

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the Meeting of the
WEST OXFORDSHIRE DISTRICT COUNCIL
held in the Council Chamber, Council Offices, Woodgreen,
Witney, on Wednesday 26 October 2016 at 2.00 pm.

PRESENT

Councillors: N A MacRae MBE (Chairman), Mrs M J Crossland (Vice Chairman), A J Adams, Mrs J C Baker, M A Barrett, A C Beaney, R J M Bishop, M Brennan, Mrs L C Carter, A S Coles, N G Colston, J C Cooper, D A Cotterill, C Cottrell-Dormer, C G Dingwall, P J G Dorward, Mrs J M Doughty, H B Eaglestone, P Emery, D S T Enright, Mrs E H N Fenton, E J Fenton, S J Good, J Haine, Miss G R Hill, H J Howard, P D Kelland, Ms E P R Leffman, Mrs L E C Little, R D J McFarlane, J F Mills, T J Morris, T N Owen, Dr E M E Poskitt, A H K Postan, Mrs C E Reynolds, G Saul, T B Simcox, H E T St John, G H L Wall and B J Woodruff.

38. MINUTES

RESOLVED: that the Minutes of the meeting held on 7 September 2016, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

39. APOLOGIES FOR ABSENCE

Apologies for absence were received from R A Courts, A M Graham, P J Handley, A D Harvey and E H James.

40. DECLARATIONS OF INTEREST

Mr H E T St John advised that he was employed on a part time basis by Savills. As the company acted for various landowners in the District, he indicated that, during consideration of suggested changes to the West Oxfordshire Local Plan 2031, he would not participate in any discussion that could impact upon sites in which that company had an interest. However, he reserved the right to speak on behalf of his constituents in North Leigh.

41. RECEIPT OF ANNOUNCEMENTS

41.1 Mr W D (Warwick) Robinson

The Chairman indicated that this was the first meeting of the Council that had taken place since the death of Mr Warwick Robinson and paid tribute to the contribution made by Mr Robinson to the work of the Council.

Mr Robinson was first elected to the Council as representative for Minster Lovell in May 2000. In 2002, following boundary changes, he had been elected for the Hailey, Minster Lovell and Leafield Ward, which he represented continuously from that year.

Following his election, Mr Robinson was appointed to the Development Control Committee and continued to serve on this and the Area Planning Sub-Committees throughout his time with the Council.

He was appointed as Chairman of the Development Control Committee in 2002, also serving as the Vice Chairman of the Uplands Area Planning Sub-Committee.

In 2004, Mr Robinson was appointed Chairman of the Lowlands Area Planning Sub-Committee, a position he held from then until 2008. Mr Robinson had also been a member of the Working Party which was fundamental in the introduction of public participation at planning meetings.

Mr Robinson served on the Leisure and Tourism Committee, General Purposes Committee, Human Resources Committee and both the Economic and Social and Finance and Management Overview and Scrutiny Committees.

In 2008, Mr Robinson was appointed to the Council's Executive, holding the portfolio for Strategic Planning and Economic Development.

In 2010, Mr Robinson was again appointed as Chairman of the Lowlands Area Planning Sub-Committee, a role he continued to fulfil in conjunction with his portfolio responsibility for Strategic Planning and, from 2011, his appointment as Vice-Chairman of the Development Control Committee.

In 2012, following a review of Cabinet roles, Mr Robinson assumed responsibility for Housing in addition to his other duties.

Mr Robinson also represented the Council on the Oxfordshire Design Partnership, West Oxfordshire Landlords Forum and the Oxfordshire Extra Care Housing Members Policy Board.

Mr Mills paid tribute to Mr Robinson's work in the development of the Local Plan and indicated that his knowledge and experience would be sorely missed. He expressed his personal appreciation for the support Mr Robinson had given him since his appointment as Leader of the Council and was pleased that he had been able to visit him in hospital before he passed away.

Mr Enright paid tribute to the dedication Mr Robinson had shown to the District and expressed his appreciation of the advice and assistance Mr Robinson provided to Members of all political persuasions, indicating that Mr Robinson had always been accessible and happy to offer his help wherever it would be of benefit to the District.

Mr Cooper noted that Mr Robinson's friendship had extended across political divides and indicated that he had always been forthright in his dealings with others. Mr Cooper suggested that the Council owed a debt of thanks to Mr Robinson's family for the amount of time he had devoted to council business.

Mrs Crossland paid personal tribute to Mr Warwick Robinson, expressing her admiration of his chairmanship skills, his powers of concentration, ability to sum up debate and to maintain the flow of business of a meeting. She had found Mr Robinson to have been the best Chairman she had served under.

Mr Owen also paid personal tribute to Mr Robinson, his passing being a sore loss to the Authority.

All those present at the meeting then stood in silence in memory of Mr Robinson.

41.2 Mr R A (Robert) Courts MP

The Chairman offered his congratulations to Mr Courts on his election as Member of Parliament for the Witney Constituency. Mr MacRae also indicated that he believed both Mr Enright and Ms Leffman who had stood against Mr Courts to have been first class candidates to represent the District.

Mr Enright offered his own congratulations to Mr Courts, indicating that the election of a second Member of the Authority to Parliament would provide a valuable insight at Westminster to the work of district councils.

Mr Mills advised that, following Mr Courts' election to Parliament, he was to remain a Member of the Council for the time being but was standing down from his place on the Executive. As a consequence of this and the passing of Mr Robinson, a new Cabinet had to be put in place and Mr Mills advised that Members would be notified of these changes

and any consequent amendments to Committee memberships once these had been finalised.

As part of the Cabinet re-organisation, Mr Mills advised that Mr Langridge was no longer a member of the Executive.

42. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

43. SUGGESTED CHANGES TO THE WEST OXFORDSHIRE LOCAL PLAN 2031

In order to assist those members of the public present, the Chairman indicated that he would take the report of the Head of Planning and Strategic Housing as the next item of business.

The Chairman indicated that the Strategic Director would introduce the report and provide technical advice in response to any questions from Members. He outlined the procedure that would be followed during the course of debate and reminded Members that it was imperative for the Council to adopt a Local Plan.

The Strategic Director introduced the report and, in doing so, reminded Members how the Council had arrived at this point in the Local Plan process and exactly what it was that it was being asked to do.

In July 2015 Council submitted its draft Local Plan to the Planning Inspectorate for independent examination. That version of the Plan included a housing requirement of 525 homes per year over the Plan period, a total of 10,500.

In November 2015 the first stage of the Local Plan Examination, dealing with strategic matters including housing, took place, and the Inspector's preliminary findings were published in December 2015. Those preliminary findings were set out in some detail in paragraphs 3.8 to 3.19 of the report, but in summary, the Inspector had questioned the evidence which the Council had relied upon to establish a housing requirement which was significantly less than that indicated in the relevant Strategic Housing Market Assessment, and suggested that the figure should be closer to that set out in the SHMA, which was 660 homes per year, a total of 13,200 over the Plan period. The Inspector had also indicated that the Plan should allow for a proportion of Oxford City's unmet housing need being met within the district, in anticipation of the relevant apportionment being agreed by the Oxfordshire Growth Board in September of this year.

In light of these preliminary findings, in January 2016 the Planning Inspectorate was formally requested to suspend the Local Plan examination to allow for proposed changes to the Plan, particularly in respect of housing need and supply, to be determined and consulted on, and it was those proposed changes which were the subject of the report.

The report set out the work that had been undertaken to address the Inspector's concerns, including a partial review of the original SHMA, the preparation of an updated Strategic Housing and Economic Land Availability Assessment, and the deliberations of the Oxfordshire Growth Board in relation to Oxford's unmet housing need.

This had led to officers suggesting that the housing requirement in the Plan should be increased from 525 homes per year to 660 homes per year, but that in doing this, the Council should argue strongly for the 'Liverpool' method of addressing the past shortfall in housing delivery since 2011 to be applied in the calculation of 5-year housing land supply. Counsel's opinion had been sought in relation to this and the response circulated to Members, in confidence, earlier in the week. In addition to this increase in the District's own housing requirement, Officers also suggested that, in accordance with the

conclusions of the Growth Board, the Plan should include land to accommodate an additional 2750 dwellings to represent an appropriate share of Oxford's unmet need. This would help to ensure that the Council met its duty to co-operate and would secure the support of Oxford City Council for the proposed changes to the Local Plan.

The challenge of these revised figures was how they could be met. It had been, and remained, the strong view of officers that it would not be appropriate to significantly change the overall strategy set out within the Plan. Accordingly the proposed changes recommended in the report retained the primary focus on Witney, Carterton and Chipping Norton with the existing strategic sites continuing to be identified but with increased numbers. In addition, to meet an element of the District's housing need together with its share of Oxford's unmet need, two additional strategic sites had been identified close to Eynsham, one of which was currently the subject of a bid to central government for Garden Village status. In accordance with the Inspector's advice, the changes also include a number of smaller site allocations across the district. For absolute clarity, and contrary to the article in the local press, Members were reminded that the Council was NOT considering a new Plan, but suggested changes to the draft Plan which was already part way through the Examination process.

The Strategic Director advised that Officers had either received directly, or had been made aware of correspondence and concerns relating specifically to the existing North Witney strategic site and the apparent failure to allocate any additional strategic sites adjacent to Carterton, and of suggestions that the former could be replaced by the latter.

It was the very firm view of Officers that the removal of the North Witney Strategic Site, and its replacement with an alternative site or sites, would be tantamount to a significant change to the development strategy that has been established, consulted upon, agreed by Council and submitted for independent Examination. There was a significant risk that such a change would lead the Inspector to refuse to reconvene the Examination and require the Council to go back to 'first base', effectively starting the entire Local Plan process again. Identifying an appropriate alternative was, regrettably, not as simple as it might seem but would require further detailed reassessment of all the available sites - simply substituting one of these would leave the Council open to challenge from the owners or promoters of others, whilst the Inspector would undoubtedly wish to see the evidence for opting for a particular site rather than any of the other contenders.

So far as Carterton was concerned, Officers fully recognised the issues facing the town and the local desire for successful growth and prosperity. Importantly, around 1,200 dwellings were already committed within, or on the edge of, the town and the plan changes include three additional allocated sites to deliver a further 570 homes plus anticipated windfalls.

The plan changes recognised the aims of the Carterton Masterplan, in particular the regeneration and improvement of the town centre. The proposed emphasis was therefore on delivering the new housing which was already committed, maximising the use of MOD land within the town and bringing forward other suitable development opportunities including the potential for mixed-use schemes within the town centre.

Although the plan changes did not propose a further strategic allocation on the edge of the town at this point, they did recognise that the Carterton Masterplan had identified possible areas for expansion and clearly stated that these opportunities would be revisited as part of any plan review.

In addition, the Leader of the Council had previously indicated his commitment to securing the support of the Oxfordshire Local Enterprise Partnership for the economic

regeneration of Carterton and the Chief Executive of the LEP was due to meet with local members the following month.

The Strategic Director emphasised that officers' strong advice was that rather than seeking to fundamentally change the existing, submitted development strategy at this stage of the Local Plan process, members should consider and approve the proposed changes set out in the report, to allow for a period of public consultation to be undertaken prior to the Examination recommencing early next year. The changes made sought to respond positively to the Inspector's concerns whilst retaining the overall thrust of the originally submitted plan.

The risks associated with any other course of action were, in the view of officers, significant.

If changes were made which effectively undermined the integrity of the Plan, the Inspector could very well declare the Plan to be so different from that which had been submitted the previous year that the Council would have to withdraw from the current process and backtrack several stages.

Work on the Local Plan started in 2008 and it had still not been adopted. If the Council had to go back to a previous stage the delay could be of the order of 12 months during which time it would have only out of date housing policies to rely upon in determining planning applications, and no 5-year housing land supply. Even if the Inspector did not ask the Council to withdraw the Plan, but allowed it to undertake the necessary work to underpin a change in the strategy, the anticipated further delay would be of the order of at least seven months. In either scenario the Council would be at risk of falling foul of the Government's cut-off point of 31 March 2017 and the completion of the Plan being taken out of its hands altogether.

Against a background of historical success in defending appeals, in the period since the Examination was suspended the Council had lost 5 appeals relating to major housing developments, amounting to 591 dwellings on sites not otherwise deemed to be acceptable by officers or members. There were a further 6 appeals pending, for a total of 470 dwellings.

In addition, there were currently 12 planning applications for housing developments pending, amounting to a further 1003 dwellings, half of which were on sites neither allocated nor proposed to be allocated for housing. In the absence of an adopted Plan, or any significant progress on the submitted Plan, and without a 5-year land supply, it would be increasingly difficult for officers to recommend refusal or defend appeals, leading to speculative housing developments being permitted in an unplanned manner across the District contrary to an effective plan-led system.

The Strategic Director acknowledged that some of what she had said might not be universally welcomed by members, but as the most senior advisor on planning matters she believed it to be her responsibility to lay out the risks clearly for members to consider before they discussed and then voted on the matter.

In proposing the recommendations, Mr Mills emphasised that West Oxfordshire was a beautiful place in which to live with its charming villages and thriving market towns. The Local Plan sought to achieve a balance between protecting the local landscape and responding to the increasing pressure for development in which demand for housing outstripped supply. House prices and rents continued to increase across the whole District and affordability was a real issue. Mr Mills stressed that it was essential that residential development was accompanied by infrastructure improvements and additional local employment opportunities to support the expansion of the local economy.

Mr Mills expressed his support for the economic regeneration of Carterton, expressing the hope that the proposals would help to retain the skills of former RAF personnel in the area once they had left the service. Increased employment opportunities in the District would enable residents to work closer to home, reducing the current trend of out-commuting and facilitating a better work/life balance.

Mr Mills acknowledged that there was opposition to some of the proposals but indicated that there were no easy answers in providing the housing numbers necessary whilst protecting existing communities and the countryside.

Mr Mills made reference to a number of speculative developments that had been approved on appeal and advised that there were a number of applications submitted on unallocated sites that had yet to be determined. In order to protect the District against such speculative development, it was essential for the Council to put a Local Plan in place. Doing so would enable the Local Planning Authority to ensure that homes were provided in appropriate locations and to defend local decisions. Delay would continue to expose the Council to speculative applications and the prospect of intervention by Central Government. The Council could not stop houses being built but the adoption of a local plan would allow it to take local decisions on where homes were to be provided.

In seconding the proposition, Mrs Baker concurred with Mr Mills and urged Members to respect the advice of the Council's Officers and support the recommendations. Failure to do so would render the Council vulnerable to continued speculative applications and the costs associated with defending appeals. She suggested that there was not the time to make changes in the allocation of strategic sites prior to submission of the plan as to do so would leave the Council open to the risks of delay and challenge. Mrs Baker stressed that it was the Council's responsibility to ensure that the necessary infrastructure was agreed and put in place and, whilst acknowledging that Members may have concerns, indicated that it was imperative that the Council put a Local Plan in place as soon as possible.

Mr Emery acknowledged the need to approve a Local Plan to protect against Government intervention and to resist inappropriate speculative applications by developers seeking to capitalise on the lack of a five year land supply. However, Mr Emery expressed his concern over certain aspects of the plan in relation to Eynsham. He suggested that the plan paid scant regard to the three towns' strategy which sought to centre major development on Carterton, Witney and Chipping Norton where existing infrastructure could support large development and where there was local support for further development as part of regeneration activity.

He indicated that Eynsham, a village of 2,200 properties, had been selected to accommodate all of the housing that the Growth Board had allocated to West Oxfordshire to meet Oxford City's unmet housing need, a total of some 2,750 dwellings. The Plan indicated that these properties were to be accommodated by the creation of a new Garden Village, with 2,200 houses a short distance from Eynsham, separated only by the busy A40. Mr Emery stated that public consultation in Eynsham made it clear that local residents did not consider that this was sufficient separation between new and existing settlements and contended that this was confirmed by the Government's advice on expressions of interest in Garden Villages.

The remaining 550 homes from Oxford's unmet need were to be allocated to a strategic site at the western end of Eynsham, together with a further 450 dwellings to meet West Oxfordshire's requirements. Mr Emery contended that there was no need to allocate these 550 properties in Eynsham itself and drew attention to other large applications already in the pipeline. He suggested that these developments were in contravention of

Core Objective CO10 which stated that land would not be released for development until supporting infrastructure had been secured and indicated that existing infrastructure was at capacity. The village was unable to take the proposed level of expansion to the west and local residents were of the opinion that it was too great.

Mr Emery asked officers to reconsider this allocation and add the 550 properties from the west of Eynsham to the 2,200 proposed for the Garden Village; and possibly to add some from the plan's increased housing target. This would create a new, sustainable community and provide additional developer funding for essential infrastructure. The Council could then allocate the western end of Eynsham as a strategic site in reserve for consideration in the next local plan review.

Mr Cooper proposed the following amendment to the proposition, indicating that, whilst he supported development in principle, the critical question was to what level and where:

That recommendation (a) in the report is approved subject to the removal of the Witney North site from the Plan, to be replaced by the site at Alvescot Downs, adjacent to Carterton and known as Carterton West

Mr Cooper explained that he wished to see the removal of the Witney North site from the plan as the town did not have a good record of delivering supporting infrastructure through development whilst Carterton had been able to do so. Development in Carterton would be best placed to bring benefits to the local community as the town would be strengthened by development. He suggested that the Council ought not to be concerned by the prospect of legal challenge as it had successfully defended its position over the last local plan and, provided that it could show that it had adhered to due process, would be able to do so again. The amendment was seconded by Ms Leffman who indicated that north Witney was an unsatisfactory site with problems due to flooding. She agreed that there was scope for further development in Carterton and noted that the Town Council supported expansion.

Mr Dingwall indicated that the Council had been in a very different position in 1995 when it was approving rather than amending an already submitted plan. He reminded Members that a number of highway projects had been delivered in Witney through developer funding in the past, citing Deer Park, Thorney Leys, Station Lane, Witan Way, Jubilee Way and Woodford Way as examples. He also made reference to air quality issues in Bridge Street, indicating that, following the loss of the Cogges Link Road, development at Witney North represented the only possibility of resolving this through the construction of a second river crossing.

Mr McFarlane expressed his support for efforts to improve Carterton but indicated that he did not support the development of Carterton West. Instead, he favoured the redevelopment of MOD land in the town. Whilst a supporter of affordable housing and neighbourhood planning, he could not support the amendment which would see development on Alvescot Downs, an area of natural beauty, resulting in traffic and access difficulties and flooding problems downstream. The concept was opposed by all the local councils in the parishes impacted by the development and Mr McFarlane urged Members to oppose the amendment.

Mr Morris indicated that, as a representative for Witney North, he did not consider development in that area favourably. However, the Inspector had invited the Council to reconsider its housing targets and allocate additional sites, not to remove existing allocations. The proposed amendment represented a fundamental change in the plan. Failure to adopt a Local Plan would result in planning by appeal until the Government intervened. The Council had already seen a significant number of dwellings approved on appeal in locations it had considered inappropriate and this would continue if a plan was

not put in place. The Council would need to provide evidence to substantiate a decision to swap sites in the manner suggested and to re-start the local plan process would lead to continuing development without the mitigation of improvements to infrastructure.

The Council had to base a decision on what was best for the District as a whole and Mr Morris urged Members to accept the changes as proposed or risk planning by appeal and Government intervention.

Mr Postan indicated that the Council was compelled to accept the housing numbers determined elsewhere and imposed upon it. In meeting the demand for growth and that unmet demand from Oxford City, all parts of the District had to carry their share of the burden. Shifting development to another ward would simply create a vacuum that would soon be filled. In the absence of a plan the most talked about sites would have to carry the load. However, with a plan in place, the Council would be able to plan properly. Numbers and locations were secondary to the quality of development and housing demand had to be accommodated for the greater good.

Mr Enright indicated that, whilst North Witney had flaws; development at West Carterton was not satisfactory. He would not support the current amendment but intended to put forward an alternative.

Mrs Hill expressed her support for the concerns expressed over the Witney North site by residents of Hailey.

Mr Mills indicated that, whilst there were technical reasons that rendered Carterton West unsuitable, he would focus on more pragmatic concerns. As there were three potential development sites in Carterton, to allocate one at this stage would inevitably lead to the other two contesting the decision as to why that site was favoured over the others. The consequent delay would render the Council vulnerable to further speculative development and Mr Mills urged Members to vote against the amendment.

The amendment was then put to the vote and **was lost**.

Mr Cooper then proposed a further amendment in the following terms:-

That recommendation (a) in the report is approved subject to the Oxford City unmet need being reduced from 2750 to 2200, by counter-claiming that the City Council can develop sites at Southfield Golf Course, Oxford Stadium and on the land released by the increased level of flood prevention work, to give a pro-rotta reduction to enable the deletion of the West Eynsham site from the Plan

Mr Cooper questioned how the figure for Oxford's unmet need had been approved and explained that, by addressing part of that unmet need within the City, it would be possible to exclude the West Eynsham site from the plan.

In seconding the amendment, Ms Leffman expressed sympathy for the concerns expressed by Mr Emery, indicating that the road network was inadequate to support the levels of new development proposed. She considered that not enough thought had been given to the impact of the plan's proposals upon Eynsham and traffic flows into Oxford. Ms Leffman also expressed concern that there had been no consultation with local residents over the new Garden Village proposal. Whilst acknowledging the importance of adopting a Local Plan, Ms Leffman stressed that it was important to ensure that the content was correct.

Mr Enright spoke in opposition to the amendment, indicating that the Council could not re-open negotiations with Oxford City over its unmet housing need. To do so would put the local plan process back to square one and Mr Enright indicated that Members could not seek to base its decision on electoral conveniences.

Mr Emery opposed the amendment, emphasising that it was imperative for the Council to put a plan in place. He noted that the Council was being asked to approve the plan for public consultation and indicated that he would encourage local residents to express their views during this period.

Mr Dingwall concurred with Mr Enright and Mr Emery and advised that landowners between Eynsham and Long Hanborough had been contacted by various parties in an effort to promote development that could result in some 10,000 to 15,000 homes being constructed to join these two settlements. He reiterated the importance of getting a plan in place.

Mr Morris stressed that the purpose of the meeting was to approve proposals for consultation. Ms Leffman had been correct in saying that there had been no consultation in Eynsham as this meeting was the forum that would approve proposals for consultation. He noted that the Council had a duty to co-operate in addressing Oxford's unmet demand and acknowledged that the afternoon was difficult in electoral terms as difficult decisions had to be taken.

Mr McFarlane advised that the level of unmet need had been agreed through the Oxfordshire Growth Board and had been clearly stated as the Local Plan process developed.

Mr Mills welcomed Mr Enright's comments, indicating that he had always lived in West Oxfordshire. He acknowledged that difficult choices had to be made and it was incumbent upon Members to take them for the right reasons. Mr Mills stressed that he too wished to see the best for Carterton.

In relation to the level of Oxford City's unmet need, Mr Mills reminded Members that the Planning Inspector had required the Council to contribute to addressing that requirement. This coincided with the well-publicised work of the Growth Board during which senior officers from all the Oxfordshire authorities had considered all potential sites, including those in West Oxfordshire, against agreed criteria, concluding that, in technical terms, the best location was the area to the north of Eynsham. Oxford City's unmet need was assumed to be in the region of 15,000 homes and the figure apportioned to West Oxfordshire was considered to be deliverable during the plan period. As larger sites required a greater lead time, breaking the allocation down between sites offered enhanced deliverability over a single site.

With regard to the A40, Mr Mills advised that there had been a presentation in Eynsham regarding the provision of bus lanes during the previous month and Policy LTP4 within the County Council's Strategic Transport Plan set out an extensive strategic vision for the A40 corridor linking science and business parks in the County. As drafted, the Local Plan offered the opportunity to create employment within the District and reduce out-commuting. Mr Mills urged Members to vote against the amendment.

The amendment was then put to the vote and **was lost**.

Mr Cooper then proposed a further amendment in the following terms:-

That recommendation (a) in the report is approved subject to the following sites being deleted from the Plan, by following the assumption in the Peter Brett report and going for an uplift of approximately one-eighth, and on the grounds that each of the sites is in an unsustainable location:

Minster Lovell

Shipton-under-Wychwood

Stanton Harcourt

The three sites in Woodstock

Mr Cooper indicated that, whilst he was not opposed to development in principle, he considered that these sites were not sustainable, expressing particular concerns over parking and transport.

In seconding the amendment, Ms Leffman concurred.

Mr Simcox noted that the site in Shipton-under-Wychwood had been identified in the Strategic Housing and Economic Land Availability Assessment and, whilst he considered the number of homes proposed to be excessive, he acknowledged that some development was acceptable on the site. He indicated that the numbers involved were open to public consultation and it was necessary to place weight and faith in that process.

Mr Dingwall indicated that, whilst Mr Cooper contended that the proposed level of development was too high; officers had sought to limit development to the minimum level acceptable to the Planning Inspectorate. Individual sites had been carefully considered and it was essential that a Local Plan was put in place to protect against speculative applications.

Mr Mills advised that failure to allocate these sites would not preclude development as they would be open to speculative applications.

The amendment was then put to the vote and **was lost**.

Mr Enright then proposed an amendment in the following terms:-

That recommendation (a) in the report is approved subject to the removal of the Witney North site from the Plan, to be replaced by the site adjacent to Carterton and known as Carterton North.

In proposing the amendment, Mr Enright indicated that Witney North was the least popular of sites and the subject of reservations. Mr Enright did however respect the need to approve a Local Plan to avoid speculative applications.

The amendment was seconded by Mr Saul.

Mr Morris indicated that, whilst he did not consider Witney North to be a desirable location for development, he was unable to support the amendment as the Council could not simply substitute a previously identified site. As had been said before, all the good sites had been developed already and it was now a case of identifying the least worst.

Mr Postan indicated that the amendment would create a vacuum in North Witney whilst imposing further significant levels of development on Brize Norton Parish.

Mrs Little expressed her support for development at Carterton North but indicated that she could not support the amendment as it was essential that the Local Plan went forward. Development at Carterton North would continue to be promoted through the Carterton Masterplan.

Mr Dingwall emphasised that efforts had been made to keep housing numbers low and West Oxfordshire was expected to take half that of other districts and half the amount of Oxford City's unmet need compared to allocations in Cherwell and South Oxfordshire. Mr Dingwall indicated that, during the 1980's, it had been intended to locate development in a circle round Witney with sites at Cogges, Thorney Leys and Deer Park, providing improvements to the highway network through associated developer funding. The site of Woodstock Road, incorporated within the Local Plan last year, represented the final element of this plan and, should it be found to be undeliverable for technical reasons, planning permission would not be forthcoming.

Mr Cooper agreed that the best sites for development had already been taken but stressed that a second river crossing had yet to be constructed at Witney whilst

infrastructure improvements had been delivered at Carterton. Whilst recognising the importance of approving a Local Plan, Mr Cooper cautioned Members against being panicked into a decision.

Mr Mills stressed the need for affordable homes for local people and cautioned that, in the absence of an approved Local Plan, the District would be hostage to speculative applications which would result in further development with less funding being made available for affordable housing. Affordable housing could only be provided through development and developer funding and Mr Mills urged Members to vote against the amendment.

The amendment was then put to the vote and **was lost**.

(Mr Howard and Mr Morris abstained from voting on these amendments and requested that this be so recorded)

(Mrs Little left the meeting at this juncture)

Members then proceeded to debate the substantive motion.

Mr Howard indicated that he considered the plan to be thorough and well thought out but regretted the absence of a strategic allocation in Carterton. He questioned the extent of the backlog in housing delivery and suggested that recent approvals at appeal had reduced this still further. Mr Howard also suggested that the Council should use the Sedgefield approach in preference to the Liverpool method in calculating the five year housing land supply, front loading the calculation and absorbing the shortfall over a five year period.

Mr Howard also suggested that the extent of Oxford City's unmet housing need post 2021 was a 'best guess' that could change over time and asked Officers to consider these points during the consultation period.

Mr Enright thanked Officers for all their work on the Local Plan. He questioned whether the National Planning Policy Framework fulfilled its stated objective of delivering community involvement and stressed the importance of providing housing at the correct time, price and place. Mr Enright suggested that the current system focussed on maps rather than people and he considered the housing market to be broken. The Council needed to do more; it had to intervene as an active player and build rather than just plan.

Mr Enright expressed his concern at the lack of a sustainable site in Carterton and what he considered to be the over-emphasis placed upon Witney. He suggested that development in East Witney would bring benefits and not be detrimental by overloading infrastructure. Finally, Mr Enright questioned whether the Council had sufficient capacity to engage with and support local communities in developing robust neighbourhood plans.

Mr Dingwall urged Members to support the plan or risk unrestricted speculative development. He reminded Members that developer funding had been secured for the Cogges Link Road but had been returned to the developer when the scheme was withdrawn. Had that project come to fruition there would have been no need for development at Witney North as the West End Link Road would not have been required for many years.

Mr McFarlane expressed his support for the proposition, indicating that the Council ought to be proud of its stewardship of the District. There was a demand for housing and affordability was a significant issue. However, it was vital that the requisite infrastructure was put in place. The Strategy had been devised for the benefit of all and it was important to include measures to encourage business growth. Mr McFarlane was pleased to hear of proposals for the regeneration of Carterton and expressed his support for small scale

rural developments and neighbourhood planning. The Local Plan only represented the start of a process, the success of which was reliant upon the detailed delivery of schemes through the development control sub-committees.

Mr Saul indicated that the level of growth proposed in Chipping Norton would present a significant challenge for the town. The need for growth had to be balanced against protection of the environment and it was essential that development was accompanied by improvements to local infrastructure. Mr Saul expressed his support for neighbourhood planning and encouraged other communities to follow this route. He made a plea for support for the process from the Council's Officers and advised that community involvement was essential in involving local residents in the planning process rather than simply imposing matters on them.

Mr Cooper suggested that the Local Plan failed to take account of the views of the residents of Chipping Norton as expressed through the neighbourhood plan and expressed his disappointment that the Economic and Social Overview and Scrutiny Committee had failed to consider the Local Plan as it would have been an appropriate forum in which to test and influence views.

Mr Owen questioned the cost to the Council in defending the recent series of appeals. In response, the Chairman undertook to provide Members with a written answer.

Ms Leffman expressed her appreciation of the work undertaken by Officers but expressed concern over the Cabinet's decision to refer the plan to Council without comment. Ms Leffman acknowledged the importance of investment in the economy and the creation of employment but questioned whether the development of science parks would create significant local employment. Ms Leffman also acknowledged the importance of approving a Local Plan to control speculative development.

Ms Leffman indicated that neighbourhood plans could be over-ridden to some extent by the Local Plan and expressed her concern that developers could seek to obviate the requirements of the plan in relation to the provision of affordable housing by phasing development and constructing limited numbers of large properties rather than smaller dwellings at a higher density.

Ms Leffman also noted that rental levels in the District were high and emphasised the importance of providing a mix of housing tenures. Whilst she did not consider the amended plan to be ideal, Ms Leffman offered her reluctant support as it represented the only way forward. In conclusion, Ms Leffman called for a robust consultation process.

Mr St John indicated that, whilst he had not exercised a vote on any of the earlier amendments, he wished to put on record his agreement with the concerns expressed by the residents of North Leigh over the proposed development at North Witney. He expressed concern with regard to the impact of increased traffic generation and suggested that development in this location would be contrary to Policy OS3 as it failed to minimise the risk of flooding. Some 1,000 acres drained into a culvert at the edge of the site and the construction of houses draining in this direction would exacerbate the risk of flooding downstream. Thames Water had failed to provide adequate foul water infrastructure and should be held to account.

However, Mr St John considered that there was a greater risk to the District in not having a plan.

(Mr Cotterill left the meeting at this juncture)

Mr Coles indicated that adoption of a local plan was essential, citing the recent appeal decision in relation to the site off Burford Road in Witney as an example of the type of development that could result in its absence. Approval of a local plan would also enable

the provision of affordable housing to address the need evident in West Oxfordshire. Mr Coles questioned the extent of the apportionment to West Oxfordshire of Oxford City's unmet housing need and expressed some concern over the intention to disperse some 50% of the housing target to outlying areas in the absence of public transport. In conclusion, Mr Coles expressed his support for the retention of car parking provision at Woodford Way.

Mr Morris concurred with Mr St John and stressed the importance of bringing planning back under local control where decisions could be taken in the best interests of the District. He went on to state that future development must mitigate its impact upon local infrastructure with improvements being undertaken prior to the occupation of new dwellings.

Mr Cottrell-Dormer indicated that, whilst he did not favour certain aspects of the plan, it was vital that a Local Plan was put in place.

Mr Good expressed his support for the proposition, indicating that local communities were sensitive to the threat posed by speculative development and, in particular, the impact upon small villages.

Mr Brennan was pleased to see that there was support amongst Members for development at Carterton North but indicated that he had been unable to support the amendments as the over-riding imperative was to put a Local Plan in place. Lessons had to be learned from the implications of the failure of having done so earlier. Carterton was a town with a population of some 17,000 and the plan would not deliver the four way junction at the A40 Minster Lovell junction or the previously proposed extension at Monahan Way.

The town had no care home, cemetery, hotel or restaurant and the plan would only provide employment land once existing sports facilities had been relocated elsewhere. The town had seen a number of shops close and Mr Brennan expressed doubt that MOD land within the town would be sufficient to take the quantum of housing required.

Dr Poskitt indicated that development needed to deliver affordable housing, infrastructure and parking before development, not only financial contributions.

Mr Wall indicated that Chipping Norton was in need of more affordable housing and, whilst development was required to secure infrastructure, he considered the 1,400 proposed on county council land to be excessive. He expressed concern that the Chipping Norton Neighbourhood Plan was being overridden and the hope that the wishes of local residents would be heard during the consultation period.

Mrs Carter opposed the plan and, whilst acknowledging the need, did not consider that it would help those communities that had lost local services already.

In summing up, Mr Mills reminded Members that adoption of the Local Plan would enable the introduction of the Community Infrastructure Levy which would allow local councils to access developer funding. He noted that Carterton experienced a high level of out commuting and, whilst recognising that the on-going vitality of the town centre was an issue, indicated that development had to take place in the right order to avoid the town becoming a dormitory settlement. He advised that discussions with the Defence Infrastructure Organisation were continuing in an effort to find innovative ways in which to bring forward development on the REEMA sites.

Mr Mills cautioned that to base the calculation of the five year housing land supply on the Sedgefield approach rather than the Liverpool approach would mean that the Council would have to deliver more than 1,000 dwellings per year over the period to 2021, a level of growth that had never been achieved in the past.

Mr Mills advised that, should the Garden Village bid find favour, the additional funding available would be used to provide additional resources within the Planning Department. In addition, the development of the proposed company model would strengthen resilience across the partner authorities.

Mr Mills indicated that further community involvement would come through the consultation process and advised that there had already been some community engagement through the neighbourhood planning process. He also informed Members that legislation was being brought forward that was expected to increase the power of neighbourhood plans. Where the Community Infrastructure Levy was connected to a neighbourhood plan, local councils would be able to access 25% of the available developer funding.

Mr Mills made reference to air pollution issues in parts of Chipping Norton and indicated that CIL funding could provide infrastructure improvements that would be of benefit in addressing these difficulties.

Mr Mills advised that the Shores Green junction improvements would be funded through development at Witney East and that this could also help deliver air quality management measures in Bridge Street not addressed via Shores Green.

With regard to the development of science parks, Mr Mills advised that the County Council's Transport Plan and the OXLEP Strategic Economic Plan envisaged a science transit link, joining up the existing centres across the county and potentially linking through to Eynsham.

In conclusion, Mr Mills acknowledged that there were difficult decisions to be made but suggested that the proposals offered a way in which to manage housing development, providing homes in the best possible manner. He recognised that there were issues in relation to car parking but reminded Members that the Council was currently working on the development of a parking strategy to tie in with the Local Plan.

He explained that he had not proposed the recommendations with his eyes closed and was well aware of local fears. However, he believed that the District would be at greater risk without a Local Plan in place and reiterated that the Plan would offer benefits to local communities through the Community Infrastructure Levy.

The substantive motion was then put to the vote and was carried.

RESOLVED:

- (a) That the suggested modifications to the submission draft Local Plan, as shown in the track changes to the Local Plan attached at Appendix 1 to the Cabinet report be approved for the purposes of the Local Plan Examination and statutory consultation for a period of 6 weeks on the main modifications;
- (b) That the updated 5 year housing land supply position statement attached at Appendix 2 to that report be published and utilised for the purposes of the Local Plan and development management; and
- (c) That the Head of Planning and Strategic Housing be authorised to make any minor factual/typographical amendments to the suggested Local Plan modifications or to the housing land supply position statement, in liaison with the relevant Cabinet Member, prior to formal publication.

44. RECOMMENDATIONS FROM THE EXECUTIVE AND COUNCIL COMMITTEES

The Council considered the report of the Chief Executive setting out recommendations made by the Cabinet and the Council's Committees from 15 September to 19 October 2016.

The recommendations were proposed by Mr Mills and seconded by Mr Morris and on being put to the vote were carried.

RESOLVED: that the recommendations made by the Cabinet and the Council's Committees from 15 September to 19 October 2016 be approved in relation to:

- (a) Approval of the budget parameters for 2017/2018 (Minute No. CT/59(a)/2016/2017);
- (b) The 2020 Partnership – Establishment of Companies (Minute No. CT/69/2016/2017);
- (c) The allocation of funding to finance a Local Authority Partnership Purchase Broker Scheme (Minute No. CT/70/2016/2017);
- (d) The introduction of Clinical Waste Charges for Nursing Homes (Minute No. CT/71/2016/2017); and
- (e) The Management of the Kier Contract and Transfer of Waste and Recycling Services to Ubico (Minute No. CT/75/2016/2017).

45. REPORTS OF THE CABINET AND THE COUNCIL'S COMMITTEES

The reports of the meetings of the Cabinet and the Council's Committees held between 15 September and 19 October 2016 were received:

45.1 Low Carbon and Environment Plan (Minute No. ENV/31.4/2016/2017)

Mr Coles expressed his thanks to Officers for taking the time to meet with him to discuss the Low Carbon and Environment Plan.

45.2 Members Questions - Issue of Fixed Penalty Notices in Bampton and Clanfield (Minute No. ENV/35/2016/2017)

Mr Fenton sought further information on the action taken to address concerns he had raised over the issue of Fixed Penalty Notices in Bampton and Clanfield. In the absence of the relevant portfolio holder, the Leader of the Council undertook to provide a written response.

45.3 Delay in Concluding Section 106 Agreements (Minute No. E&S/39/2016/2017))

Mr Cooper enquired whether a reply had been received from the Local Member of Parliament in respect of concerns expressed over delays in concluding Section 106 agreements. The Chairman of Council undertook to provide a written response.

46. NOTICE OF MOTION – CENSUS INFORMATION REGARDING MILITARY SERVICE

The following motion had been received in the names of Mr J F Mills and Mr E J Fenton:-

This Council notes:

1. *The obligations its owes to the Armed Forces community within West Oxfordshire as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most.*

2. *The absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within West Oxfordshire. This includes serving Regular and Reserve personnel, veterans, and their families.*
3. *That the availability of such data would greatly assist the council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within West Oxfordshire.*

In light of the above, this Council moves to support and promote The Royal British Legion's call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community. We further call upon the UK Parliament, which will approve the final census questionnaire through legislation in 2019, to ensure that the 2021 census includes questions concerning our Armed Forces community.

Mr Mills proposed the motion, indicating that the inclusion of such information would assist the Council in developing its key policies such as the Local Plan and those relating to housing and health in such a way as to help address the difficulties experienced by members and former members of the Armed Forces.

The motion was seconded by Mr Fenton and Mr Howard and Mr Enright expressed their support. Mr Dingwall expressed the hope that the information provided would be used by a wide range of organisations to assist service personnel. In response to a question from Mr Cooper, Mr Mills gave details of the definition of military service adopted by the Royal British Legion and Members considered this to be appropriately drawn.

On being put to the vote the motion **WAS CARRIED UNANIMOUSLY**

47. SEALING OF DOCUMENTS

The Council received and noted the report of the Head of Paid Service which gave details of documents numbered 11226 to 11284 sealed since the last meeting.

The meeting closed at 5:10pm