

GROVE PARISH COUNCIL

**MINUTES OF THE SPECIAL COUNCIL MEETING HELD
ON 25th SEPTEMBER 2007 AT OLD MILL HALL, GROVE**

Present: Cllr F D Parnell (Chairman)
Cllr W Evans (Vice-Chairman)
Cllr W R Ackers
Cllr I Caldicott
Cllr P L Hadcroft
Cllr A Harker
Cllr K Jones
Cllr J E Nunn-Price
Cllr M Mellersh
Cllr C Philips
Cllr J M Stock
Cllr H Webb
Cllr I Woodbridge

In attendance: County councillor J Moley
District councillor S Marchant
13 members of public

Clerk: Mr G M Mundy

1 Apologies for absence

Apologies for absence were received from parish councillors S Dexter and D Hadcroft and county councillor Z Patrick.

2 Declaration of Personal or Personal and Prejudicial Interests in respect of items on the agenda for this meeting

There were no declarations of interest.

Airfield Development Issues

- a) Parish council response regarding the referendum – The chairman asked members if they had any questions or comments regarding the referendum. Cllr P Hadcroft said that the referendum was valid. The chairman said that the council will take note of the results of the referendum and will bear this in mind in the future.
- b) Open letter from G Chown – *Clerks note: the letter from G Chown and also the response from the chairman had been previously distributed to all Councillors. (A copy of the letter is available from the office or on the web site with these minutes if required).*

The chairman informed members that the draft response they had received previously were his own thoughts and did not reflect the view of the council at this time.

The chairman further added that the best way to deal with the letter was to go through each point raised and then have discussion. At the end of the letter it is hoped that a formal response from the council would be agreed and sent to Mr Chown.

The chairman continued with the points raised – *These are included in the minutes in italics for clarification purposes*

- i) *Neglecting its duty of management, and effectively allowing the developer to implement the Local Plan through persuasion of the less well-equipped parish Council. [The services of a consultant do not appear to have assisted the parish council in this matter.]*

The chairman said that he was not sure of the point they are making here, the council have not been persuaded by the Vale on this and have objected to the development completely and for various specific items. All of the councils' responses to the local plan were discussed at council meetings open to the public and members attended various sessions of the inquiry, as well as presenting the councils' case, often against the Vale.

Cllr Nunn-Price said that the chairman's efforts at the public enquiry should be praised. The vice-chairman added that the examination in public and the inquiry itself had both been open to members of the public. The chairman further added a list of council meeting dates going back to 2002 regarding the development, all of which were open to the public, but no members of the public had attended any of them.

District councillor Marchant said that an increasing number of residents are asking questions regarding the development, but councillors are not being given the necessary information to answer them. Cllr P Hadcroft said that although it must appear to members of the public that we had answers for them, in fact we do not.

Cllr Caldicott asked what lessons had been learned from this. The chairman replied that the lessons learned would come up later in discussion.

Cllr Caldicott asked what are we doing to get information from the district council. The chairman said that the council have tried to obtain the information, but in most cases this had been to no avail, or had come later on.

Cllr Nunn-Price said that Don Summers and former district councillor Pam Westwood had provided certain information in the past and this had been welcomed.

- ii) *Avoiding responsibility for any breach of planning guidelines by transferring to the parish council the responsibility of ensuring compliance.*

The chairman said that he did not believe they have necessarily transferred this to the parish, the council have been doing its duty in ensuring that the compliance is met by the Vale and the developer wherever and whenever possible.

The local community has had plenty of time to be involved and discuss aspects with the council, as indeed many groups already have.

Cllr Harker said that the parish council was still a long way off from understanding the Vales competences, and stressed that they need to take further advice.

It was agreed that certain groups have come to meet with the parish council regarding the development. The Allotments Holders Association and most sports clubs have either had meetings with the parish council and developers or both.

- iii) *Grove Parish Council needs to understand that it has a crucial role in implementing the Local Plan, and has the power to legitimately delay planning approval indefinitely. However, it has little planning expertise, and does not have the VoWHDC's access to specialist services. VoWHDC planning officers should be called upon to ensure that planning regulations and guidelines are obeyed.*

Hence there is good reason to insist on professional advice over aspects where the parish council does not have detailed knowledge, and to demand strict adherence to requirements. As well as relieving the parish council of a substantial burden, this may have the effect of delaying the development

The chairman said that the council knows it has a crucial role in the implementation and have been working hard on this, however he was not sure that the council could actually delay the planning approval indefinitely, or that it would be in the best interests of the community to do so. Indefinite delays would lead to uncertainty and no further input to facilities (as has been the case on the Mably Way pitches). Further, the application could go to appeal and if lost (which would be likely due to the inspector's acceptance of it), the parish could have the houses without some of the additional facilities etc. that can be obtained through negotiation not confrontation.

The council do have some expertise within the council in Anthony Harker with regard to environmental impact assessments, and the council has also appointed a planning consultant to assist in this. The council will use the Planning Consultant and others to ensure that the Vale does their job correctly and for the benefit of Grove (this has always been the councils' stance). Also the council have always stated that we want things done correctly and not skimped.

Cllr P Hadcroft said that the council do not have a legal expert to deal with planning issues. Neil Boddington said that he has a vast amount of experience in dealing with legal agreements and was not sure whether the council required a legal advisor. He further said that the council should be concerned with the content of the legal agreements and not the legal wording.

The chairman further added that the public inquiry selected the sites and this was accepted by the Planning Inspector.

Cllr P Hadcroft said this council could not delay the plan indefinitely. Neil Boddington added that the district council as planning authority had a duty of care to the applicant (the developers) and that there is no requirement in law which requires the planning authority to openly consult - the planning authority will determine the Local Plan.

Cllr Caldicott asked how long Neil Boddington had been employed by the parish council as planning consultant. The chairman said that he had been employed for just under a year.

- iv) *Despite its lack of planning expertise, the parish council occupies a unique situation, i.e. its local knowledge and its pivotal role in the approval process. It could make use of local people's knowledge.*

The chairman said that the council have indeed made use of local people's knowledge, specifically Anthony Harker and also Don Summers'. We have also employed a planning consultant to assist and will continue to use local knowledge, however, the council are also reliant on people within the village informing the council of expertise.

- v) *In opposing the development, the parish council might adopt a more formal and confrontational stance in its dealings with VoWHDC and the developer. The purpose would be to encourage the VoWHDC to accept its responsibilities and allow the parish council to concentrate on frustrating the development.*

The chairman said that the council have constantly opposed the development both formally and informally and have often made our feelings very plain to the Vale and the developers. We believe that we can forcefully put our point of view without being confrontational as this can often have a detrimental effect on those affected. It is important to work with the Vale to ensure every thing is done correctly not against them!

The vice-chairman stated that at the Community Park Workshop held last week the parish council was forceful in its approach to questioning the developers. Cllr Caldicott said that once the application had been made what are the timelines and subsequent process of the application? How do we monitor that?

The chairman replied that there are no timelines – as Neil Boddington alluded to before, it is the developer's application. It could be as little as 13 weeks or could take six months, the chairman further added that the parish council would do everything to ensure that everything was covered. Cllr Caldicott said that there must be a process that the developers have to adhere to, and would like to know what the process was so he could understand it.

Cllr Harker said that when an application of this size is submitted the Environment Agency become statutory consulters. He also said that because the district council do not have the required expertise to understand the environmental impact assessment, that they would be appointing independent experts to perform this task.

Clerk

The clerk was then asked to confirm with the Vale what budget they have to ensure this task is met.

Cllr Caldicott asked again what the process is. Neil Boddington said that the whole system is loose. Prior to an application being made the developer will ask the Planning Authority for a scoping opinion. A series of independent baseline studies are made on behalf of the planning Authority and developer. When these studies are concluded an outline planning application will be submitted to the Planning Authority. The Planning Authority will then take the time to ensure that all the criteria are met. The Planning Authority will return the application to the developer if the application is not complete. Once complete the Planning Authority will register the application the process of determining the application can take six months, the Planning Authority can also ask to extend this if it sees fit, to which the developers would normally agree.

Neil Boddington added that the developer can if it so wishes during this process go to appeal, therefore the decision would be taken away from the Planning Authority. If the developer did not go to appeal, the Planning Authority can either refuse or permit the application (with conditions). Neil Boddington further added that the principles of the planning permission would be decided at the outline planning application stage.

The chairman said that the Northern Link Road would now be included in the outline planning application which is now scheduled to be submitted in March 2008 (earliest possible time).

Neil Boddington added that the planning law states that the developers must deliver the contents of the Local Plan, and that the onus is on the Planning Authority to ensure that all conditions are met.

Clerk

The clerk was asked to query with the planning Authority to see if 106 agreements outside of the Local Plan have to be honoured if the developer decides to go to appeal.

- vi) *The parish council should reject any Statement of Community Involvement that fails to include the overwhelming referendum result. It is reminded that the Local Plan expires in 2011, and therefore it should not enter into any agreement that extends beyond that date.*

The chairman said as stated before the question on the referendum was wrong and it is what the council have been doing for the last 5 years (and were re-elected to continue doing so). However the council will take the referendum to indicate that there are concerns about the development and we are therefore even more determined that this will be the best for Grove. As to agreements beyond that date the Local Plan includes the development of the whole area and 2500 houses. This has been accepted by the government inspector through the public inquiry (where the council argued against with very little support from members of the public or our district councillors). The outline planning application will be for the whole area and therefore he believes that to ensure this is done correctly and for the benefit of Grove we should enter into agreements to that effect.

The chairman further reminded members that Grove was allocated as a strategic site by the appointed government Inspector, and it is also included in OCC structure plan as well as the SEERA plan that has just been accepted by the inspector. Cllr Nunn-Price added that a further 900 homes are proposed in the draft consultation from SEERA.

Clerk Cllr Caldicott asked and it was agreed that the clerk inform the district council that it is interested in acquiring land to the north of Grove for sports provision. The chairman said with regard to playing space, the parish would not lose land, because the Local Plan provided enough land for the developed housing.

- vii) *However, the VoWHDC intends the development to continue beyond 2011, and it is essential that suitable drainage for the whole site be implemented prior to the start of house building. It is widely recognised that the VoWHDC does not have enough expertise in drainage matters. Therefore in order to allay local concerns, the parish council should insist on independent validation of the developer's drainage proposals (e.g. by Oxfordshire County Council's drainage consultants). Full details should be made public, and the agreement of East & West Hanney Parish Councils should be required prior to acceptance.*

The chairman said that the council would ensure that the full environmental impact assessment is addressed correctly and work to ensure that all drainage is taken into account and that the correct measures are put in place. Anthony Harker is the council's expert in this area and will continue to pull the Vale up on any thing they miss or do not do correctly.

The vice-chairman stated that Cllr Harker is already doing this. Cllr Harker then stated that planning permission will not be granted without Environment Agency approval and that the Environment Agency has a right to review the drainage issues because it is a statutory consultee.

Parish council should indicate its intention to object to any planning application that contravenes existing undertakings or that is not accompanied by a statement signed by VoWHDC officers confirming compliance with current regulations. [for example: roads, drainage, recreation facilities, ecological issues, etc]. Parish council should also insist that planning applications be made available with ample time for study by local residents as well as parish councillors. During the course of its opposition, the parish council should insist on due diligence from VoWHDC planners, including strict adherence to proscribed time schedules, and declare its readiness to appeal to higher authority against any planning decision that overrides its objections.*

The chairman said that the council would fully intend to ensure that ALL planning applications contain all they should and will object to any application on planning issues that we feel are incorrect for the village, as we currently do for existing applications. We are also pressing the Developers and the Vale to hold an exhibition of the plans and other information, when the outline plans are submitted next year. We are not necessarily going to insist on strict time schedules for the applications as this only gives 13 weeks for the outline plan. We will instead be insisting that the all aspects of the plan are thoroughly investigated and if that takes longer than the 13 weeks then that is fine. It is important to get it right not meet prescribed timetables.

- viii) *[* The VoWHDC is obliged, prior to considering a planning application, to prepare an acceptable management plan for rare and/or endangered wildlife species in cases (such as Grove) where these are found on a development site.]*

The chairman said the council know this and will do our best to ensure that ALL the management plans for all the various aspects, including wildlife, are fully developed in the application. We will also be ensuring that the Vale enforce their implementation throughout the development.

Cllr Harker said that the Vale have replied to those issues which will be addressed in the planning application. Cllr Nunn-Price suggested that wildlife groups keep an eye on the developments as and when they occur. Cllr Harker said that Natural England area a statutory consultee. Cllr Phillips asked if other parishes will be told of the EIA report to which the chairman replied probably not.

- viii) *Parish council minutes of all future discussions with the developer or his agents should be published. Such discussions should primarily address the subject of infrastructure, and be open to the public. Communication between the developer and individual councillors should be discouraged.*

The chairman said that the council have always tried to make the discussions open and minuted,

however we acknowledge that there may have been some informal discussions, however these have NOT been agreements, just general views put forward by the developers or some councillors. NO formal agreements or decisions would be taken without full council discussions which would be minuted and open to the public. It should be noted that informal discussions often provide background information for the full council discussions and are therefore often valuable. It should also be noted that occasionally the council will discuss aspects in a confidential session, this is not to deny the public information, but to ensure that the developer is not aware of what we may require and therefore have an unfair advantage in any negotiations. Once agreement has been reached on these items with the developer there is no reason why the minutes cannot be made public.

- x) *Similarly, discussions with the VoWHDC concerning the development should take place in Grove and be open to the public. Parish council should demand ample time to study all relevant documents, and in the light of recent events, it should insist that the Environmental Impact Assessment and the SCI are updated.*

The chairman said it is up to the Vale where they hold their discussions and how they hold them, however the council have always asked for the information on these discussions to be made available to the Parish, although sometimes it does seem as if we don't always know what is going on. As stated above we will be demanding an exhibition of the initial outline plans in Grove so that the residents can see them. We will also ensure we have time to review them at our planning committees which are also open to the public. Finally we will try and ensure that when the plans are discussed at the Vale planning committee this is done in Grove.

Part of the delay to the planning application is due to the Vale requesting that further work is completed on the flooding aspects and also the effect on Letcombe Brook due to the recent events. We will certainly be ensuring that the ALL the impact assessments are carried fully and correctly.

- xi) *There is a pressing need for improvement and maintenance of existing drainage/sewage facilities. The parish council might ask Thames Water and the Environment Agency if existing facilities have the capacity for the increased demand associated with recent and planned development. Similarly, these bodies and Oxfordshire County Council should be asked urgently to review the current arrangement that allows sewage to be discharged into Pill Ditch from the facility in Mayfield Avenue. The public health implications should be stressed along with the need for betterment. Clearly, Pill Ditch cannot be an effective overflow for Letcombe Brook without free flow into the area East of the A338. Parish council should insist that planning does not proceed until these matters are satisfactorily resolved.*

The chairman said this is a good point - we will investigate what we can do about this and how this may or may not affect the application. The developer's current stance is that Letcombe Brook will not be affected and therefore this would not be part of the planning application. We currently dispute this and it would seem that in the light of recent events the Vale are now questioning this as well.

Clerk The clerk was asked to enquire and see if the Environment agency is aware of sewage being pumped into Pill Ditch.

- xii) *Parish council should press for immediate progress on items overdue for implementation by VoWHDC, such as the extra football pitches, and demand a start date for the work. This would separate these items from the airfield development, and give the VoWHDC an opportunity to demonstrate its good intentions*

The chairman said that the council have been doing this for many years, however recently, since the decision to route the southern access road along the existing Denchworth road route, we have been again chasing the Vale for these pitches. They have now stated that this work is in their programme of work and will be completed by April 2009. We have responded stating that we feel that due to the delays this should be progressed earlier and we are trying to get them for Sept 2008. This was reported at the last Full Council meeting.

- xiii) *Grove Parish Council might also press Oxfordshire County Council for a start date for the secondary school, and insist that its location be established prior to development. The standard of construction, associated recreation areas, pedestrian crossings etc, should be specified at the outset.*

The chairman said that the council will certainly be pressing the county for a start date for the school however it has to be put out to tender so will be a few years away. The location will be part of the outline planning application and will be agreed as part of that application, this will also include any shared use and the recreation areas. The construction has to be to government standards for schools and will be overseen by the county.

- xiii) *Enquiries should be made through VoWHDC to Oxfordshire County Council over the wider aspects of infrastructure i.e. utilities, policing, emergency and hospital services, etc.*

The chairman said all of these are governed by regulations and common practice, however we will certainly be ensuring that we do get all the required aspects of infrastructure required for the number of houses. It should be noted that any infrastructure has to be directly related to the development, we can't get any existing shortfall for the current village funded from the developers.

The chairman added that he believes a crossing on the Denchworth Road by the Bay Tree Public House could now be provided as a result of the development, due to increased traffic on that road from the development..

- xv) *There are precedents within the district for negotiating sums of money for amenities for agreed parish purposes. For example, the VoWHDC's plans for Chilton include allocation of a specific sum. Grove Parish Council might negotiate similar provisions, thus enabling some decisions to be made within the community.*

The chairman said we would certainly be ensuring that we get all we can from the development, including owning public land and commuted sums for its maintenance. These are all subject to the section 106 agreement and this is where our planning consultant can work for us in ensuring we get the maximum we can. However exactly what we will ask for could well be part of confidential sessions to avoid information being passed to the developers and compromising what we can get. However once agreements have been reached we can issue a full statement in what we asked for and what we ended up getting.

The chairman said that if council wished, the above could form the council response to Mr Chown's letter.

It was **MOVED** Cllr P Hadcroft **SECONDED** Cllr Ackers and **RESOLVED** unanimously

“that Grove Parish Council respond to Mr Chown's letter using the Chairmans response above.”

The chairman then asked if there were any comments or questions from the public.

Mr Chown – Mr Chown thanked the parish council for holding the meeting and said that it was nice to see different people around the table. Mr Chown also said that there was a definite distrust of the district council, but fortunately the “open letter” had given opportunity to residents to voice their opinion. Mr Chown finished by stating that the threat of the National press could be used against the district council.

Mr Don Summers – Mr Summers thanked Neil Boddington for his comments, which were very informative.

- 3 c) Draft route fro the Southern Access Road – The chairman explained that the developers have now changed their preferred choice from option 1 to option 2 – this was because they had felt that option 1 was now undeliverable. Their new proposed route is option 2 – an upgrade Denchworth Road. The chairman explained that because of land ownership issues the developers would require about 30 feet of land from the Wasbrough Field side of the road to complete the carriageway. However, the chairman intimated that information was now being received that Mr Lamplough (who supposedly holds a ransom

strip on the Denchworth Road) is willing to discuss this.. It appears that Mr Lamplough has asked the developers for a meeting regarding the land but to no avail. It also appears that Mr Lamplough is happy to enter into negotiations over the land.

Mr Don Summers then asked the chairman if he could speak. Attached as an appendix is the statement and comments them Mr Summers.

Cllr Nunn-Price asked about the issues of crossing the upgraded road. The chairman said that this would be discussed at the Development Forum meeting. Cllr Stock asked what the difference in the costs would be from changing from option 1 to option 2. The Chairman responded that we did not know but would see if we could get the information from the developers.

- d) Community Park Workshop – The chairman said that the major talking point was the concern over the proposed Southern Access Road and grave concerns over the crossings. It was suggested at the workshop that an underpass or bridge be constructed, but this was discounted due to the supposed ransom strip. It also discussed the reduction in pitch sizes on Wasborough field due to the encroachment of the realigned road as well as the general pitch layouts and what options there were.

Clerk The clerk was asked to e-mail the Community Park Workshop document to all parish councillors.

The chairman then went on to discuss the Development Forum and said that hopefully attendees will see the current thinking of the design team. The Development Forum is on Wednesday 26th September at 7.30 pm in Old Mill Hall.

Clerk The clerk was asked to find out what comments the district council have on the Southern Access Road.

- e) Update on the current status of the outline planning application – The developers have now intimated that the outline application will now not be submitted until at least March 2008.
- f) Role of the Councils Planning Consultant – Neil Boddington informed members that he would work on the Airfield Development issues as and when the council wanted him to.

His next main focus would be on the outline planning application when it is submitted. At present he is compiling information and has met with developers. Neil Boddington said that when the outline planning application is submitted he will review the application and after advice accordingly.

Neil Boddington will also represent the views of the parish council to the district council and the developers. He further added that he would assist with the planning issues of the legal agreements and the desire of the council to gain ownership of all new open spaces. Neil explained that as more information is received from the developers and planning authority, he would be able to assist and advise as requested.

The chairman then asked if there were any questions for Neil Boddington. There were none, and Neil left the meeting.

Cllr Nunn-Price left the meeting

There then followed a short discussion on whether to continue to employ a Planning Consultant. It was generally agreed that the services of a Planning Consultant were required and it was felt that it was helpful to have someone assisting the council. Therefore it was generally agreed to retain Neil Boddington as the councils consultant.

The meeting closed at 9.58pm

Confirmed 23rd October 2007

Chairman