



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	Council – Wednesday 28 July 2021
Report Number	Agenda Item No. 6
Subject	Petition: Witney North Local Plan Housing Allocation
Wards affected	Witney North
Accountable member	Councillor Jeff Haine, Cabinet Member for Planning Email: jeff.haine@westoxon.gov.uk
Accountable officer	Giles Hughes, Chief Executive Tel: 01993 861613 Email: giles.hughes@westoxon.gov.uk
Summary/Purpose	To report on the presentation of a petition calling for the reconsideration of the Local Plan strategic housing site allocation at Witney North, and provide some comment to be taken into account.
Annexes	None
Recommendation	That Council considers the petition calling for it to reconsider the North Witney Local Plan Housing Allocation, in the context of the information and comment contained in this report.
Corporate priorities	
Key Decision	N/A
Exempt	No
Consultees/ Consultation	None on this report, but the Local Plan was subject to the full statutory consultation processes and the independent examination process

I. BACKGROUND

- 1.1. The Council's Petition Scheme provides for a debate at a Council meeting where the petition is supported by more than 1500 people.
- 1.2. Under the scheme, the "petition organiser" is entitled to five minutes at the meeting in which they may present and explain it, and a maximum of 15 minutes is allowed for discussion by the Council – subject to an extension of time at the discretion of the Chair "in exceptional circumstances".
- 1.3. It is for Council to decide how to respond to the petition – subject for example to any legalities, it may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

2. MAIN POINTS

- 2.1. A petition supported by approximately 1800 people was received electronically via Councillor Duncan Enright, in April. Some of those supporting it were not residents of the District, but it is clear that the number of such is not sufficient to reduce the overall number to 1500 or fewer, hence the reference to this meeting for a discussion in accordance with the Petition Scheme. The wording of the petition is "*Reconsider Witney North development of 1400 homes*".
- 2.2. As referenced above, it is for Council to decide how to respond to the petition. Given the nature of what is requested and the statutory framework around the adoption of the West Oxfordshire Local Plan and the circumstances in which strategic housing site allocations may be reconsidered, [section 3](#) of this report contains relevant comment and information provided by the Planning Policy Manager.
- 2.3. It is appropriate also to mention that this is the first time that Council has debated a petition in this way in the period since the introduction of the Petition Scheme. It is no longer obligatory for the Council to have a Scheme but, if it does continue to do so, it needs to be reviewed and updated. A report recommending the establishment of a Constitution Working Group is included elsewhere on the agenda for this meeting, and consideration and review of the Petition Scheme is proposed to be incorporated into the work programme of that Working Group.

3. INFORMATION AND COMMENT FROM THE PLANNING POLICY MANAGER

Introduction

- 3.1. Land to the north of Witney is allocated in the adopted West Oxfordshire Local Plan 2031 for the provision of around 1,400 new homes. Policy WIT2 applies and stipulates a number of criteria to guide the future development of the site, including the need for comprehensive development to be led by an agreed masterplan.

Background

- 3.2. The principle of residential development to the north of Witney has been considered through a number of previous Local Plan examinations, most recently when the District Council published its draft Local Plan in March 2015 and proposed to allocate the North Witney Strategic Development Area (SDA) for 1,000 homes.
- 3.3. At public examination in November 2015, the appointed Inspector suspended proceedings to enable the Council to undertake further work to address his concerns which centred on the number of homes proposed.
- 3.4. Through proposed main modifications to the Local Plan published in November 2016, the Council increased the overall District housing requirement from 10,500 homes to 15,950 homes (including 2,750 homes in respect of Oxford City's housing

needs) and in doing so, proposed an increase in the number of homes allocated at the North Witney SDA from 1,000 to 1,400 homes.

- 3.5. The merits of the modifications including the North Witney SDA were considered through examination hearing sessions held in May and July 2017.
- 3.6. The Inspector's report was published in August 2018 and concluded in respect of the North Witney SDA that *'the significant contribution the allocation would make to meeting West Oxfordshire's housing requirements, on a site adjoining the district's main town and relatively close to its shopping centre, outweighs the harm likely to be caused by the development'*.
- 3.7. The North Witney SDA was subsequently included in the final West Oxfordshire Local Plan, which was formally adopted on 27 September 2018.

Reconsidering the North Witney Allocation

- 3.8. The submitted petition calls for the North Witney allocation to be reconsidered. Although no reason is stated, it is presumed that the petition has been submitted due to the environmental sensitivities of the site including in particular flood risk with flooding taking place in and around Hailey Road over the winter months.
- 3.9. These concerns reflect many of the views which were expressed to the Local Plan Inspector during the examination hearings in 2017. His report at paragraphs 125 – 132 addressed a number of these sensitivities including landscape impact, flood risk, foul water drainage, and transport and concluded that on balance, the site should be allocated for development.
- 3.10. It is important to note in this respect, that Local Plan Policy WIT2, which applies to the North Witney SDA, includes a large number of specific requirements to ensure that the impacts of development are carefully considered and mitigated. This includes requirements relating to transport and other supporting infrastructure, flood risk and drainage, conservation of heritage assets, phasing of development, landscaping, biodiversity, green infrastructure and the use of renewable energy, sustainable design and construction methods.
- 3.11. In terms of whether the allocation of the North Witney SDA can be 'reconsidered', it is relevant to have regard to paragraph 120 of the NPPF which states the following:
 - 120 Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:
 - a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
 - b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.
- 3.12. In respect of the North Witney SDA, the Local Plan was adopted a relatively short time ago (September 2018) and it is generally acknowledged that the 'lead-in' times for large, strategic sites are relatively long, particularly where multiple land ownerships are involved.

- 3.13. On this basis, it is not particularly unusual that new homes are not yet in place on the site. The Local Plan housing trajectory is purposefully 'stepped' to reflect the fact that the strategic allocations such as North Witney are expected to come forward in the second half of the plan period (i.e. from 2021 onwards).
- 3.14. It is also relevant to note that there is clear developer interest in bringing the North Witney SDA forward, with two as yet, undetermined planning applications submitted for the eastern and western parts of the site. These have been unable to be determined in the absence of an agreed masterplan but the District Council is working closely with the relevant land controlling interests in order to bring this forward.
- 3.15. On this basis, Officers do not consider that, at this point in time, it can be concluded that there is '*no reasonable prospect of an application coming forward for the use allocated in a plan*'.
- 3.16. As such, there is no valid reason to consider the 'deallocation' of the North Witney SDA in the context of paragraph 120 of the NPPF at this point in time. The proposed review of the West Oxfordshire Local Plan due to take place from November 2021 – September 2023 will provide an opportunity to further consider the matter.

4. FINANCIAL IMPLICATIONS

- 4.1. This report has no financial implications.

5. LEGAL IMPLICATIONS

- 5.1. None additional to the comment included above.

6. ALTERNATIVES/OPTIONS

- 6.1. Subject to any advice as to the statutory position which may be required to be given at the meeting, council is able to decide how to respond to the petition.

7. BACKGROUND PAPERS

- 7.1. None