadhampton bypasses needs to be carefully reconsidered. These are proposals which are not being led by the County Council, and our concerns about these are stated elsewhere in this response. It is noted also that if these go ahead, then provision also needs to be made for related traffic calming of other roads through the villages.
102. Bus service improvements should be provided for in the IDP separately from walking and cycling route improvements. These are currently dealt with inconsistently from area to area.
103. It should be made clear that the IDP seeks only to list the forecast infrastructure requirements. The key rationale for the IDP should be to identify broad infrastructure needs for the purpose of assessing whether proposed allocations are viable. Additional infrastructure requirements may result from detailed evidence, such as Transport Assessments, associated with planning applications.

EVALUATION OF TRANSPORT IMPACTS

104. The Evaluation of Transport Impacts (ETI) work has been conducted too quickly and does not provide sufficient evidence for the County Council to make an informed decision on the transport impacts of the proposed allocations.
105. One of the main aims of the ETI is to help identify a package of highway improvements to ensure the Local Plan contributes towards the delivery of sustainable development. This has not been achieved as the ETI work, in

particular regarding mitigation, is not complete. This is clearly stated within the ETI, for example at paragraphs 4 and 5.

106. Regarding Chalgrove Airfield, the transport evidence to date does not sufficiently prove how the transport infrastructure to support this site can be delivered. If infrastructure to mitigate the impacts of growth does not come forward, Oxfordshire County Council will object when a planning application is submitted.

107. In particular, the delivery of proposed bypasses for Watlington, Stadhampton and Benson are extremely complex, involving a number of different development sites and landowners and will require the co-ordination of a number of different stakeholders. At this point in time, it has not been satisfactorily demonstrated to the County Council that these pieces of infrastructure can be delivered. Delivery of Stadhampton bypass, in particular, is of major concern. With Watlington and Benson, although there will be delivery challenges, sites are proposed to be allocated along the alignment of the proposed bypasses in neighbourhood plans to help pay for them. This is not the case for Stadhampton. The schemes are seen as very much development specific and do not have strategic importance. The County Council will not be held liable for delivering these routes and costs associated. Given the requirement for third party land, a robust business case would be required to ensure delivery, potentially via a compulsory purchase order.

108. Further work is required in relation to the Abingdon network and how this is performing. Given the proximity of Dalton Barracks and Marcham (in the Vale of White Horse) and Culham and Berinsfield (in South Oxfordshire), a cumulative impacts assessment in Abingdon needs to be conducted to inform the full impact. This work is underway but will not be available until after the Regulation 19 consultation has ended. The County Council is unable to comment meaningfully until it sees this additional evidence.

109. It is recognised that OSM is an Oxfordshire wide traffic model so it is difficult for it to exactly represent conditions at a micro scale. However, it would be useful to clarify certain elements and coding within the model and to understand flow forecasts. It seems to be under or over-representing traffic flows at certain locations. These include but are not limited to:

- A415 at Culham/Clifton Hampden
- B4009/B480 (at Watlington)
- B480 (towards Cowley)
- B4015
- A329
- A40 (towards Headington)
- New river crossing and Clifton Hampden by-pass

110. Transport impacts in areas outside the 'area of detailed modelling' in OSM have not been fully assessed. Discussions with neighbouring authorities have taken place regarding the sharing of data but further work is needed to assess transport impacts outside the area of detailed modelling.

111. There is no explanation to describe and justify how the various mitigation measures have been chosen and evaluated. Options appraisal is needed to ensure that the correct mitigation schemes have been chosen. Most mitigation has been proposed prior to meaningful assessment through ETI and promoted from the strategic site allocation at Chalgrove.
112. Paragraph 5 of the introduction states that more detailed work is on-going between SODC, OCC and others to review the local impacts of proposed developments and potential mitigation measures associated with growth. We welcome the opportunity to conduct further work on mitigation measures with SODC, but are concerned about the amount of work still to be done and the timescales associated with this to support SODC's Local Plan and Examination in Public.
113. Due to the strategic nature of the ETI, the assessment of transport impacts focuses on District wide impacts and impacts along particular key corridors. The impacts on other roads e.g. through villages, are not examined in depth. This has impacts on the assessment of mitigation scenario (a) for example in the Stage 2 ETI (the removal of non-funded infrastructure) as the impacts of the removal of Culham to Didcot river crossing and Clifton Hampden bypass on surrounding villages and local routes is not examined in the report. This lack of explanation downplays the importance of unfunded mitigation that has been removed from this scenario, in particular Culham to Didcot river crossing, as it does not explore the impacts on Culham and Clifton Hampden bridges and on nearby villages such as Long Wittenham and Sutton Courtenay and A4130 from Milton Interchange to Didcot. It is these links, in part, that the infrastructure is designed to mitigate.
114. In Paragraph 5.2.2, the forecast flow difference between Local Plan and Do Minimum show a slight reduction in trips along the M40 / A40 corridor in the PM peak. In this case (i.e. prior to the inclusion of any mitigation), the report states that this reduction is likely to be due to some of the traffic moving away from South Oxfordshire to other locations which may be more attractive in transport terms. This requires further explanation. The report also states that flows will increase along the B480, likely to be related to additional dwellings at Chalgrove and Watlington.
115. Paragraph 6.3.2 refers to flow impacts under mitigation scenario (b1) and states that traffic flows will reduce on the A40 and increase on the B480, likely to be due to Watlington and Stadhampton bypasses. We have reservations as to the validity of this assessment which therefore warrants further investigation. The impacts of proposed growth and mitigation on the A40 and B480 need to be examined in more depth, in particular the scale of changes and the reasons for them. The County Council would not support the delivery of new transport infrastructure which would lead to traffic diverting off the M40 /A40 corridor and onto the B480 as an alternative route to and from Oxford. The B480 is a B road and passes through a number of rural villages and should not be used as a substitute for an A road. Further work to examine the impacts of proposed mitigation measures for the Chalgrove Airfield strategic site is essential, in particular to assess the impacts on other roads and settlements in the area. This

needs to take place before OCC can support a strategic allocation at Chalgrove Airfield.

116. Paragraph 3.2 of the ETI Stage 2 explains that the results of the model show a mode shift from bus and rail to the car which suggests that transport accessibility may need to be considered further as part of the Local Plan. This demonstrates the importance of proposed allocations being able to provide good public transport to serve the sites, in order to provide opportunities and alternatives to the private car. This is especially relevant to places such as Chalgrove Airfield which is in a rural location and with relatively poor public transport accessibility, Berinsfield which benefits from public transport serving the A4074 but is too far for most to walk from the proposed development site, and Culham which has no existing bus service (although proximity to the rail station is a benefit). The Sustainable Transport Study does look at options for improving bus services in Oxfordshire, but further work is needed to ensure that the ideas presented are deliverable and commercially sustainable.

117. A further concern identified in the ETI is the alignment of the proposed Stadhampton bypass. The model shows that although such a Stadhampton bypass appears to help to reduce traffic travelling through that village, issues at Chiselhampton near the junction of the B480 and B4015 are not addressed.

118. It may be that additional or alternative proposals to mitigate transport effects from the proposed allocations are required. Some work was done within the ETI, for example to explore the need for a Nuneham Courtenay bypass. Although there are capacity issues identified on the A4074, a bypass at Nuneham Courtenay is shown to do little other than move the capacity issues towards Oxford, and therefore is correctly not proposed.

119. It has been suggested by the Homes and Communities Agency that Hollandtide Lane will be upgraded as part of the transport mitigation for Chalgrove Airfield. Improvements could help to redirect traffic travelling between Benson and Chalgrove Airfield away from other roads which would impact on villages. However, at this stage it is unclear what improvements are suggested, there is no safeguarding for widening in the Local Plan and the suggestion has not been modelled.

120. The impacts of identified new road proposals not being delivered before development commences is not examined. At the present time the Didcot-Culham River Crossing is not funded, although a bid for government funding was made in September 2017. It is assessed that the River Crossing is needed for development on the land adjoining the Culham Science Centre, and to some extent for development at Berinsfield. It is also needed to some extent for already committed development in Didcot.

121. There are parts of the highways network which are shown to be over capacity in the Local Plan scenarios but no mitigation has been tested or proposed as part of the ETI, e.g. A415, A40 on the approaches to Green Road roundabout, A4074 near Berinsfield/ Shillingford / Benson / Crowmarsh; Berinsfield (Fane Drive); A418 Aylebury Road in Thame; parts of the A4130 in Didcot. The reasons for not

seeking to mitigate impacts on the transport network in these areas needs to be provided; alternatively additional transport mitigation needs to be investigated to address these issues.

122. The general approach to highway network performance may not provide the best measure of localised junctions. It is at these key nodes where capacity issues exist. Further and more detailed work will need to be conducted as development sites progress. This should include appropriate modelling packages with robust traffic flow data including queue length surveys.

SUSTAINABILITY APPRAISAL

123. The rigour of the sustainability appraisal is questioned further to the soundness issues raised in the rest of this County Council comment.

124. With regard to transport, the sustainability appraisal does not adequately describe the public transport network.

125. The evaluations of Objective 6 relating to travel choice and reducing reliance on private car are questionable - all strategic sites are awarded top marks. There are clear genuine differences between the sites in this respect, for example sites adjacent to Oxford will have a far greater chance of sustainable bus route operation and more attractive cycling options due to shorter distances and provision of existing infrastructure, which will provide more genuine travel choices and less reliance on private car use than sites located in more remote areas (e.g. Harrington). This is not adequately evaluated. For sites that should score lower, unspecific or unproven interventions are given as reason for awarding top marks, for example:

- Chalgrove: Top score is awarded simply because the existing bus service provision to Oxford is expected to be improved. The appraisal does not mention the current lack of public transport in all other directions and the likelihood that such services may not be possible to provide on a sustainable commercial basis even with a large development. There is a significant chance the site will have a high level of car usage as a result and low level of genuine travel choice.
- Harrington: Top score is awarded to this proposed development next to a motorway junction with no significant existing public transport. This is based simply on unproven potential for a Park & Ride site. There is a significant chance the site will have a high level of car usage as a result and low level of genuine travel choice.
- Lower Elsfield and Wick Farm: The reasonably close provision of Oxford Parkway station will make driving to it very attractive. However, the proximity of the site to Oxford will make bus operation commercially less costly (therefore more sustainable) and cycle use more attractive when compared to a location remote from Oxford.
- Thornhill: A site next to an existing transport hub will provide attractive public transport choices.

- South of Grenoble Road and Northfields: The location next to Oxford makes a commercially sustainable bus operation more likely and cycle use more attractive, providing genuine travel choices and less reliance on car usage.
- Culham sites: There is no existing bus service and a poor train service, therefore sustainability is based on improving these considerably.

SUSTAINABLE TRANSPORT STUDY

126. The Sustainable Transport Study for New Developments, September 2017, provides an initial look at the sustainable transport challenges associated with some of the additional sites. The study does not comprehensively identify all of the issues or interventions required. This is recognised in the Executive Summary itself. Furthermore, some of the proposals put forward are not supported by adequate evidence and may not be taken forward.

127. Considerable further work will be required to identify the necessary sustainable transport interventions required for each site. Key issues with the study include:

- An inadequate information base. For example the existing bus route along the A4074 which stops at Benson and the train station at Cholsey appear not to be recognised. The County Council is already proposing to increase the frequency of the bus route along the A4074 (X39, X40) which serves villages such as Benson. There is also a current bus route between Benson, Wallingford and Cholsey providing a connection to the train station (136).
- There are recommendations for bus routes which are unlikely to be commercially sustainable.
- The quotes of costs for bus improvements are provided on an annual basis, implying ongoing subsidy. This is not the way development related bus route improvements are procured - they are procured on a declining subsidy basis ending in a commercially sustainable service that requires no ongoing subsidy.
- There is no acknowledgement of the infrastructure required for shuttle buses (i.e. space to fit two buses in a layby).
- The Berinsfield to Cowley or Oxford bus and cycle routes are not recommended, despite the importance of the Oxford area for education, employment and services for Berinsfield.

STRATEGIC HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT

128. The Strategic Housing and Economic Land Availability Assessment (SHELAA) has not been reviewed in detail, but it is noted that in some cases it assesses sites positively although they are not proposed for allocation. This does not in any way restrict comments from the County Council in future should sites be proposed for allocation or planning applications made. It is also noted that in some cases the SHELAA assessment is that sites are not suitable for development and the County Council may disagree with that. The County Council's Property response which includes comments disagreeing with the analysis of sites 891 and 892 is sent separately.

Attachment 1

SITE ALLOCATION POLICIES

The Site Allocation policies need to be reviewed for consistency to ensure that they are effective. We seek the following amendments, noting that there may be more amendments needed. **These amendments are suggested separately from any wider concerns about the allocations set out in the main text of our response.**

Land Adjacent to Culham - Policy STRAT7:

- i) - Proposals for development will be expected to comply with a Comprehensive Development Framework SPD and contribute to infrastructure in the manner set out in that Framework which will require all phases of development to contribute fairly towards the joint responsibilities for transport, education, open space and other infrastructure.
- ii) – transport mitigation measures such as a significant contribution towards a new Thames road crossing between Culham and Didcot Garden Town and the Clifton Hampden bypass.

Berinsfield - Policy STRAT8:

- i) - deliver a scheme in accordance with an agreed comprehensive masterplan and strategy for the regeneration of Berinsfield a Comprehensive Development Framework SPD and contribute to infrastructure in the manner set out in that Framework which will require all phases of development to contribute fairly towards the joint responsibilities for transport, education, open space and other infrastructure.
- ii) - meet the entire cost of the necessary regeneration package, including social, environmental, recreation, housing and public services infrastructure
- iii) – transport mitigation measures
- iv) – improvements to the cycling and walking network, including to an off-road route between Berinsfield and the edge of Oxford largely following the line of the Roman road.
- v) - sufficient additional education capacity, likely to be two primary schools on site and a contribution to a new secondary school
- viii) – Provide for public transport facilities and connections within the village and to and from the surrounding area by pump-priming new and improved services

Chalgrove Airfield – Policy STRAT 9

- x) Provide for public transport by pump-priming new and improved services



South Oxfordshire Local Plan 2033 Publication Version Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:

South Oxfordshire Local Plan 2033

Please return by 5pm on Thursday 30 November 2017 to: Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email planning.policy@southoxon.gov.uk

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

2. Agent's Details (if applicable)

Title	Mrs	
First Name	Susan	
Last Name	Halliwell	
Job Title (where relevant)	Director for Planning and Place	
Organisation representing (where relevant)	Oxfordshire County Council	
Address Line 1	County Hall	
Address Line 2	New Road	
Address Line 3	Oxford	
Postal Town	Oxfordshire	
Post Code	OX1 1ND	
Telephone Number		

Email Address

southandvale@oxfordshire.gov.uk

Sharing your details: please see page 3

Part B – Please use a separate sheet for each representation

Name or organisation: Oxfordshire County Council

3. To which part of the Local Plan does this representation relate?

Please see attached

4. Do you consider the Local Plan is: (*Please tick as appropriate*)

4. (1) Legally compliant

4. (2) Sound

No

4. (3) Complies with the Duty to Cooperate

5. Please provide details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

Please see attached

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at 5 above. (NB Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

 X

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As the County Council for Oxfordshire, we should attend to explain our comments and help the Inspector address any queries in respect of issues the County has responsibility for.

Please note the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Sue Halliwell

Date:

30/11/17

Sharing your personal details

Please be aware that, due to the process of having an Independent Examination, a name and means of contact is required for your representation to be considered. Respondent details and representations will be forwarded to the Inspector carrying out the examination of the Local Plan after the Publicity Period has ended. This data will be managed by a Programme Officer who acts as the point of contact between the council and the Inspector and respondents and the Inspector.

Representations cannot be treated as confidential and will be published on our website alongside your name. If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online, however the original representations are available for public viewing at our council office by prior appointment. All representations and related documents will be held by South Oxfordshire District Council for a period of 6 months after the Local Plan is adopted.

Would you like to hear from us in the future?

I would like to be kept informed about the progress of the Local Plan

I would like to be added to the database to receive general planning updates

Please do not contact me again

Further comment: Please use this space to provide further comment on the relevant questions in this form. **You must state which question your comment relates to.**

Please see attached.

Alternative formats of this form are available on request. Please contact our customer service team on 01235 422600 (Text phone users add 18001 before you dial) or email planning.policy@southoxon.gov.uk

Please return this form by 5pm on Thursday 30 November 2017 to: Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email planning.policy@southoxon.gov.uk

Planning

HEAD OF SERVICE: ADRIAN DUFFIELD



Listening Learning Leading

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Contact officer:
Planning.policy@southoxon.gov.uk
Tel: 01235 422600

Textphone users add 18001 before you dial

Your reference:
Our reference:

27 February 2018

Dear Bev,

I am grateful to you and Ian Hudspeth for meeting with us and Homes England last week. I recognise that there remain concerns from Oxfordshire County Council in respect of bringing forward development at Chalgrove Airfield. Your particular concerns were raised through your representations made at the Regulation 19 stage of the South Oxfordshire Local Plan.

These concerns regarding development at Chalgrove Airfield are largely focussed on matters relating to highways; their delivery, timing and cost.

We consider from our meeting that the response of Homes England in relation to some of these matters was disappointing, but at this stage we will continue to work together to find a solution.

To this end, it would be helpful to get a more precise understanding of the specific concerns that the County has on infrastructure and what outstanding details are required for you to withdraw your objection.

Your representation indicates that until the cumulative impact of development for South Oxfordshire and Vale of White Horse has been completed, then it is not possible to comment fully on the transport impacts. As you know this work is being finalised at present with support from your officers.

You raise another area of concern in respect of the strategic model insofar as the area around Chalgrove Airfield has in the past not been affected by significant levels of development and that additional or alternative transport infrastructure options to mitigate the effects of development at Chalgrove Airfield may need to be assessed in the ETI. As you will recall we worked with you to identify mitigation and included Watlington, Stadhampton and Benson bypasses and improvements to the A4074 at Golden Balls junction. Your representation indicates further work is needed to assess the suitability of these suggested mitigation schemes and their impacts, however no further mitigation testing has been requested by Oxfordshire County Council and I believe that we have met all outstanding requests in this matter.

The Evaluation of Transport Impacts currently uses the strategic model which may not be suitable to test certain smaller scale schemes such as traffic management measures which will need more detailed assessment through the planning application process. I suggest we need to understand and agree specifically at what point the information provided will be sufficient to allay your concerns, given that the level of information required to support a development plan is set at a different level to that to support a planning application. We need to be reasonable and proportionate in the asks at this stage in the development process, but are keen to work with you to ensure that the relevant work is completed.

With reference to off site highways work, the County Council would usually take on the responsibility of securing the land to enable such works to take place where this is required to mitigate development. This will be the case at Culham to assist in the delivery of the river crossing at Culham. In the case of development at Chalgrove Airfield, Homes England are prepared to undertake negotiations with third parties to secure the land, though I understand that they are yet to reach agreement with yourselves to the extent to such works and have not been clear on the phasing of their approach in relation to the wide scheme. I would like to understand how this dialogue is progressing and to offer any support I can to you.

We recognise that additional primary and secondary school capacity will be needed in the District to support the emerging Local Plan. The County Council has expressed a desire for a new secondary school on the Chalgrove Airfield site, which will involve relocating the existing Icknield Community College in Watlington, though I understand that the land take for such a facility has increased during the discussions to date.

I would be grateful to understand the area which is required to support such a facility and also the justification for this particular size. Once the existing Icknield Community College has been relocated to Chalgrove Airfield, what is the County's intention regarding the former college site? Whilst this site is not identified for redevelopment in the Watlington Neighbourhood Development Plan, it could make a future contribution to infrastructure delivery, such as the Watlington bypass. It would be helpful to have a full understanding of the education strategy for the area to help provide context for our Local Plan Examiner.

At the meeting you indicated that the County Council considered that Homes England would benefit by articulating Chalgrove within the wider context of their developments across Science Vale, and in identifying their infrastructure mitigation on that scale. I would be grateful to receive a copy of any response you have received from Homes England to this request.

I look forward to your response.

Yours sincerely



Holly Jones
Planning Policy Manager

CHALGROVE AIRFIELD

OPINION

1. I advise, on a pro bono basis, a group of residents who live in some proximity to Chalgrove Airfield. These people wish to prevent the development of that land for housing because of the dramatic effect such a proposal would have on their living conditions. Pursuant to this brief I have kept a close watch on the progress of the South Oxford Local Plan ‘SOLP’ as it passes through its stages towards adoption and the latest event in this regard is a report written by a Senior Officer of South Oxford District Council ‘SODC’ which advises the members to, amongst other things:

“retain Chalgrove Airfield as a proposed allocation in the SOLP”.

2. The purpose of this Opinion is to explain to the Council that, in view of the content of that report, there is now a clear legal barrier in place which restricts that option. The opinion is deliberately written in straightforward language without reference to law, policy or other published guidance except as essential because it is hoped it might be read and taken into account by members of the Strategic Planning Committee who must make an important decision on March 20th.
3. The Opinion invites attention to two concepts: “deliverability” and “necessity”.

4. NPPF 182 provides four tests which proposed development plans must meet in order to be found to be “sound” and therefore acceptable. One of these is that the plan must be “effective” and the NPPF explains this requirement as follows:

“the plan should be deliverable over its period ...”.

5. “Deliverable” has a specific meaning in the NPPF which is defined in the footnote to paragraph 47 therein. No doubt the members of the committee will have their attention drawn to this definition but I paraphrase it in this way:

“To be deliverable there should be nothing to prevent houses being built upon it more or less straightaway”.

6. This is a matter of crucial significance to South Oxford’s local plan, its integrity and its lawfulness. The members of the SODC are being advised by their officers that land at Chalgrove Airfield is “deliverable” and that it may therefore be included in the emerging SOLP as a major strategic allocation which underpins the entire strategy of the development plan. It is, in fact, plain and obvious that the Chalgrove Airfield site is not deliverable.

7. Part of the land at Chalgrove Airfield is currently occupied by a commercial enterprise known as Martin-Baker “MB”. Three attributes of that business are relevant to this discussion:

- (i) it carries out work of national significance and that work has extremely specific locational requirements;

- (ii) the nature of the work is incompatible with a neighbouring residential use because of its propensity to create a statutory nuisance; and
 - (iii) it is extremely profitable.
8. It is not possible to deliver the Chalgrove Airfield site without, in the first instance, securing the co-operation of the MB enterprise. Solicitors on behalf of MB have expressed the position of the company in the latest round of representations into the emerging SOLP which are thereafter elucidated in a letter dated 5th December 2017 (these are to be found at App 1 and 2 of the committee report written by Holly Jones). The language with which those representations are expressed is calm and polite but the content is devastating. It is obvious from reading them that the MB enterprise is wholly and utterly opposed to the development of housing at Chalgrove Airfield and that they have sound, rational and highly persuasive reasons for adopting that position.
9. The response of officers of SODC, supported by the national agency responsible for promoting this site, is to threaten to use compulsory purchase powers to acquire this site despite the objections carefully and rationally articulated by MB. It is noticeable when reading the correspondence passing between officers of the Council and that agency that the exercise of compulsory purchase powers is seen as nothing more than a pesky formality the worst outcome of which may be a modest delay in the delivery of the Chalgrove Airfield site.
10. It is not necessarily so, and this requires an understanding of the second concept referred to above, namely “necessity”.

11. The members of the Strategic Planning Committee will no doubt be advised that the statutory power to make a Compulsory Purchase Order of the Chalgrove Airfield site arises from S226(1)(a) Town and Country Planning Act 1990 and that the approach to the exercise of this power is governed by the seminal judgment of Laws J (as then) in *Chesterfield Properties plc -v- SOSE [1998]* 76 P&CR 117. The exercise of CPO powers depends on the acquiring authority satisfying the decision maker that the use of those powers is “necessary”. This is understood as meaning there is no other way to achieve the public benefit pursued by the exercise of these powers. In other words, CPO is a last resort.
12. A further question which must be addressed by any Inspector deciding whether to confirm a CPO is whether the exercise of these powers is “proportionate”. This is especially important in this case in view of the Human Rights aspects of the decision to confirm or reject the proposed CPO.
13. On the question of “necessity” it is obvious from reading the Officer’s Report that the CPO would fail. This is because compulsory acquisition is simply one of a series of options being considered by the Council. A further option is to delete the Chalgrove Airfield site completely and allocate other land to meet the strategic objectives pursued by the local plan. The fact that that option has been identified by the Council as a practical course which may be pursued is sufficient to exclude the possibility of a successful CPO. An objector to that CPO would simply have to point to the Report written by Holly Jones and submit that the Council themselves have recognised that CPO is not a last resort but simply a preferred approach. In this country we don’t forcibly expropriate people’s land on the basis of a preference.

14. Thus, it is obvious from Holly Jones' report to the Strategic Planning Committee that a CPO would fail the test of necessity and that such an Order would not therefore be confirmed. This is especially so as there are a number of other sites on the periphery of Oxford being actively pursued as alternatives to Chalgrove Airfield of which land at Grenoble Road is the most obvious.
15. This should all have been explained to the members in Holly Jones' report and it is surprising that none of these matters are mentioned.
16. Furthermore, there is no prospect at all that the test of proportionality will be satisfied in the circumstances of this case. The uncontested evidence is that the MB enterprise fulfils a nationally important function and there is no alternative site to which it may relocate. It will therefore be extinguished. It is highly unlikely that a local need for housing will prevail over a national need for a unique facility of this nature, especially when there are several available alternative sites to which the local housing need may be satisfactorily displaced.
17. Again, it is surprising that these matters have not been explained to the Strategic Planning Committee.
18. Finally, the financial analysis is brief and wholly unconvincing. If the compensation for the MB business is to be assessed on a total extinguishment basis it is difficult to see how the Chalgrove Airfield site could be viably developed. These matters should have been properly investigated and fully explained to members before they are asked to make a decision as important as that which comes before them on March 20th.

19. For these reasons, the members of the Strategic Planning Committee are respectfully invited to reject Holly Jones' recommendation and to pursue the other option of finding alternative sites to meet the strategic housing requirements of the local plan over its time horizon.

Anthony Crean QC

12 March 2018





Homes England

Adrian Duffield
Head of Planning
South Oxfordshire District Council
135 Eastern Avenue
Milton Park, Milton
OX14 4SB

BY EMAIL ONLY

16 March 2018

Dear Adrian,

Housing Development at Chalgrove Airfield

Following our recent written correspondence and discussions with your officers and Oxfordshire County Council (OCC), Homes England writes to provide further context to the proposed development at Chalgrove Airfield in advance of the meeting of South Oxfordshire District Council's (SODC) Cabinet on Tuesday 20 March.

Homes England wish to reiterate our commitment to working with SODC and OCC to deliver the proposed development of Chalgrove Airfield as well as facilitating the associated and necessary infrastructure improvements. Homes England is committed to making substantial investments in transport infrastructure as part of the development to ensure the success of any forthcoming development of this brownfield site and create linkages to the key strategic sites at Berinsfield and Culham.

The proposed development will result in the construction of approximately 3,000 new homes, the creation of a new local centre, provision of new education facilities (2 primary schools and a secondary school) and a new healthcare facility. The proposed development will also provide 3 hectares of purpose built employment generating floorspace alongside significant public open space provision, together with substantial additional growth space for the Martin-Baker Aircraft Company Limited.

We currently propose a 12 year, three phase, build period for the development, with an expectation that work would commence on site in Q1 2021, and be completed by 2036. This programme anticipates that within three years from today's date, work will have commenced on site to deliver this important strategic allocation. In addition to the homes proposed, we are committed to providing significant social infrastructure within the new community.

Homes England and OCC have been in ongoing discussions to relocate Icknield Community College into the development as part of a larger 1,200 (plus 300 place sixth form). Following discussions with Icknield that confirmed the school is currently operating almost at capacity, the new secondary school will be delivered in Phase 1 which will meet this need. The new secondary school will be a focal point of Phase 1 and alongside the delivery of the local centre in Phase 2, will play a significant role in the vibrancy and vitality of the development. The delivery of this new secondary school will be fully funded by Homes England (approx. £40 million) and be operational by 2025. The two primary schools proposed will also be fully funded by Homes England (approx. £10 million each) and be delivered by 2030 (end of Phase 2) and 2035 (end of Phase 3).

HCA Chalgrove Airfield - Indicative Delivery Rates (August 2017)			
Year	Amount of units	Cumulative Units	Phase
2021	50	50	1
2022	150	200	1
2023	200	400	1
2024	200	600	1
2025	150	750	1
2026	200	950	2
2027	450	1400	2
2028	200	1600	2
2029	250	1850	2
2030	275	2125	3
2031	325	2450	3
2032	300	2750	3
2033	250	3000	3

A new local centre will provide a wide range of community and commercial facilities will be completed by 2030 and will be constructed around the secondary school. This local centre will provide in the new jobs in addition to the 1,150 employment opportunities that will be created as part of the employment floor space due for completion by 2030. Also, as part of the local centre, a high quality health centre with specification agreed by the Oxfordshire Clinical Commissioning Group CCG will be provided to replace the existing facility in Chalgrove at a cost of £3million and it is expected will be operational to coincide with the expiry of the existing health centres lease in 2027.

Phase	Working Population
1	950
2	1350
3	1450

The social and economic infrastructure provided on the site, will be complemented by the substantial suite of onsite and offsite transport and highways infrastructure works that have been discussed in our previous correspondence. For clarity, our commitment to the delivery of these schemes is outlined once again within this letter.

The transport strategy for Chalgrove Airfield has been formed using the following approach:

- Reduce the need to travel through the provision of high quality local facilities;
- Promote and enhance travel by sustainable modes;
- Provide the infrastructure to meet the needs of the existing communities and accommodate economic growth in a co-ordinated and strategic fashion.

The development has been designed to encourage sustainable modes of travel including high quality walking and cycling links to provide integration with the existing village and existing employment opportunities. An increased public transport service is proposed which will link the site with larger hubs such as Oxford and Didcot and east west connections along the proposed strategic 'east-west arc'. Chalgrove, as a draft strategic allocation (alongside Culham and Berinsfield) provides a unique opportunity to deliver the 'East-West Arc of Growth', which we share with OCC. It is considered that focussed interventions, some of which are outlined below, will allow a vastly improved route to the A34, Didcot and the Science Vale with the M40/A40 and Thame. This provides an unrivalled opportunity to link employment growth areas in the District and beyond, unlocking economic growth potential. The arc will support the growth of the strategic allocations and the wider economy and will form a strong public transport corridor, with potential to support inter-urban cycling.

As part of the creation of this arc, we will directly deliver a bypass and infrastructure improvements at Stadhampton and Chislehampton by 2025 at a cost of c.£15 million. These improvements will be complemented by the delivery of the Watlington Edge Road, which Homes England will contribute £4

million to ensure the delivery alongside other developers within Watlington also by 2025. Over the lifetime of the construction programme, further infrastructure improvements are to be directly delivered by Homes England and these are outlined in the table below with our expected start and completion dates as well as our current cost estimates.

Highways Improvement	Start Date	Completion Date	Cost (£m)
Stadhampton Bypass	2022	2024	10
Chiselhampton Traffic Improvements	2023	2025	5
Watlington Edge Road	2021	2023	4
Benson Edge Road	2025	2027	2
Hollandtide Lane Traffic Improvements	2020	2030	9
Cuxham Edge Road	2025	2027	4
Little Milton Traffic Improvements	2020	2031	10
Walking/Cycling Local Network Improvements	2020	2026	2
B480 Re-Alignment	2024	2026	Included as part of on-site costs
Public Transport Improvements	Ongoing	Ongoing	18
Oxford Gateway Junction Capacity Improvements	2023	2029	21
Great Haseley, Berrick Salome, Brightwell Baldwin, Pyrton, Shirburn , Britwell Salome Improved Public Realm	2025	2026	0.5
Miscellaneous	Ongoing	Ongoing	6.5

Homes England wishes to work collaboratively with SODC, OCC and other key stakeholders to ensure the strategic allocation at Chalgrove is delivered and provides the maximum possible benefit to the local and wider area.

With regard securing the land needed for the development, we will continue to negotiate with the Martin-Baker Aircraft Company Limited but you should be aware that there is no longer a requirement for Homes England to obtain ministerial consent as this has now been removed in the publication by MHCLG of the amended 'Guidance on Compulsory Purchase (2015)' in February this year. We do not consider that a CPO would unduly delay the Scheme as we have confirmed that we have already started the preparatory work and intend to ask our Board to make a compulsory purchase order around the anticipated date for the grant of planning.

We would be happy to meet with you once again to discuss the content of this letter, and we will be presenting the information included within this letter to SODC Cabinet on 20 March 2018.

Yours sincerely,



Ken Glendinning
Head of Strategic Land



Homes England

Adrian Duffield
Head of Planning
South Oxfordshire District Council
135 Eastern Avenue
Milton Park, Milton
OX14 4SB

BY EMAIL ONLY

19 March 2018

Dear Adrian,

Housing Development at Chalgrove Airfield

We note that included in the annexes to your report is the opinion of Anthony Crean QC. Unfortunately the premise upon which his argument is based is factually incorrect in two important respects:

1. Counsel argues that the CPO would be made under s 226 (1) of the Town and Country Planning act 1990. This is incorrect. Homes England has statutory powers to make a CPO under section 9 of the Housing and Regeneration Act 2008 to facilitate the achievement of its Objects which are to:
 - Improve the supply of housing
 - To secure regeneration, development or infrastructure
 - To support the creation of communities
 - To contribute to the achievement of sustainable development

The delivery of this site meets all of those objectives and is consistent with the policies in the NPPF. The agency considers it meets the housing need better than other sites proposed which are greenfield sites.

2. Counsel states that Martin Baker will need to move to an alternative site but this too is incorrect. The development proposals and offer that the agency has made to Martin Baker have been designed so that Martin Baker does not have to move operations and the airfield runway is re-provided on the site.

We would be grateful if you would make these points at the Cabinet meeting as we would not wish the Council to make a decision based on erroneous facts.

Yours sincerely,

Ken Glendinning
Head of Strategic Land



Our Reference: SH/JC/RS/CD131

Your Reference: LM5147

Communities

County Hall

New Road

Oxford

OX1 1ND

Susan Halliwell

Director for Planning & Place

20 March 2018

By Email Only

Holly.Jones@southandvale.gov.uk

Holly Jones
Planning Policy Manager
South Oxfordshire District Council
135 Eastern Avenue
Milton Park
Milton
OX14 4SB

Dear Holly

Proposed Development of Chalgrove Airfield

Thank you for your letter dated 27th February 2018 and apologies for the delay in responding. I thought it important to have had the follow-up meetings with Homes England to see if indeed any of the improvement challenges we collectively gave Homes England would be met. We have been encouraged by the “joined up” approach we have taken with the South Oxfordshire District Council on this site, and indeed the whole Local Plan; this will need to continue as to date the response from Homes England has been disappointing.

The County Council response to the Local Plan consultation is concerned with infrastructure strategy in spatial terms and has at all stages sought to secure supporting evidence to all proposals presented through the emerging Plan – a consistent narrative to justify and provide the basis for the infrastructure we are seeking. In terms of the Chalgrove Airfield proposed allocation, the County Council indicated its opposition in our initial response in August 2016. At Second Preferred Options stage and on the basis that new infrastructure as promoted by the developer might be agreed with Homes England to facilitate east-west connectivity, we were able in May 2017 to adopt a more positive position. It is the case however that, at Publication Stage (Regulation 19), sound highway infrastructure evidence to support this allocation remains incomplete. Officers continue to work with District colleagues and the applicant providing pre-application advice for this proposed allocation site.

I am not able to provide you with a definitive list of matters that require resolution such that we might be able to withdraw our objection to the proposed Chalgrove Airfield allocation. There are a myriad of contributing factors to take into account when considering how a strategic proposal fits within an existing and proposed infrastructure framework in spatial terms; it is not simply a case of putting together a list of infrastructure schemes that may help un-lock one individual proposed allocation. You will of course have considered the spatial fit of this allocation and will understand that it presents some considerable challenges in all aspects of infrastructure provision. I can confirm though that there are three major areas of concern that to date, simply have not been addressed:

As stated above, there is no convincing narrative as to how this site fits into the Plan's spatial strategy. We have stressed that this site, without major supporting infrastructure will be quite remote from the main local growth and activity centres it could potentially serve, and will lead to unsustainable impacts – most notably in highway and public transport terms;

The lack of clarity about the need to properly link this site into the Science Vale, has led to a less than satisfactory list of mitigation measures – made worse by a lack of ability or commitment to deliver those elements where third-party land or funding is required;

On the deliverability aspect, as highway authority in particular, this raises major concerns with us about a deficient package of mitigation and potentially no timely provision of even that level of infrastructure; leaving the existing and new populations under-served for the near and long-term future.

There are of course many technical aspects of these major issues which need to be addressed; but I am trying to summarise to make clear that in principle, not just detail, we are unable at present to withdraw our objections. Officers will continue to work closely with District colleagues in relation to both Evaluation of Transport Impacts (ETI) and cumulative impact assessment (CIA) for whatever options it decides to take forward. You state your belief that all testing has been carried out in relation to the direct mitigation proposals presented in relation to the Chalgrove Airfield allocation. It is correct that developer proposed solutions have been included within the ETI. However, as noted in our Regulation 19 response, questions still exist around the suitability/functionality and viability of these proposals; indeed, subsequent to ETI, additional proposals/amendments to transport infrastructure have been tabled by the HE. Further work on these options and consideration of the impact on the wider network/east west corridor is essential. Understanding the ETI work including checking and challenging its assumptions is an important function of the evidence base. Without further scrutiny the County Council cannot give assurances, nor can the developer, over the delivery of the strategic site.

The above backs into your question about the level of detail required to allay our concerns about the impact of Chalgrove allocation in transport terms. The transport mitigation currently proposed in relation to the Chalgrove Airfield development is somewhat more significant than 'traffic management measures'. Currently proposed, are potentially 5 bypasses and multiple interventions elsewhere on our highway network; all of which will have a fundamental impact on the network function and therefore must be tested accordingly. We, as partnering authorities, would prefer not to find ourselves in a position where, later down the line, we are at appeal due to highway related objections to an allocated site. Failing to be confident of the highway mitigation interventions required to facilitate delivery of an allocated site cannot be a sound approach or basis for future development management of subsequent planning applications. Therefore, we consider it quite reasonable and proportionate to seek clarity and confidence now as part of the Plan-making stage.

I'm afraid that I cannot agree that it is usual for the County Council to deliver direct mitigation required to support a strategic site allocation. Strategic infrastructure included within Vale of White Horse LP is required to support housing growth, economic development and to broadly improve the function of both the local and strategic highway network; these significant highway schemes are not required for, or solely tied to any one development site. Oxfordshire County Council as the highway authority plan spatially through the Local Transport Plan. The development of our highway network is founded on sound strategic forward planning and not only upon the needs of individual development sites. To this end, the County Council does not consider it likely that we

will be bringing forward the direct mitigation schemes currently proposed by the development at Chalgrove Airfield and we have no plans for acquiring land required in this respect. The work undertaken for OXIS identifies the existing infrastructure deficit and we are not looking to support new allocations which add to that.

It remains the case that the County Council seeks that Homes England brings forward the offsite direct highway mitigation schemes, both in terms of funding and securing of the land required. This is quite aside from our questions on suitability of mitigation proposed. Homes England's most recent letter of 18th March 2018 lists again highway infrastructure mitigation proposals. This list is little changed from previous iterations and there remains a lack of confidence in Homes England ability to assure delivery of any mitigation. It is also the case that detailed transport modelling has not to date been provided. A key example being modelling of Watlington. Homes England's recent letter notes completion of 400 homes by 2023 and completion of Watlington edge road by this same date. Oxfordshire County Council has not been provided with any evidence, despite persistent requests, to prove how many homes can be occupied at Chalgrove ahead of Watlington Edge Road completion.

We do not wish to be in a position where we need to rely on a planning application and seeking contributions through S106. We note that there are likely to be concerns regarding compliance with CIL regulations.

The County Council has made it clear that it does not believe that there is sufficient development planned around Chalgrove to adequately contribute to the infrastructure requirements of the Airfield development and it is unlikely that it can be reasonably proven that small scale development will be required to contribute proportionally to major highway mitigation schemes remote from their development sites.

Given the above, you will appreciate that our confidence in the ability of Chalgrove Airfield and Homes England to provide suitable highway infrastructure mitigation remains low and to date, we have seen little that improves this situation. Indeed, following our meeting our confidence has quite considerably reduced. May I suggest that absolute clarity is required in relation to what infrastructure Homes England intends to fund, by when and through what legal mechanism. This is information that Homes England must provide and is essential in understanding whether an allocation is viable and deliverable within the plan period. Again, Homes England's most recent letter does not provide said clarity and simply reiterates its previous assertions.

Whilst I don't think that this letter is the correct forum to set out our education requirements, I can confirm that the recommended 10.55ha is required for the 1500 place secondary school. There are on-going discussions with the developer and our education team in this respect and Homes England, together with their design team seem to be including these requirements within their emerging masterplan.

Homes England has not yet provided any further information or data in relation to their wider development aspirations or impact, as requested in the meeting. Neither have they provided, as promised, their viability report.

In conclusion, the County Council will continue to work collaboratively with South Oxfordshire District Council in relation to development of your Local Plan, but remains less than confident that the Chalgrove Airfield development represents a spatially sound, viable and deliverable solution as a strategic allocation. We have consistently reflected that this proposed allocation must demonstrate that it fits within the wider development strategy and that it must provide suitable infrastructure to mitigate its impact. To date, adequate supporting evidence has not yet been provided. We are acutely aware of time constraints surrounding your plan development and will take all reasonable measures to ensure that we provide suitable resource accordingly.

Yours sincerely



Jason Sherwood
Locality, Infrastructure & Road Agreements Manager
Infrastructure Innovation and Development
Communities

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From the Joint Managing Directors' office

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22nd March 2018

Mr Mark Stone
Chief Executive
South Oxfordshire District Council
135 Eastern Avenue
Milton Park, Milton
Oxfordshire
OX14 4SB

Dear Mr Stone,

We understand that at the SODC Cabinet meeting on Tuesday 20th March, Homes England inferred that they were still negotiating with Martin Baker for the sale of our lease on part of Chalgrove Airfield. We want to make it absolutely clear that nothing has changed since the letter from our solicitors, Gowling WLG, dated 5th December 2017 (a copy of which is attached) and that negotiations are finished without agreement.

The reason for not reaching agreement relates solely to Martin-Baker's operations as set out in the attached letter and expanded in the attached note. Our operational requirements are not going to change and therefore, there is no prospect that a negotiated agreement can be reached. Martin-Baker has no intention to continue discussions with Homes England.

We will strongly and rigorously oppose any attempt to Compulsory Purchase any part of our lease on Chalgrove Airfield on technical and strategic defence grounds.

We will also challenge the allocation if pursued through the Local Plan process on the same grounds. Chalgrove airfield is not a site which is available as a strategic housing site and to continue with its inclusion makes the Local Plan unsound in terms of housing delivery.

Yours sincerely

James W Martin CBE FREng MA BAI FRAeS CEng
Joint Managing Director

A Corporate Partner of



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