

South Oxfordshire Local Plan 2034

Publication Version

Representation Form

Please return by 5pm on Monday 18 February 2019 to: Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email it to planning.policy@southoxon.gov.uk

This form has two parts:

Part A – contact details

Part B – your comments / participation at oral examination

Part A

Are you responding as an: (please tick)

Agent Business or organisation Individual

Due to the plan-making process including an independent examination, a name and contact details are required for your comments to be considered. If you are acting on behalf of another organisation, please provide their details in column one and your company name and contact details in column two.

| | 1. Personal Details | 2. Agent Details (if applicable) |
|----------------------------------|--|---|
| Title | <input type="text"/> | <input type="text" value="Mr"/> |
| Full Name | <input type="text"/> | <input type="text" value="Brian Flynn"/> |
| Job Title (where relevant) | <input type="text"/> | <input type="text" value="Associate"/> |
| Organisation (where relevant) | <input type="text" value="Croudace Homes Ltd"/> | <input type="text" value="Carter Jonas LLP"/> |
| Address Line 1 | <input type="text" value="c/o Agent"/> | <input type="text" value="One Station Square"/> |
| Address Line 2 | <input type="text" value="The Spirella Building"/> | <input type="text"/> |
| Address Line 3 | <input type="text" value="Bridge Road"/> | <input type="text"/> |
| Postal Town | <input type="text" value="Letchworth, Hertfordshire"/> | <input type="text" value="Cambridge"/> |
| Postcode | <input type="text" value="SG6 4ET"/> | <input type="text" value="CB1 2GA"/> |
| Telephone Number | <input type="text"/> | <input type="text" value="██████████"/> |
| Email Address | <input type="text"/> | <input type="text" value="████████████████████"/> |

Part B – Please use a separate sheet for each representation

For comments on the Local Plan, please provide the paragraph or policy to which your comments relates.

If you wish to comment on one of the evidence documents or the policies maps, please state the document title as well as the paragraph or policy reference.

Document / Policy / Paragraph:

Policy EP5

Do you consider the Local Plan and supporting documents:

(1) are legally compliant

Yes

No

Don't know

(2) are sound

Yes

No

Don't know

(3) comply with the Duty to Cooperate

Yes

No

Don't know

Please provide further information in relation to the previous question. e.g. why you do or do not consider the Local Plan to be legally compliant or sound.

Policy EP5 relates to Mineral Safeguarding Areas (MSA). The MSAs are defined in the adopted Oxfordshire Minerals and Waste Core Strategy 2017, and those areas are transposed directly onto the Proposals Map for the Final Publication version of South Oxfordshire Local Plan 2034 (FPSOLP2034).

It is considered that Policy EP5 and its supporting text lacks detail and provides limited guidance to decision-makers on development proposals. It is not clear what the outcome would be in circumstances where a site is not allocated for mineral extraction in a minerals site allocations development plan document, or what information needs to be submitted to demonstrate that options for mineral extraction have been explored but it is not appropriate or viable. Paragraph 16(d) of NPPF2 expects plans to “*contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*”. It is considered that Policy EP5, as currently drafted, is inconsistent with this national guidance.

Croudace Homes controls land off Wantage Road in Wallingford, which is promoted for residential development through FPSOLP2034, and is located within a defined MSA. The landowner of this site will not make their land available for mineral extraction, and this has been confirmed in representations to the Oxfordshire Minerals and Waste Core Strategy 2017 and the emerging Minerals and Waste Local Plan: Part 2 Site Allocations. The site is not identified as a potential minerals site in the emerging Minerals and Waste Local Plan: Part 2 Site Allocations document. The close proximity of neighbouring residential areas on the northern edge of Wallingford makes this an unsuitable location for mineral extraction in the future, and the need for appropriate stand-offs is likely to make the remaining mineral resource in this immediate location unviable; there are mineral resources within the wider Thames & Lower Thame Valley: Standlake to Yarnton MSA which are more suitable and less constrained locations for mineral extraction in the future. Therefore, it is very unlikely that the land off Wantage Road will be allocated in the emerging Minerals and Waste Local Plan: Part 2 Site Allocations.

It is unlikely that the residents of Wallingford would want a mineral extraction site, and the associated activities, located in close proximity to the northern boundary of the Town.

It is noted that Paragraph 8.54 of FPSOLP2034 does not mention the emerging Minerals and Waste Local Plan: Part 2 Site Allocations. It is considered that decisions on applications in MSAs will also be determined against the Site Allocations document once adopted. If land within an MSA is not allocated for mineral extraction in the Site Allocations document, it is considered that this would be a determining factor in any decisions about non-mineral development within an MSA. It is requested that the emerging Minerals and Waste Local Plan: Part 2 Site Allocations is referenced in Paragraph 8.54, and its role in decision-making for applications in MSAs is explained.

It is noted that Criteria 2(viii) of Policy STRAT 10 requires a minerals assessment to be submitted for the strategic allocation at land at Berinsfield, which is also affected by an MSA. It is considered that the requirement for a minerals assessment to be prepared at planning application stage provides an appropriate approach where non-minerals development is proposed in MSAs, and this approach reflects normal practice in similar circumstances. It is requested that the requirement for a minerals assessment should be included within Policy EP5.

(Continue on page 4 if necessary)

Please set out any modifications you consider necessary to make the Local Plan legally compliant or sound, having regard to your comments above. (NB - any non-compliance with the duty to co-operate is incapable of modification at examination).

It will be helpful if you could put forward your suggested wording of any policy or text as precisely as possible.

It is requested that the emerging Minerals and Waste Local Plan: Part 2 Site Allocations is referenced in Paragraph 8.54, and its role in decision-making for applications in MSAs is explained.

It is requested that the requirement for a minerals assessment should be included within Policy EP5.

(Continue on page 4 if necessary)

Would you like to participate at the oral part of the examination, which takes place as part of the examination process? *

Yes No

* **Please note:** the inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the public hearing.

Signature:

(this can be electronic)

Date:

Sharing your personal details

All comments will be submitted in full to the Secretary of State alongside a submission version of the Local Plan. The Secretary of State will appoint an independent planning inspector, who will carry out an examination of the plan.

Your name, contact details and comments will also be shared with the planning inspector and a programme officer, who will act as a point of contact between the council, inspector and respondents. This means that you will be contacted by the programme officer (and where necessary the council) with updates on the Local Plan. This is required by Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004.

We have received assurance that the data passed to the planning inspector and programme officer will be kept securely and not used for any other purpose. The inspector and programme officer will retain the data up to six months after the plan has been adopted. South Oxfordshire District Council will hold the data for six years after the plan has been adopted.

Comments submitted by individuals will be published on our website alongside their name only. No other contact details will be published. Comments submitted by businesses and/or organisations will be published on our website including contact details. If you would like to know more about how we use and store your data, please visit www.southoxon.gov.uk/dataprotection

Future contact preferences

As explained in our data protection statement, in line with statutory regulations you will be contacted by the programme officer (and where necessary the council) with relevant updates on the Local Plan. South Oxfordshire and Vale of White Horse District Councils have a shared planning policy database. If you would like to be added to our database to receive updates on other planning policy consultations, please tick the relevant district box(es):

- I would like to be added to the database to receive planning policy updates for South Oxfordshire
- I would also like to be added to the database to receive planning policy updates for Vale of White Horse

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 email planning.policy@southoxon.gov.uk or call 01235 422600 (Text phone users add 18001 before you dial).

Please return this form by 5pm on Monday 18 February 2019 to: Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email it to planning.policy@southoxon.gov.uk.