1: Introduction

1.1 These representations on the Draft West Oxfordshire Local Plan are made in respect of land at North Witney, by Meridian Strategic Land Ltd, M J Gleeson, Andrew Basson, Jack Moody Ltd and Cranbrook Construction, in cooperation with the North Witney Consortium, (Meridian et al). The site has an area of 55 hectares and is shown on the Plan in Appendix 1.

1.2 Meridian et al are in a position to deliver this land (see below), for a development including housing (up to 1,500 dwellings), and land for community facilities, together with, in particular, the necessary highway infrastructure, that not only facilitates the development but also provides wider benefits to the town.

1.3 Negotiations to enable this land to be satisfactorily developed have been taking place for the last 3 years and have included consultation and discussions with the Environmental Agency, Oxfordshire County Council as Highway Authority and the District Council.
Having examined the Draft Local Plan and its evidence base, Meridian et al conclude that it is unsound for the following principal reasons:

1. It fails to provide the requisite level of housing.

2. In failing to do this, it prejudices the necessary level of economic growth identified in the evidence base.

3. In failing to provide for the necessary level of economic growth, the Plan fails to maximise on of its objectives, which is to reverse out-commuting from Witney.

4. In failing to allocate land at North Witney for development, the Plan misses an opportunity to provide a second crossing over the river Windrush (an objective of the Plan), thereby relieving traffic congestion in Witney town centre and improving air quality in Bridge Street.

5. Allocation of the North Witney site would alleviate flooding in Hailey Road.

6. The allocation of land at East Witney will increase the already, unacceptably high levels of airborne pollution in Bridge Street.

In the context of the National Planning Policy Framework, the Plan is considered unsound because in failing to meet objectively assessed development and infrastructure requirements, it has not be positively prepared. When considered against reasonable alternatives, based on proportionate evidence, the Plan cannot be justified.

For the reasons set out below, the Plan fails to enable delivery of sustainable development, in accordance with the policies of the NPPF and is therefore not consistent with National Policy.

Also for the reasons set out below, Meridian et al conclude that North Witney represents a sustainable and deliverable planned urban extension and should be allocated as a strategic site in the Draft Local Plan.
1.8 These representations are set out in the subsequent sections, as follows:

2. The Objectives and Policies of the Draft Plan, germane to these Representations.

3. The Level of Housing and Employment Proposed in the Draft Plan.

4. The North Witney Site, examined under the following sub headings:
   i. The SHLAA Settlement Summary
   ii. Land Drainage
   iii. Transportation
   iv. Air Quality
   v. Landscape
   vi. Deliverability

5. Conclusions
2.1 When considering the characteristics of the District, paragraph 2.10 states that economy continues to perform well despite the recession. However, paragraph 2.11 identifies one of the main issues for the District is the growth of major employment centres nearby, including Science Vale UK, which will inevitably compete for employment investment.

2.2 The paragraph goes on to say that “it will therefore be essential for the Local Plan to provide enough high quality employment land in the right places, so that the District is able to compete with inward investment”.

2.3 Because the area is a desirable location in which to live, house prices in the District, are above the national average and affordability is a major issue, with around 2,000 households currently on the waiting list for affordable housing (para 2.7). The extent of the affordable housing requirement and the backlog of provision that needs to be made is discussed in Section 3 below.
2.4 A table on page 13 of the Plan, identifies strengths and weaknesses. The weaknesses, as germane to these representations, are set out in this order of priority:

- Out-commuting and reliance on the private car and rural road network.
- Severe traffic congestion in Witney and on the approach roads to Oxford.
- Air quality problems in Witney and Chipping Norton.
- House prices higher than the national average and very high in some areas.

The manner in which the allocation of the North Witney site could specifically address the problems identified above and so far as they affect Witney is set out below.

2.5 Briefly, the Plan’s Vision (para 3.1) includes the objective of ensuring that Witney will provide an enhanced range of services and facilities with improved infrastructure, while maintaining its character and vibrancy as a market town.

2.6 Witney town centre will be vibrant, attractive, convenient and safe for all users. The manner in which the development of North Witney as proposed, would in particular achieve this objective, is set out below.
2.7 The core objectives of the Plan are listed under four key headings:

1. Strong market towns and villages;
2. Meeting the specific housing needs of communities;
3. Sustainable communities with access to services and facilities; and
4. Protecting and enhancing the environment and reducing the impact of climate change.

Amongst others, these include:

- Providing new development, services and facilities of an appropriate type and scale, in locations that will help improve the quality of life of communities and where the need to travel, particularly by car can be minimised.
- Locate new residential development where it will best help to meet local housing needs.
- Ensure the timely delivery of new housing to meet forecast needs and support sustainable growth.
- Provide homes for local people in housing need who cannot afford to buy or rent at market prices.
- Ensure that land is not released for development until the supporting infrastructure and facilities are secured.
• Achieve sustainable economic growth which improves the balance between housing and local jobs, provides a diversity of local employment opportunities, removes potential barriers to investment and provides flexibility to adapt to changing economic needs.

• Promote safe, vibrant and prosperous town centres.

• Maintain and where possible, improve the health and wellbeing of the District’s residents.

• Achieve improvements in air and water quality; and

• Ensure that new developments are suitably located and well designed to protect and enhance the form, character and identity of the District’s settlements, as well as contributing to the quality of life in West Oxfordshire.

2.8 The overall strategy of the Plan includes the presumption in favour of sustainable development. This is a requirement of the NPPF. For plan making, this means that:

• Local Planning Authorities should positively seek opportunities to meet the development needs of their area.

• Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
  - any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole; or
  - specific policies in the NPPF indicate that development should be restricted.

2.9 The manner in which the Draft Plan has/or has not had regard to the requirements of the NPPF is considered further in the sections of these Representations that follow.
2.10 Within its overall strategy, the Draft Plan states that development needs to be located in the right places, so, amongst other things, to be able to influence the manner in which people travel (para 4.7).

Providing New Homes

2.11 Paragraph 5.1 of the Draft Plan states that new housing is “a critically important issue” for West Oxfordshire and in particular, “vital to economic growth”. The paragraph goes on to say that the Plan seeks to meet identified housing needs, through the provision of a sufficient number of new market and affordable dwellings.

2.12 Updated housing projections have been prepared which identify three different scenarios; a lower level of growth (4,000 homes) based on ‘natural change’ in the District’s population post 2016, a medium level of growth (5,500 homes) based on the South East Plan, applied on a pro-rata basis post 2016 and a higher level of growth (6,700) homes which identifies the number of homes needed to maintain the predicted peak in the District’s economic workforce post 2016 (para 5.4).

2.13 The Draft Plan, at paragraph 5.5, goes on to say that while Local housing projections provide an indication of the number of homes likely to be needed in the future, there are a number of other factors that need to be taken into account including economic needs and the availability of suitable land for housing; the need to improve affordability and increase housing supply; the need for sustainable development and the availability of and the need for infrastructure such as roads and schools.
Paragraph 5.7 goes on to say that; taking into account all of the considerations outlined above, the proposed level of housing for West Oxfordshire is 5,500 new homes in the period 1st April 2011 - 31st March 2029. This level of growth is in line with the South East Plan, takes account of the need to increase housing supply to provide for economic growth and tackle housing affordability, but is balanced with the likely capacity of existing and planned infrastructure, the availability of suitable housing sites and the need to achieve a ‘sustainable’ level of development for the District. The housing target is not however, a ‘ceiling’ and may be exceeded.

Meridian et al do not agree with the level of housing provision proposed (5,500). If the target is said not to be a ‘ceiling’, then it is difficult to understand why the Draft Plan, has in effect, proposed a low growth option, for that is what it has done.

Paragraph 5.8 goes on to state that the 4,000 dwelling target would be too low and fall well short of identified need and demand. It then goes on to say that the higher target, while presenting an opportunity to boost housing supply and meet a greater proportion of identified housing need and demand, it would put existing and planned infrastructure under greater pressure and would be likely to have potentially negative sustainability impacts with the release of non greenfield land.

Meridian et al does not agree with this conclusion for reasons that are set out below. What is particularly disturbing about this approach, is that not only are identified housing needs not being planned for, but recent trends in job growth will positively be curtailed with the figure of 5,500 new dwellings.
2.18 The employment study undertaken by the council, implies that even the figure of 6,700 new dwellings is still not enough to support the steady growth option based on past rates of employment growth. The figure of 6,700 dwellings is necessary to support the trend level of economic growth and the District’s economic workforce beyond 2016.

2.19 It is not appropriate therefore to positively plan for a lower rate of economic growth than that required to maintain past trends. The NPPF is quite clear on the issue at paragraph 19, where it is stated that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should act to encourage and not act as an impediment to sustainable growth.

2.20 So far as the distribution of housing is concerned, “around 1,900 are to go to Witney”, 1,000 to the west, 300 to the east, with the balance coming from existing commitments.

**Affordable Housing**

2.21 In a district with higher than average house prices, there is a premium on the provision of affordable housing. The Draft Plan seeks the provision of at least 35% across the district as a whole, with variations in different locations and seeks 40% in Witney (para 5.25).

2.22 The priority is to provide affordable housing on site, though a financial contribution for off site provision will be considered depending on particular circumstances (para 5.30). The scale of need is discussed below.
Sustainable Economic Growth

2.23 The principal core objective of the Draft Plan (C08) under this heading, (page 48), is to achieve sustainable economic growth which improves the balance between housing and local jobs, provides a diversity of local employment opportunities, removes potential barriers to investment and provides flexibility to adapt to changing economic needs.

2.24 The Draft Plan states (para 6.2), that the district has a successful local economy and is weathering the recession relatively well. The district is surrounded by strong and growing economic areas with better strategic transport links - notably Oxford, Swindon, Banbury, Bicester and Science Vale, an area of high technology science related business and research around Didcot and Abingdon. These areas attract significant numbers of workers from the district, which leads to congestion on major roads. The 2001 Census identified 18,000 out commuting workers, while 10,000 commuted in.

2.25 Meridian et al, as stated above, are of the opinion that a better balance between housing provision, economic growth and a positive response to reduce out commuting can be achieved by objectively assessing the correlation between these factors in the council’s evidence base and this is done below.

2.26 The need to monitor the relationship between the above factors is recognised at para 6.10, where it is also stated that the strategy provides potential for up to 10,000 jobs. The level of land for business is then set out in para.s 6.12 - 6.17 and this issue is also expanded upon below.
2.27 Environmental and Heritage Assets are dealt with in Section 7 of the Draft Plan and Air Quality is discussed in para.s 7.41 and 7.42. Specific problems are identified, mainly attributed to road transport. Addressing air quality is seen as being complementary to the aim of reducing the need to travel, achieving a reduction in transport emissions and addressing climate change. Poor air quality is linked to respiratory illness, heart disease and asthma.

2.28 The Draft Plan states that when assessing development proposals, consideration will be given to the impact of development on air quality, by both the operational characteristics of the development and the traffic generated by it.

2.29 Local Air Quality Reviews have resulted in the designation of the Air Quality Designation Areas in the district, one of which is in Witney (Bridge Street). The Meridian proposal to provide a second river crossing of the Windrush would improve air quality in Bridge Street.

**Transport and Movement**

2.30 Transport related objective C01), is the provision of new development, services and facilities, of an appropriate scale and type, in locations which will help to improve the quality of life of local communities and where the need to travel, particularly by car, can be minimised. C015 seeks to achieve improvements in air quality.

2.31 The Transportation Policies of the Draft Plan, also seek to support economic growth. Highway improvements are seen as the key to unlocking economic growth (para 8.9). Paragraph 8.12 highlights again traffic congestion in Witney and air quality in Bridge Street being of “serious concern”.
2.32 Witney’s traffic congestion problems are in a large part due to there being only one crossing point across the River Windrush at Bridge Street, which acts as a bottleneck to traffic travelling east-west across the town. For some time, the proposed solution was the Cogges Link Road (CLR), which would have provided a new link road around the south-eastern edge of Witney and a second river crossing. However, in June 2012, the Compulsory Purchase Order needed for the scheme to go ahead, was rejected by the Secretary of State for Transport, meaning that the scheme is now unlikely to happen (para 8.13).

2.33 Since the CLR decision was received, the District Council has been working closely with the County Council to identify an appropriate alternative transport strategy for Witney and to assess the implications for future growth. Transport modelling has been undertaken, the findings of which are available in a separate background paper (para 8.14).

2.34 Paragraph 8.15 of the Draft Plan identifies improvement measures needed in Witney to accommodate growth and these are discussed in more detail below. Particular reference is also made to improvements likely to be needed in the central area of Witney.

2.35 To accommodate potential longer term growth at Witney, the modelling work undertaken, indicates that the route of the West-End Link (WEL2), should continue to be safeguarded through the Local Plan. Further information on these various proposals and how they will be delivered, is set out in the Witney Sub-Area Strategy. Development at North Witney would facilitate the provision of this link.
Witney Sub-Area

2.36 Witney is the district’s largest settlement, providing most of the housing and employment in the Sub-Area. There is a need to release greenfield sites to accommodate future housing growth (para 9.5), and it is “considered essential” that Witney continues to provide a range of high quality employment sites, so that it is able to compete effectively with major growth areas such as Swindon and Science Vale UK (para 9.7).

2.37 The paragraph goes on to say that providing good employment opportunities could also help to reduce the currently high level of out commuting. Witney would also be the main focus for additional employment land provision in the district.

2.38 Again, transport is identified as a key issue for Witney (para 9.15), with reference, once more to air quality. The West End Link (WEL) will continue to be safeguarded through the Local Plan and is identified as a safeguarded highway scheme on the Proposals Map (para 9.19).

2.39 The scope for further expansion in the town is discussed in paragraphs 9.27 to 9.34, where the need for infrastructure provision is highlighted. These issues are discussed below, when considering the merits of the North Witney site and the infrastructure provision that its development could provide.

2.40 Unaccountably, there is no reference in the Plan, to the regular flooding in Hailey Road, which the North Witney development would largely alleviate.
3: The Level of Housing and Employment Proposed in the Draft Plan

3.1 This section of these Representations now examines whether the requisite level of housing provision is proposed in the district to achieve the housing and economic objectives of the Draft Plan.

3.2 The council have derived the proposed housing figures as follows; the detail of which appears in the Local Housing Target Paper, October 2012. Because of the delay in producing the Draft Plan, the end date is now 2029.

3.3 Three scenario’s have been examined:
   - Natural Change
   - Employment Based
   - South East Plan.

Natural Change

3.4 The previous ‘natural change’ scenario has be re-run using the latest 2011 Census information and extended to cover the period to 2029. Notably, the new projection identifies a lower level of growth, suggesting that just 4,000 new homes are needed in the period to 2029. The reasons for this reduction are related to the availability of updated data, notably, moving to a base of the 2011 Census and using more recent migration trends.

3.5 The provision of 4,000 homes in the period 2011 - 2029, would equate to 222 dwellings per year, well below previous Structure Plan targets for West Oxfordshire (around 450 per year) and below the remaining South East Plan annual requirement to 2026 (283 per year).
3.6 It is also pertinent to note that the provision of 4,000 homes could lead to a decline in the size of West Oxfordshire’s resident workforce from 56,800 in 2016 to 53,100 in 2029. This is an important consideration in the context of the current drive for sustainable economic growth.

**Employment Based**

3.7 Given the need to plan for sustainable economic growth, an employment based projection has been prepared to establish how many new homes would be needed to maintain the forecast peak labour force of 56,800 in 2016. This employment based projection identifies the need for 6,700 homes in the period 2011 - 2029, which equates to around 372 per annum.

3.8 Although this appears broadly in line with the South East Plan (365 per annum), regard must be had to those new homes already built within the South East Plan period. Once these are taken into account, the annual requirement falls to around 283 dwellings per annum. The employment-based scenario would therefore exceed the residual South East Plan requirement.

**South East Plan**

3.9 A third housing projection has been prepared, which considers the housing requirement, should the South East Plan target be rolled forward to 2029, on a pro-rata basis.
3.10 The South East Plan (SEP), remains a material consideration and Local Authorities are able to rely on the Plan and its underlying evidence base in developing their own Local Plans. The SEP housing targets are based largely on advice provided by the Oxfordshire Districts to the former South of England Regional Assembly (SEERA) and take account of a wide range of factors, including housing need, projections of household growth, economic growth and the need to balance the provision of new homes and jobs.

3.11 Under the South East Plan scenario, the housing requirement for the period 2011 - 2029, is 5,500, equating to around 306 per annum. This includes the 359 homes built 2011/12, a further 1,437 new homes planned between 2012 and 2016 and a residual requirement of 3,700, in the period 2016 to 2029. In reaching this requirement, account has also been taken of the 3,000 homes built 2006 -2011.

3.12 This level of new housing would result in a decline in the District’s labour force from its forecast peak of 56,800 in 2016 to 55,100 in 2029.

3.13 It is clear from the above, that anything less than 6,700 dwellings for the Plan period would not accord with the NPPF at paragraph 19, i.e. significant weight should be placed on the need to support economic growth through the planning system. Similarly, one of the Core Principles of the NPPF (para 17), is that it should proactively drive and support sustainable economic development to deliver homes, business units and infrastructure that the country needs. The Draft Plan does not do this and must be considered unsound because of this.
3.14 There are two main sources of evidence of housing need and demand in West Oxfordshire; The Oxfordshire Strategic Housing Market Assessment (SHMA) published in 2007 which seeks to quantify the amount of market and affordable housing needed in each of the Oxfordshire districts and across the County as a whole. The SHMA identifies that in West Oxfordshire, the annual demand for market housing is 1,300 - 1,500 and the annual demand for affordable housing is 400 - 500, equating to a total demand for 1,700 - 2,000 new homes per year. Realistically, this level of provision is unattainable and yet another reason why 6,700 dwellings should be aimed for during the Plan period.

3.15 The West Oxfordshire Housing Needs Assessment (2008) was based on a household survey and concluded that compared to the South East Plan requirement of 365 homes per year, there is an annual shortfall of 830 units in the market sector and 567 units of affordable housing - a total of 1,397 per annum. The Assessment was updated in 2011 and the annual shortfall of affordable housing had increased from 567 to 592.

3.17 Whilst both the SHMA and HNA identify unachievable levels of growth for the District, well in excess of previous trends, they do serve to demonstrate that a very low target will not cater for forecast need and demand. In these circumstances, Meridian et al are of the opinion that every effort should be made to meet as much of the identified housing need as possible. Failure to do so will render the Plan unsound.

3.18 The Local Housing Target Paper then considers the amount of land likely to be available through the SHLAA and alights on the provision figure of 5,500.
However, paragraph 5.8 of the Draft Plan states that this figure is not a target and may be exceeded. The sentiment behind this comment is to be applauded, but any large site being promoted for housing that would address identified needs to a greater extent than what is proposed and what was unallocated in a recently adopted Local Plan would be unlikely to receive planning permission.

The difference between 5,500 and 6,700 dwellings (1,200) can be made up through the allocation of the North Witney site for housing.

The merits of the site are now assessed, especially in the light of the conclusions drawn in the Strategic Site Options paper of October 2012.
4: The North Witney Site

4.1 Under the heading scope for further expansion (in the Witney Sub-Area, the Draft Plan comments as follows at paragraph 9.32:

“Development to the north of Witney, whilst reasonably close to some existing services and facilities, is some way distant from the town’s main employment areas. Importantly, parts of the site are within the floodplain and the site is therefore sequentially less preferable to other site options that are not affected by flooding. Recent landscape evidence also suggests there are concerns in relation to the scale of development that has been proposed and there are inherent complexities surrounding the delivery of the major transport infrastructure needed to bring the site forward.”

4.2 To a considerable degree, this overstates the difficulties of achieving development on the site, which has been considered in the Strategic Housing Land Availability Assessment (SHLAA) These Representations by Meridian now consider the development potential of the site under the following headings:

i. The SHLAA settlement summary
ii. Land Drainage
iii. Transportation
iv. Air Quality
v. Landscape
vi. Deliverability
The SHLAA considered the North Witney site, as follows:

Land between Woodstock Road and New Yatt Road is an area of relatively flat arable farmland, with prominent modern farm buildings and across which there are open views from both approaches to Witney. In these views, the existing housing on Early Road and the adjoining new development area (Madley Park) to the south east, present a relatively hard urban edge. New Yatt Road, in this location and particularly as it reaches the existing built edge of the town, has a strong rural character and is enclosed by trees and hedges.

Despite the relatively open nature of the site, the Witney Landscape Assessment (WLA) identifies the area as having low intervisibility to the wider countryside and being of low-moderate overall sensitivity, though it is important that the rural quality of New Yatt Road should be maintained. The impact of development on views from adjacent housing and also longer distance views from the north could be greatly reduced by screen planting. Strong edge planting would also be required to maintain the rurality of New Yatt Road.

Land between Hailey Road and New Yatt Road is an area of undulating topography, the majority of the site being between 90 and 100m AOD. It is predominantly arable farmland, a mix of Grade 3a and 3b, with a small scale valley laid to pasture in the centre. The field pattern is irregular, with strong hedgerows and hedgerow trees and copses of mature trees, typical of ancient woodland clearance. Several historic farmsteads adjoin the site.
4.6 The land lies above a major aquifer and along the central valley, runs a small watercourse which runs south down to Hailey Road and is a significant contributor to flooding in this area. The Environment Agency has investigated the feasibility of a series of storage ponds on this site but public funding has not been secured (This issue has now been addressed by Meridian, see below).

4.7 A bridleway adjoins the site to the north and two public footpaths cross it, from which there are open views across the area. The modern housing to the south, presents a relatively hard urban edge and the modern school building adjoining the Middlefield Farm complex, is particularly prominent. From higher parts of the site (around the 95m) contour, there are long views south and west across the town and the Windrush Valley.

4.8 Views northward, toward the Wychwood Uplands, are filtered by hedgerow trees and copses. The site is part of the rural gap between Witney and Hailey, although Hailey itself is relatively well screened by topography and vegetation. The WLA identifies the area (north of the site), as of high importance and sensitivity.

4.9 The site is of a scale which could support a new neighbourhood centre, primary school and a new town bus service. The site would be relatively accessible to existing facilities along Hailey Road and also the Marriotts Close town centre expansion.

4.10 Development here, would also require the provision of a new distributor road, linking Woodstock Road to Hailey Road. The provision of the northern section of the West End Link and safeguarded in the Local Plan, is also a prerequisite of development, to limit the impact of any further growth to the north of Witney on traffic congestion in the Bridge Street area. Meridian have given an undertaking that the development would secure the West End Link (WEL) and the Northern Relief Route.
4.11 The SHLAA Summary concludes that the land between Woodstock Road and New Yatt road is considered suitable for development provided that landscape buffers are provided to retain the rural character of New Yatt Road, mitigate the impact on existing housing and to screen the views from the north.

4.12 Land between Hailey Road and New Yatt Road, has a high intrinsic landscape value but its contribution to the setting of the town is more limited, due to the limited visibility of the site in wider views from public vantage points. It is considered that residential development could be accommodated here without unacceptable visual intrusion if set within a substantial landscape framework, to provide a new landscape edge and landscape buffers to maintain the setting of the historic farmsteads adjoining the site, the rural gap between Witney and Hailey and the rural approach to the town along New Yatt Road.

4.13 The SHLAA concludes that the Assessment has highlighted that there is limited identifiable housing potential in the existing built up area of the town. Potential exists however, for sustainable urban extensions to the west and north of the town.

ii Land Drainage

4.14 Meridian et al commissioned a Drainage Strategy from Richard Jackson Engineering, to develop a surface water strategy for a proposed development of circa 1,500 dwellings at North Witney. The full Report is at Appendix 2.

4.15 The objective of the Report is to ascertain how the risk of flooding and surface water management can be controlled to reduce the effects of existing and future potential surface water run off from the site.
4.16 The Report also investigates whether a proposal of the scale contemplated can have the beneficial effect of providing an opportunity to reduce the fluvial flood risk in Witney from the Hailey Road Drain and the Madley Brook.

4.17 In July 2008, a fluvial flooding event caused 240 properties to flood. Fluvial flooding from both the Hailey Road Drain and Madley Brook resulted in 75 flooded properties, as reported by the Environment Agency and District Council. The Environment Agency (EA), has reviewed the 2007 flooding event and published their findings within the Witney Flood Review in 2008. In order to reduce the future flood risk in Witney, one of the options that was suggested by the EA was to provide future flood storage north of Witney and in particular north of Eastfield Road.

4.18 Both the Hailey Road Drain and Medley Brook are tributaries of the River Windrush. The watercourse that runs through the North Witney site from north to south, is referred to as the Hailey Road Drain (HRD).

4.19 The topography of the site suggests that the farmland west of Middlefield Farm drains to the open watercourse called the Hailey Road Drain. The site areas east of Middlefield Farm are expected to drain the the Madley Brook, hence The Drainage Report refers to Part A, the bigger part (45.343 ha) in the west and Part B the smaller part (9.897 ha) in the east of the site.

4.20 The Halley Road Drain culvert starts north of the dwellings at Eastfield Road and runs south to join the River Windrush at the centre of Witney. A Plan showing this system appears in the Drainage Strategy.
4.21 For what is described as Part A in the Strategy, the impact of the 2007 event shows the necessity for flood water storage areas upstream of Eastfield Road. This is clear when comparing the peak catchment flows during a 1 in 100 year event (2.36 m³/s), as there is insufficient capacity in the sewerage system. It is calculated that the inlet of this culvert has a capacity that is less that the total catchment peak flows in a 1 in 30 year event including climate change, therefore an attenuation proposal needs to be implemented.

4.22 For Part B of the site, as a potential outfall location, the existing capacity of the 375mm diameter, Thames Water sewer in Woodstock Road, adjacent to the lowest point of Part B, has been calculated as shown in Appendix F of the Report. The capacity of this sewer has been calculated based on information from the Thames Water sewer record. Areas that might currently drain to this sewer have been considered as 82.2 l/s. The approximate remaining capacity of this surface water sewer at manhole 7802, is 145.8 l/s based upon a 375 mm diameter pipe at a gradient of 1/77.

4.23 The flows from the undeveloped site areas, east of Middlefield Farm (Part B only), have been calculated using the IH124 method in the Microdrainage WinDes source control tool. Climate change for increased flows was factored in as recommended by Planning Policy Statement 25 - Development and Flood Risk, relevant at the time.

4.24 The proposed Surface Water Drainage Strategy, addresses the key issues of, potential risk of flooding on the site, the discharge from the site and the reduction in the risk of flooding downstream from the site.

4.25 The Strategy proposes storage areas on site through a series of cascading ponds or lagoons. To reduce peak flows at source, a SUDS system, to also take account of climate change, is proposed. Rainwater harvesting for non potable uses is also suggested.
4.26 The flood attenuation proposed in Part A and Part B of the site is then assessed and the Report draws the following conclusions.

4.27 It shows a proposed storage area with a total area of 65,500 m² along the Hailey Road Drain and north west of Woodstock Road. Located adjacent to the Hailey Road Drain, this would result in a substantial reduction of peak flows and hence flood risk from the Hailey Road Drain and Madley Brook.

4.28 As shown in Table 4.1 of the Report, the proposed storage areas can reduce the peak flows from the site by approximately 80% to the Hailey Road Culvert and by 55% to the Thames Water surface water sewer and eventually to the Madley Brook, during a 1 in 100 year event including climate change. When calculating the proposed total storage area on site, it has been assumed that 50% of the site’s area is impermeable. This high value anticipates the failure of the proposed SUDS system and allows for spare volume within the total storage area.

4.29 Sustainable urban drainage systems would be incorporated in the proposal. Flows could be controlled at source but also in central storage areas along the Hailey Road Drain. Hence, a sustainable solution for the surface water can be achieved.

4.30 It should be noted that the design and calculations proposed for the site are made on assumptions regarding the outfall sewers at Hailey Road Drain and the Thames Water surface sewer, south of Part B of the site at Woodstock Road. It is possible that further investigation of the hydraulics of the two receiving systems south of the development site could result in a reduction of storage volume needed on site and a better use of available capacity in the sewerage of the proposed development.
4.31 The overall conclusion suggests, that by reducing the surface water run off from the development to the capacity of the drainage available, the site could deliver a sustainable and calculated reduction in flood risk from the site and benefit the town downstream.

iii Transportation

4.32 Richard Jackson Ltd, were also instructed by Meridian et al, to consider the Transportation Issues arising from a development of circa 1,500 dwellings on the North Witney Site. The Report assesses the potential impact of traffic generated from the proposed development (See Appendix 3).

4.33 Meridian et al have given an undertaking that the development of the North Witney site would provide the Hailey Road to Burford Road link (known as the West End Link - WEL). The Draft Plan safeguards land for this link by makes no provision for its implementation in any transport strategy. The proposal has been considered since 1991, since when traffic conditions have changed, so as to make its provision of even greater importance.

4.34 The constraints caused by the existing single bridge, linking the two parts of Witney, are such that it is considered that the WEL should be provided to support the development of the North Witney site. The provision of the WEL, would allow a redistribution of traffic through northern Witney to make use of the additional link to the south. The form of the bridge itself and associated works is considered elsewhere. However, the Richard Jackson Report does review the size of the proposed link and its connection points to the highway network.
The WEL is proposed to provide an 8.3m wide carriageway, consisting of two 3.65m running lanes with a 0.5m wide hardstrip. Beyond this, are a 3m footway/cycleway to one side, to allow pedestrian and cycle use and a 1.0m hard verge for drivers of broken down vehicles to use in an emergency. This scale of provision is adequate for this type of new link and is adequate for the proposed use.

The Richard Jackson Report considers suitable arrangements for site access, traffic generation and distribution, traffic impact and public transport.

Development on the North Witney site would be accessed via new roundabouts from existing high standard roads at two locations, i.e. Hailey Road and Woodstock Road.

A new spine road would be constructed through the site, enabling access to the development, acting as a bus route and also improve traffic conditions in the north of the town.

To accommodate the development, the following off site improvements are proposed:

- The West End link bridge over the River Windrush.
- A roundabout improvement at Woodstock Road and Jubilee Way.
- Traffic signal junctions to the north and south of the proposed bridge will allow the traffic generated by the new development to be accommodated on the highway network in 2022, the horizon year for this assessment.

Additionally, the development site can be accessed by pedestrians, cyclists and with enhancements by public transport. Therefore, the proposals are sustainable and therefore comply with existing and emerging National Transport Policy.
On 1st March 2005, West Oxfordshire District Council declared two Air Quality Management Areas (AQMA's), in Witney and Chipping Norton because, after detailed investigation, it was concluded these areas would fail the Government's objective for the nitrogen dioxide annual mean concentration.

The duty of the Council was to produce an Action Plan, with measures to reduce nitrogen dioxide air pollution, to support the Government in meeting its National Air Quality Strategy commitments. The Action Plan for Chipping Norton was completed in November 2008 and submitted to Defra.

For the Witney AQMA, a range of measures were developed by West Oxfordshire District Council and Oxfordshire County Council and these are put forward in this document “Draft Air Quality Action Plan - Bridge Street, Witney, Oxfordshire”. The Transport management options, in this case, have been appraised and modelled for their predicted air quality benefits, as an integral part of a projected local traffic relief scheme - the Cogges Link Road.

With the Cogges Link Road no longer part of the solution, an alternative needs to be found. An alternative to reduce the level of traffic and nitrogen dioxide pollution in Bridge Street, is through the provision of the West End Link.

Development of the North Witney site would provide the link and therefore improve air quality in Bridge Street, which includes residential as well as commercial properties. This would implement the objectives of Core Policy 22 - Environmental Protection.
The land needed to provide the West End Link, is secured through a Section 106 Agreement, dated 3rd February 2004 and relating to a planning permission granted for development at New Mill and land adjacent to Burford Road, Witney. Clause 3.16 reads:

“The Developer covenants with the District Council and separately with the County Council that for the period of ten years from the date of this Agreement it will not construct any building on the Developer’s West End Link Road Land nor otherwise in any way do anything which might interfere with its future use as public highway provided that this covenant shall cease to apply:

i. If the Developer’s West End Link Road Land is no longer identified in the West Oxfordshire Local Plan or other strategic planning document as part of the site of the proposed West End Link Road or a comparable scheme and the District Council and the County Council confirm in writing to the Developer that it is no longer required for such purposes and the District Council undertake with the Developer to provide the said confirmation within one month of the date of the District Council and the County Council deciding that it is no longer required for such purposes following such amendment or variation to the West Oxfordshire Local Plan or other strategic planning Document, or

ii. On the expiry of the period of ten years from the date of this agreement.”

The WEL is a proposal in the Draft Plan and the Agreement is still extant. The link can be facilitated by development at North Witney. Meridian cannot understand the reference by the County Council to the WEL failing the sequential test by reason of being in the flood plain. Because it constitutes essential infrastructure, it has to pass the Exception Test. The Local Plan safeguards the WEL alignment and there is no other location where the bridge over the river can be provided. It therefore passes the Exception Test.
4.48 The North Witney site has been promoted for development since the early 1990’s. Determining the locations for growth since then, in various guises, not least in the West Oxfordshire Local Plan 2011. In view of the omission of the site as a location for major development in the Draft Plan, it is instructive to examine the conclusions reached by the Inspector on the North Witney site, in his Report of the Local Plan dated June 2005.

4.49 The Inspector concluded at para 9.27 of his Report, that the North Witney proposals, taken in the round, and subject to the provision of the West End Link, enabling the introduction of a new town bus service, would represent a sustainable urban extension, in accordance with PPG3 guidance and he:

“regarded the proposals to be acceptable in landscape terms”.

4.50 This is a diametrically opposed view to that now taken by the council where, in their assessment of strategic site options (Oct 2012), they state there is “potential for significant landscape impact unless development were to be scaled back.....”. The council’s inconsistency in respect of the landscape impact of the North Witney site, is further demonstrated by the findings of the SHLAA, which concluded in 2011;

“It is considered that residential development could be accommodated here without unacceptable visual intrusion if set within a substantial landscape framework, to provide a new landscape edge and landscape buffers to maintain the setting of the historic farmsteads adjoining the site, the rural gap between Witney and Hailey and the rural approach to the town along New Yatt Road.”

4.51 The overall conclusion in the SHLAA and the Inspector’s Report into the Local Plan was that a sustainable urban extension to the north of the town would be acceptable.
4.52 Meridian et al are therefore surprised by the recent Kirkham Landscape Assessment that was completed as recently as November 2012 and as a result, was not part of the evidence base to the Local Plan. It represents yet another assessment of the landscape merits of North and East Witney.

4.53 So far as North Witney is concerned, the landowners of the development area, shown on the plan in Appendix 1 to these Representations, own the land beyond the northern boundary of the site, which can be used to provide substantial areas of structural landscaping in association with the development.

4.54 Meridian et al are also surprised to see the Landscape Assessment making unsubstantiated assumptions about potential dwelling numbers in this location, without any details being presented in respect of densities and land take based on any Master Plan, it also fails to reflect the availability of land to the north of the site for landscaping.

4.55 The Kirkham Landscape Report does not appear to have been the subject of any consultation prior to the Options for Growth set out in the Plan. This is unacceptable, especially as it appears to contradict previous conclusions on the landscape merits of development sites in the SHLAA and as set out by the Inspector reporting on the Local Plan.

4.56 With the additional land beyond the northern boundary of the North Witney development site available for structural landscaping, the site can provide up to 1,500 dwellings, needed to secure the requisite level of housing and the infrastructure to support it.
Deliverability

4.57 It is also necessary to reassure the council and the Inspector examining the Plan that it can deliver the necessary infrastructure, to enable the development to proceed. Appendix 4 sets out a costed housing development trajectory, with an anticipated development programme, as follows:

1. Outline PA Early/ Mid 2013
2. Planning Permission Granted late 2013/ early 2014 (with Sec106)
3. Start on site 3rd/4th quarter 2014
4. Average density assumed at 14 plots per net acre
5. Total net Developable Acreage 107.4
6. Total pump priming monies assumed at £11.25m
7. Start on site assumed during the second half of 2014
8. Start on Bridge and Northern Relief Road assumed during second half of 2014
9. Northern Relief Road fully open by 2016
10. Flooding alleviation measure provided incrementally during scheme construction phases, as necessary.

4.58 The housing and highways solutions delivery trajectory would be as follows:

<table>
<thead>
<tr>
<th>Construction Starts</th>
<th>Stage 1</th>
<th>Stage 2</th>
<th>Stage 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>River Windrush Bridge</td>
<td>Northern Relief Road</td>
<td>Northern Relief Road completed</td>
</tr>
<tr>
<td></td>
<td>Jubilee Way Roundabout</td>
<td>Stage 2 Flood Alleviation Measures</td>
<td>Stage 3 Flood Alleviation Measures</td>
</tr>
<tr>
<td></td>
<td>Woodstock Road Roundabout</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>New Yatt Road Roundabout</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hailey Road Roundabout</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stage 1 Northern Relief Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stage 1 Flooding Alleviation Measures</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1,500 Plots) (450 Affordable) (1050 PD)
5: Conclusions

5.1 Meridian Strategic et al submit, that having regard to paragraph 182 of the National Planning Policy Framework (NPPF), that the West Oxfordshire Draft Local Plan is unsound for the following reasons:

1. It fails to provide the appropriate number of dwellings to meet identified need and demand in the evidence base, it has not therefore been positively prepared.

2. It fails therefore to provide for the appropriately identified level of economic growth and in this respect, has not been positively prepared.

3. In providing for 300 dwellings to the east of the town, the Plan cannot be justified when considered against reasonable alternatives, based on evidence.

4. While safeguarding the West End Link, but having no mechanism for delivery in the Plan, it is not effective because there is no evidence to suggest that without development of the North Witney site, the WEL is deliverable.

5. Similarly, while the Plan has a policy to improve air quality in Bridge Street, Witney, it has no proposal to implement such improvement. In fact, the proposed development to the East, will worsen the situation. The Plan cannot therefore be effective.

6. Having regard to the above, the Plan fails to enable delivery of sustainable development, in accordance with the policies of the National Planning Policy Framework and is therefore not consistent with National Policy.

5.2 For the reasons set out above and in the body of these Representations, the West Oxfordshire Draft Local Plan is unsound.