

Drayton Parish Council
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Minutes of the Meeting of Drayton Parish Council Planning Committee,
Held on Monday 22nd April 2013 at 19:30 in the Village Hall, Lockway, Drayton

Present: Daniel Scharf (Chairman); Laurence Zipson; Jennifer Pooley

Not Present: Naomi Broomfield; Richard Williams; Richard Webber

In attendance: Christopher Price (Deputy Parish Clerk)

APOLOGIES FOR ABSENCE

Apologies had been received from Naomi Broomfield; Richard Williams; Richard Webber and these were **noted.**

PUBLIC PARTICIPATION

No members of the public were present.

DECLARATIONS OF INTEREST AND DISPENSATIONS

There were no declarations of interest at this stage of the meeting, nor any dispensations received in advance by the Clerk needed for consideration.

1. LOCAL PLAN 2029 PART ONE:

To discuss the Parish Council's response to the Draft VWHDC Local Plan.

The VWHDC is consulting on the new draft Local Plan 2029 Part One: Strategic Sites and Policies. The Local Plan is one of the key planning policy documents designed to help guide decisions that are made about developments in the district for the next 15 years. This consultation is running for an extended 10 week period. The draft plan has been available for a four week period in advance of the statutory six week time period to allow the public to review and familiarise themselves with the document. On 28th March the evidence base reports and supporting documentation was published for the formal six weeks public consultation. The deadline for response is 4:00pm 9th May.

Daniel Scharf started the meeting by running through the minutes from the meeting with Surrounding Parish Councils held on 8th April 2013.

The rest of the meeting was spent discussing the 'Sustainability Group Comments on Draft Local Plan ("the Plan")' document – see **Appendix.**

Daniel Scharf **Proposed** to include representations on the following matters in the PC response to the VWHDC:

(a) Housing generally: Concern about lack of clarity on housing numbers but that it seemed from Table 4.1 (housing delivery target in Abingdon and Oxford Fringe of 299 at April 2012) and Core Policy 2 limiting housing "to providing for local needs" that the 'need' in Drayton to provide housing numbers to conform with the draft Plan was very limited and that new housing could be accepted on terms, preferably those set out in the Neighbourhood Development Plan. The 'support' for services and facilities should be amended to 'enhancement' to be consistent with the Framework presumption in favour of sustainable development. In the absence of significant need it should be possible to give weight to the protection of the character of the village in considering housing developments (see similar comments from the other parish councils). On the question of housing mix, the committee thought that housing developments in multiple units should be of one and two bedrooms but that individual houses might be larger.

Agreed: Unanimously

(NB the question of whether the larger houses should be designed with the potential for sub-division through bedsits or annexes was not discussed and will need to be considered).

(b) Contributions: Core Policy 5 makes the case for developer contributions to provide infrastructure and services but read with para 3.4 of the Infrastructure Delivery Plan, it is unclear that contributions from all development in the Larger Villages would be required to contribute to their sustainability. The Plan should be clarified. ‘Comparative’ sustainability referred to in the Plan is not the same as the sustainability described in the Framework (eg the carbon targets in the Climate Change Act or the Committee on Climate Change budget requiring zero carbon from transport by 2040). To make the necessary improvements to the sustainability of the village low carbon transport alternatives need to be made more available and attractive, and local employment and recreation opportunities need to be improved. Importantly, the capacity of the school needs to keep up with village demand.

Agreed: Unanimously

(c) Green Belt: It was noted that parts of the sub area closer to Oxford (and with rail access) should be considered to be more sustainable as locations for housing than Drayton. This could indicate the desirability of a Green Belt swap with land between Abingdon and Drayton being designated as Green Belt.

Agreed: Unanimously

(d) Housing Extensions: The impact that house extensions could have on the affordability and scale of housing permitted in accordance with the Plan to meet housing ‘need’ and also on the energy efficiency (eg fabric and air tightness), justified a policy supporting the removal of permitted development rights (ie the need to make applications to maintain control) in the case of new village developments.

Agreed: Unanimously

(e) Self Building: Self-building is mentioned in the Framework and has advantages which the Plan should acknowledge. The Plan should not be neutral on this but supportive.

Agreed: Unanimously

(f) Co-Housing: It was noted that Hanover (main player in social housing and for the elderly) and Grosvenor (substantial private sector developer) have joined the developers expressing interest in co-housing. The planners at district (and neighbourhood) level should be leading and not running behind this trend.

Agreed: 2 Yes Votes and 1 Abstention

(g) Phasing: Seen as an important way to improve the prospects of new developments meeting local needs as per CP2.

Agreed: Unanimously

(h) Code for Sustainable Homes 6: Although CSH 5 (as per Bicester expansion) might be suitable the Plan is an opportunity to secure zero carbon housing and defining some reasonable ‘allowable solutions’ for use when CSH not possible on the site.

Agreed: Unanimously

(i) Transport – No to Abingdon Southern Bypass: Regarded as a potential scar on the landscape and any benefits outweighed by costs (including huge construction costs) and if developer funding came from housing between Drayton and Abingdon.

Agreed: 2 Yes Votes and 1 No Vote

(j) Transport – A34 Noise / Pollution: The Plan should acknowledge the impacts of the A34 on Drayton and the potential for these being reduced by lower speed limits, noise barriers and quiet surfacing.

Agreed: Unanimously

(k) Food and Agriculture: The Plan should engage with the debate about local food production and seek to secure the opportunities for developments in the village fringe to support the growth of small farming enterprises providing local food and jobs in growing, processing and distribution.

Agreed: 2 Yes Votes and 1 Abstention

(l) Energy Plans: These should be a requirement of development proposals (like travel plans) describing the energy efficiency of the buildings but also any on site and the need for off site generation. It was agreed that the proliferation would be unsightly and wasteful of agricultural land while roofs of new and existing buildings were not utilized.

Agreed: Unanimously

(m) Water: Comments of the sustainability group were accepted.

Agreed: 1 Yes Vote and 2 No Objections

(n) Neighbourhood Plan: Need to give priority to NDP to maintain credibility in the process.

Agreed: Unanimously

ACTION: Daniel Scharf to discuss with Richard Williams to draft the response document for circulation to Planning Committee, submission to VWHDC (by 9th May) and inspection at the Parish Council Meeting on 13th May.

The meeting concluded at 21:30

Signed:

Date: 13th May 2013

Name: Daniel Scharf

Role: Chairman, Drayton Parish Council Planning Committee

Appendix

Sustainability Group Comments on Draft Local Plan (“the Plan”)

The Sustainability Group met on 18 April 2013 to discuss its contribution to submissions made by Drayton 2020 and the Parish Council. This paper concentrates on the sustainability aspects of the Plan on the understanding that there might be comments being made by other working groups.

The Housing Policy Guidance (HPG) adopted by the Parish Council in December 2012 included a number of policies derived from an understanding of what sustainable development, as described in the National Planning Policy Framework (“the Framework”) would mean in the context of Drayton.

These comments are based on discussions of the neighbourhood planning Working Groups and Steering Group. These representations should be taken as the views of Drayton 2020 responsible for the preparation and the Parish Council that will be responsible for its approval and adoption.

Sustainable Development

Policy CP1, is the core policy relating to the ‘presumption in favour of sustainable development’. However, the text does not explain what sustainable development might be, but actually reads like a presumption in favour of any development. The caveat, that applications ‘that accord with this Local Plan’ will be approved places a very great burden on all the Plan policies that must all achieve sustainable development. One aspect of the Plan that suggests not all of the policies do describe development that would be sustainable is the premise that Drayton, and other large villages, are sustainable locations for new residential development because they have more facilities than other smaller villages. This completely overlooks the fact that VWHDC regard Drayton as being car dependent. Nothing has changed from this position described in para 8.56 and policy H11 of the 2011 Local Plan. The point should be made very strongly in the Plan that the ‘presumption in favour of sustainable development’ will not be met by any development in Drayton that does not contribute to increasing its sustainability as a location for new housing. CP2 can be supported where it says that development in larger villages ‘will be limited to providing for local needs’,

what reads like additional development should not be permitted to ‘support’ services and facilities but to ‘enhance’ them in order to make the location sustainable.

Para 4.11 should also be amended as it applies to larger villages to say, not that “sustainable development will be supported,” but that new development in the larger villages would only be considered to be sustainable if it contributes to improvements to bus services, cycle lanes, and the facilities available in the villages. This would be consistent with the presumption in the NPPF. This would also be consistent with the analysis at paras 4.32 to 4.38 and CP5 ‘Providing Supporting Infrastructure and Services’. For clarity, an additional paragraph could be included in CP5 explaining that for development to be, as the policy indicates, ‘sustainably accommodated’, schools, recreational facilities and other services including public transport of adequate capacity and quality are regarded as essential to the larger villages as sustainable locations for new development. The Infrastructure Delivery Plan says that infrastructure for the building of sustainable communities is only ‘preferable’. The point should be made that in the case of villages, the infrastructure to make these locations sustainable is ‘necessary’. This amendment is necessary to secure the infrastructure through legal agreements as described in CP5. This is the approach would bring the Local Plan into conformity with the Housing Policy Guidance adopted by the Parish Council.

Green Belt

The Plan does not propose any changes to the Oxford Green Belt. However, on the assumption that development closer to Oxford is more sustainable in transport terms than in the area to the south of Abingdon, there might be opportunities to operate a ‘Green Belt swap’ if there is a need for housing land in this sub-area [the Vale seem uncertain of the number required].

Housing

Support CP21 Housing Mix that says that dwelling types and sizes should meet local needs. The VWHDC has been allowing incremental growth almost all of which has been of larger dwellings so, if anything, this Core Policy needs to be reinforced. This is an important policy in light of the scale of under-occupation in the village (see ONS table QS408EW in respect of rooms and QS412EW in respect of bedrooms) and perhaps should be given express mention in the Plan.

CP21 could continue to say that where circumstances justify larger dwellings, that these ‘extra rooms’ should be designed as potentially self-contained accommodation which would reduce the prospect and potential of under-occupation. Saved Local Plan policy H18 covers the need for annexes and there are good reasons (see DCLG Growth and Infrastructure Bill on the GPDO relaxation) to actually encourage this form of accommodation as a variation to smaller dwellings. *The Housing working group had a view that specifying self-contained accommodation and annexes was too restrictive (and expensive) - even as ‘potential’? for the DNDP so they may well hold the same view here.*

The Plan should make a positive response to Para 50 of the Framework injunction ‘deliver a choice in housing’, which includes specific reference to ‘self-building’. This is not just a way of delivering housing but, as implied by the Framework and made clear in numerous ministerial statements (and a Government £30 million grant for group self-building), self-building is a form of housing with material and beneficial aspects. Self-building could be justified on the affordability case alone, it being possible to provide one’s house for about 2/3 of the market price to buy or rent. However, there are other material considerations of providing employment, training and community building. Self-building has been delivering about 10% of new dwellings despite the apparent indifference of the planning system. With policies in accordance with the Framework, self-building could be made into an even more reliable way of securing delivery of housing than relying on the stuttering system of individual buyers borrowing to buy new houses from developers reluctant to build. The most important consideration for the VWHDC is to understand that self-building will not happen at scale (i.e. at a level of any public significance) without the positive support of the Plan. This can be achieved by requiring developers to make a proportion of any allocated or permitted site available for self-builders (with a cascade mechanism to alternative forms of development in cases where no demand materialises). There would be a strong case for the VWHDC to start and maintain a register of those wanting to self-build individually or in groups. *The Housing working party/the Steering Group has been concerned that self-building could be viewed as restrictive by developers and the VWHDC Appropriate definitions and conditions would need to be attached to self-building to secure the benefits.*

Co-housing which can start with an element of self-building, is another form of housing that has particular planning advantages – many relating to the sustainability of housing in its building, performance and use. It is a ‘choice’ implied by para 50 of the Framework that is unlikely to be available without the assistance of local plan policy. The LPA should note the references to co-housing particularly in the literature relating to housing for the elderly (8% of over 50s in Denmark live in co-housing) that could be responsible for the chronic levels of under-occupancy which the Plan should be addressing. Planning policy is also needed to address and clarify the nature and benefits of co-housing as the sharing of space and often the mix of uses (e.g. common-house, workshops, offices garden areas) do not fit within the existing definitions (see Use Classes Order). In the absence of policy support individual proposals would be treated with suspicion and would not be ‘delivered’. The Plan should expect developers to explore the need for co-housing as part of the preparation of planning applications. The Plan could include a policy supporting this or any other form of housing model which would be more ‘sustainable’ than the traditional models. *input from Housing working party again,*

Given the limited scale of development which is likely even in the larger villages (due to both the unsustainability of rural locations and the limited housing land requirement) it is important that the development which is permitted meets the local needs that arise throughout the 15 years of the Plan period. Whilst CP2 implies that housing in larger villages would be allowed to meet local needs it is probably necessary for the need for ‘phasing’ of development on larger sites to be spelt out. The Upper Eden NDP is a precedent for phasing policies being appropriate in respect of rural and village development.

CP30 requires CSH 4 in respect of energy efficiency. The Plan is scheduled for adoption in 2014 to apply to the period to 2029. In 2016 all new residential development will have to be zero carbon. Para 6.105 implies that will be a result of a further upgrading of Part L of the Building Regulations. It would be more logical and more consistent with the presumption in the Framework if CP30 required CSH 5 (or 6). No technological breakthroughs are expected or needed between now and 2016 to make zero carbon housing possible. It is true, as mentioned in para 6.106, that CSH 6 will not always be achievable, and there will be circumstances where it will be reasonable and necessary to refer to and require ‘allowable solutions’. If zero carbon is not required until 2016, there will be 1000s more houses built emitting more carbon than would be the case than if the higher standard was introduced immediately particularly in respect of the fabric that would be expensive and difficult if not impossible to upgrade. Development that would foreseeably require upgrading before 2050 to meet the targets in the Climate Change Act could not logically meet the Framework presumption in favour of sustainable development. The sooner the higher standards are required and achieved the sooner the skills and supply chains will build up the necessary capacity and capability. CP30 Sustainable Design and Construction should be amended accordingly or the title would have to be changed as CSH 4 is most definitely not a ‘sustainable’ standard.

The Policy should refer expressly to post occupancy evaluations that are part of the higher Code levels but which are not a requirement of Part L. The performance gap (between design and implementation) is being researched by the Zero Carbon Hub. However, this is a known phenomenon that could be addressed through rigorous and independent inspections of developments during construction – another matter that should be addressed by both Plan policy to be then used as a sound basis for including appropriate conditions on planning permissions.

There should also be policies explaining why permitted development rights will be removed by condition on new housing to maintain both the energy efficiency and the stock of small houses to meet the identified local need and affordability.

Transport

This section of the Plan seems to have been written with no firm policies as to how to achieve the same levels of accessibility for a larger population, and how to achieve more employment opportunities in an area where congestion is already at levels damaging to both the environment and the economy.

The Plan seems not to take account of the evidence that public transport now needs to be provided not just to attract drivers out of their car, but for those who cannot now rely on their car due to age or the ability to buy and maintain their personal vehicle. There is inadequate mention of the need for developer funding for improvements to the bus services. For example the frequency of the Oxford - Swindon service was doubled through developer funding and this has prompted increased demand justifying a further 50% improvement.

There have been similar improvements to the 280 service from Oxford to Thame and Aylesbury. In fact para 7.31 of the Transport topic paper says that “..the benefits of this growth would be undermined if the transport improvements were not secured. As a result, **all** development...” in this area will be required to contribute to the Science Vale UK Integrated Transport Package. The Plan should set out what is explained at para 6.54 of the topic paper that, on Premium Routes, this requires a turn up and go frequency of around 15 minutes.

Given the rise and rise of car clubs both in the UK and the continent the Plan should describe the alternative schemes and have policy guidance to make these part of travel plans required of all significant developments (eg 10 houses or more and more than 250 sq m of commercial floorspace). Plan para 6.90 should be reworded to also indicate that any additional car use from a site that significantly impacts local transport routes should be balanced by measures and initiatives to reduce car use from existing developments in the area – so for instance encouraging existing residents to use alternative modes of transport or open car clubs to those in the vicinity instead of just associated with the site.

There is a specific policy CP11 relating to the safeguarding of land for a road to the south of Abingdon [shown at Appendix E]. This Policy seems to be ‘unsound’. The LPA say that it would need to be developer funded in a plan where there is no identified need for strategic development in the Abingdon area. In fact there is very little potential development land to the town side of the safeguarded line, being sports ground/restored rubbish tip, lake, ancient scheduled monument, flood plain and Tesco/hotel carpark. The only way development could fund the road as well as the new bridge, would appear to be through developing the land between Abingdon and Drayton. Any development here therefore would not preserve the character or setting of the village. The road line itself would go through a listed building (Stonehill Farmhouse). If the need for housing is to arise after 2029 there is no reason to safeguard this line as there is no development potential, and applications to develop in this area to the south of the town can be refused permission on normal planning and policy grounds. Whilst a link from Drayton Road to the A34 junction might be welcomed by current car users and bus users on a decongested Drayton Road, from a sustainability point of view the building of new roads cannot be supported. **Whilst it could be argued that such a by-pass could improve air quality in urban areas, reduce exhaust emissions and fuel use as a consequence of reducing journey times/increasing vehicle speeds etc. these would probably be short term gains and circumstances could be very different when growth of this scale came to be considered.** The Plan should be emphasising measures to reduce car use (and increase the use of bus and bicycle) that should make further road building unnecessary. Difficult as might be the shift from car to low carbon modes these are more likely (and actually needed now) than the building of the southern bypass, and also more consistent with the Framework presumption in favour of sustainable development.

The A34 is almost entirely a matter for the Highways Agency. However, it is a major source of noise and it impacts on the air quality in the village. The capacity of the A34 is a matter of regional and local importance and this could be improved by introducing a lower speed limit that would reduce the frequency of RTAs (and the associated congestion and diversions through Drayton) as well as substantial reductions in noise from engines and tyres.

The Plan could refer to the provision of other measures to alleviate road noise for communities which border such roads, noise screens, bunds and and thick bands of planting (ie >30m).

There could be a policy in the Plan seeking to make use of the two rail stations in the District at Radley and Appleford.

Transport working group might want to consider all these matters

Food and Agriculture

Although most of the District is in agricultural use there is little or no consideration given to food supply, processing and distribution. There is no analysis of or reference to the growing sources where low carbon and sustainable food supply issues are being discussed. The Plan should acknowledge the shortage of housing in locations and at prices that are suitable for use by new farmers. The Plan should consider the affordability of ‘land’ as it does (following a High Court case in the 1980s) the affordability of ‘housing’, as a material consideration. There is also evidence of the ability if not a need for the agricultural industry to provide work for about 1 million new farmers. In this context the Plan should have a new policy that requires the occupancy of one or two dwellings on any development of more than 5 houses on the edge of a

village to be tied to somebody wholly or mainly employed in agriculture. **Would this been seen as too restrictive unless part of the affordable housing provision?** Where the applicant owns, or the previous owner still owns, land which could make a viable or even part time holding, this will be leased to or sold with the dwellings made subject to the 'ag tag' and tied through a s106 Obligation. The Plan should also look to have buildings erected or converted as part of any scheme, suitably designed and located for food storage and processing. The Plan could refer to the mechanisms that could apply were the 'tie' to be inappropriate or breached. Although Housing Associations might not want to be involved there are other housing provider that might.

Policies designed to promote and deliver local food would be entirely consistent with the presumption in favour of sustainable development and would be consistent with policies on local employment and reduced transport impacts. Such policies would be a logical planned response to the individualistic attempts to build isolated dwellings in the open countryside where land is cheaper and more available than on the edges of built up areas but where there could be greater landscape impact and generally poor access to services. The Plan should have policies designed to enhance the character, appearance and bio-diversity of the countryside. Such enhancements could be secured as part of new developments or from investing Community Infrastructure Levy (if that is introduced).

Energy Plans

Given the importance that both the supply and demand for energy will have over the period to 2029 there is every reason to include a policy requiring 'energy plans' from residential and commercial developments of any significant size – in the same way that the need for 'travel plans' has been normalised. These plans should calculate the demand for energy and how this would be reduced and could be reduced further (thanks to building fabric, smart metering, low energy appliances, energy champions etc) and then explain where these needs would be met. The 'energy plan' would identify on-site or off-site/local supplies.

The Plan should contain policy statements that maximise the energy generation capabilities of new developments. With paragraphs 6.110 and 6.111 noting that the land-fill gas energy generation from the VWHDC is falling and the national target for renewables, it is important that CP31 should maximise the south-facing roof aspects of all new developments to provide the best solar capture capabilities, either PV or solar thermal. To allow the VWHDC to meet its commitments to the national renewable energy targets there should also be a requirement on new developments to install appropriate solar capture as part of the build within CP33.

The Plan should support the development of other forms of renewables e.g. EFW, wind (given suitable wind speeds and preferably low impact designs) as well as high efficiency systems such as natural gas fuel cells. There is concern about the proliferation of solar farms and a policy might be required to limit their impact on the landscape.

Water

As mentioned in 6.108 and 6.109 there is the need to manage water impacting on new developments within the VWHDC. 6.114 additionally mentions this. The Plan should include additional discussion of what are appropriate measures, essentially requiring new developments to have no adverse effect on the hydrological cycle, such that the built environment produces no more run-off than in its pre-developed state, that rain water and grey water should be used to minimise the demands of the development on the clean water supply and foul water drainage systems within the VWHDC and wider area.

Neighbourhood Planning

The Plan refers to the emerging Drayton NDP and says that NDPs will be used in decision-making. The Plan should go on to say that, in fact, policies in an adopted neighbourhood plan will take precedence over policies in the Local Plan (where there is any apparent inconsistency allowed for in applying the test of 'general conformity' in the adoption process).

It should be possible for the Plan and the neighbourhood plans to be produced in general conformity as both must be consistent with the Framework and, in particular, the presumption in favour of sustainable development. If CP1 is to remain as written, and relying on the other Plan policies to secure the achievement of 'sustainable development', then this requires the other policies in the plan to rigorously

cover all aspects of sustainability (as suggested in these representations).

The Plan should expressly confirm, for the avoidance of doubt, that a NDP adopting a reasonable but wider view of 'sustainability' should not be regarded as being outside the scope of 'general conformity' with the Plan. For example, the Plan should make it clear that where the VWHDC chooses to omit policies on matters such as food production or adopts lower standards on energy efficiency, this should not prevent the adoption of an NDP that takes a more holistic and realistic view of what constitutes sustainable development in accordance with the Framework.

Summary

The Plan is being produced at the same time as Drayton is preparing its neighbourhood development plan. The representations on the Plan are intended to move this draft more in the direction of supporting sustainable development and preventing unsustainable development as was the intention of the Housing Policy Guidance adopted by the Parish Councils and will be in the case of housing and other policies generated through the NDP preparation process.

Based on the above analysis, amendments to the Plan are sought by Drayton to the following policies and proposals:-

- *It would be better to draft this list when other Working Groups and the Steering Group and the Parish Council have concluded their discussions*