

Part 1 – Respondent Details

1(a) Personal details									
Title	Sqn Ldr								
First Name	Robert								
Last Name	Nielsen								
Job Title (where relevant)	Parish Councillor								
Organisation (where relevant)	Brightwell cum Sotwell Parish Council								
1(b) Agent details <i>Only complete if an agent has been appointed</i>									
Title									
First Name									
Last Name									
Job Title (where relevant)									
Organisation (where relevant)									
1(c) Contact address details <i>If an agent has been appointed please give their contact details</i>									
Address Line 1	Brightwell Vineyard								
Line 2	Rush Court								
Line 3	Wallingford								
Line 4									
Postcode	OX10 8LJ								
Telephone No.	01491 836586								
Email address	info@brightwellvineyard.co.uk								
Are you writing as	<table border="0"> <tr> <td><input type="checkbox"/> A resident</td> <td><input checked="" type="checkbox"/> A parish council</td> </tr> <tr> <td><input type="checkbox"/> A local business</td> <td><input type="checkbox"/> A district council</td> </tr> <tr> <td><input type="checkbox"/> Minerals industry</td> <td><input type="checkbox"/> A county council</td> </tr> <tr> <td><input type="checkbox"/> Waste industry</td> <td><input type="checkbox"/> Other (please specify)</td> </tr> </table>	<input type="checkbox"/> A resident	<input checked="" type="checkbox"/> A parish council	<input type="checkbox"/> A local business	<input type="checkbox"/> A district council	<input type="checkbox"/> Minerals industry	<input type="checkbox"/> A county council	<input type="checkbox"/> Waste industry	<input type="checkbox"/> Other (please specify)
<input type="checkbox"/> A resident	<input checked="" type="checkbox"/> A parish council								
<input type="checkbox"/> A local business	<input type="checkbox"/> A district council								
<input type="checkbox"/> Minerals industry	<input type="checkbox"/> A county council								
<input type="checkbox"/> Waste industry	<input type="checkbox"/> Other (please specify)								

Please tick the appropriate boxes if you wish to be notified of any of the following:	
That the Oxfordshire Minerals & Waste Core Strategy has been submitted for independent examination	X
Publication of the Inspector’s report and recommendations	X
Adoption of the Oxfordshire Minerals and Waste Core Strategy	X

Please sign and date the form:			
Signature:	Robert E Nielsen	Date:	29 Sep 2015

Part 2 – Representation

Please complete this part (Part 2) of the form separately for each separate representation you wish to make.

You can find an explanation of the terms used below in the accompanying guidance on making representations.

2(a) State which part of the Oxfordshire Minerals and Waste Local Plan Core Strategy you are making a representation about

Part or policy no. or paragraph

Policies M3, M4, Section 4, M10, W4

2(b) Do you consider the Oxfordshire Minerals and Waste Local Plan Core Strategy is: (tick as appropriate)

- (i) Legally compliant? Yes X No
- (ii) Sound? Yes X No

If you have answered **No** to question 2(b)(ii), please continue to question 2(c). In all other cases, please go to question 2(d).

2(c) Do you consider the Oxfordshire Minerals and Waste Core Strategy is unsound because it is not: (tick as appropriate)

- (i) Positively prepared X
- (ii) Justified X
- (iii) Effective X
- (iv) Consistent with national policy

On the following pages, please set out why you think the Minerals and Waste Local Plan Core Strategy is legally non-compliant and/or unsound and any changes you are suggesting should be made to it that would make it legally compliant or sound.

Please note your representation should include as succinctly as possible all the information and evidence necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on your representation at this stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

2(d) Please give details of why you consider the Oxfordshire Minerals and Waste Local Plan Core Strategy is not legally compliant or is unsound. Please be as precise as possible.

If you agree that the Oxfordshire Minerals and Waste Local Plan Core Strategy is legally compliant and/or sound and wish to support this, please also use this box to set out your comments.

1. Policy M3 para 4.22 is incomplete and has insufficient supporting evidence to justify its claim that 'The strategic resource areas are indicated on the Minerals Key diagram' which is figure 9 on page 62. This flimsy sketch diagram does not accurately map resource areas, nor does it explain why large resource areas have been excluded from the diagram. Figure 3 (page 15) outlines 'Sand and gravel resources in Oxfordshire', and thus it should match across to matching areas on figure 9. However, large resource areas identified on figure 3 are not identified on figure 9. For example 'river terrace deposits' in figure 3, in the southern Thames area are mapped on figure 9 as 'sharp sand and gravel', but extensive 'river terrace deposits' in figure 3 north of Wantage and Didcot, and south of Carterton along the A420 do not appear at all on figure 9. No evidence is given to explain the disappearance of these and other resources in crafting the 'minerals key diagram'. The figure 9 'minerals key diagram' is unsound in that it is not positively prepared, not justified with evidence, not effective and not consistent. It is totally inadequate for planning purposes, and thus all judgements (most of section 4 and policy M3) based upon this sketch diagram are also unsound.

2. The diagram at figure 1 highlighting 'Special Areas of Conservation, ...' is inaccurate and thus cannot be relied upon for planning purposes. For example the SSSI within Brightwell cum Sotwell Parish is not shown, therefore there can be no confidence that other areas have not also been omitted from the map. Figure 1 is unsound as it does not fulfil the criteria of being 'a robust and credible evidence base'.

3. The diagram at figure 2 highlighting 'Oxfordshire growth areas...' is incomplete and inaccurate, and thus cannot be relied upon for planning purposes. For example the proposed 'Science Vale' development which has been published in outline by South Oxfordshire District Council is not shown (though it is mentioned in writing within the Part 1!). Additional areas are mentioned as growth areas throughout the Waste strategy but not marked on figure 2. Therefore there can be no confidence that other areas have not also been omitted from the map, and since growth plans have yet to be defined it is premature to use Figure 2 which cannot yet be completed accurately. Figure 2 is unsound as it does not fulfil the criteria of being 'a robust and credible evidence base', and cannot be used for planning purposes.

4. The diagram at figure 13 highlighting 'Oxfordshire Lorry Route' is incomplete and lacks detail. There are many road restrictions not shown on this thumbnail sketch and it has insufficient evidence to show which roads could endure sustained heavy lorry traffic for it to be used for planning

purposes. Figure 13 is unsound as it does not fulfil the criteria of being ‘a robust and credible evidence base’, and cannot be used for planning purposes.

5. Para 4.24 contradicts Para 4.23, Para 4.25 and Para 4.26. Para 4.23 states ‘sites for working **will** be allocated in the Site Allocations Document,’ and Para 4.25 states ‘Policy M4 sets out the criteria that **will** be used to assess potential sites for inclusion in the Site Allocations Document’. However Para 4.24 states ‘The strategic resource areas **have been** broadly drawn ...’; which is part of the process of Site Allocations and limits the assessment of potential sites. It prejudices and restricts site allocations that other Paras state will be done in the Part 2 site allocations document. The prejudice displayed in para 4.24 can only be remedied by deleting para 4.24.

6. The plan is unsound due to inconsistency and lack of justification for its assumptions in para 4.30. In the Introduction to the plan it is stated there will be 2 documents; the Part 1 Strategy document and then a later determined Part 2 Site Allocation document. However from para 4.28 through to para 4.35 the Part 1 completely deviates from strategy and embarks on ‘site allocation’. The Part 1 should stay within its stated remit of outlining the strategy and criteria to be followed and not embark on making unjustified and non-evidenced assumptions intended to influence site selections, including making politically biased comments, such as stating in para 4.28 in reference to one area that, ‘there are concerns about the rate and intensity of mineral working in the area and the consequent cumulative impact on local communities, generation of traffic, ...’. This sentence could be written about the concerns of every area in Oxfordshire that mining occurs in, or is proposed in, and it is completely unjustified to attach this comment to just one area even if it is the Prime Minister’s Constituency, (Newspaper editors please note!).

7. Section 4 is also unsound in that it fails the stated test that ‘the plan should be based on a robust and credible evidence base involving research and fact finding which results in the choices made in the plan being backed up by factual evidence’. In para 4.29 the plan objective of ‘minimising the distance that minerals need to be transported by road, from quarry to market’ is made paramount. Para 4.29 then speculates that ‘there is a broadly equal split in existing and forecast levels of economic growth and development between the northern and southern parts of the county’. No evidence is presented or referenced to support this assumption. Current plans for development in Oxfordshire are in flux with many schemes being mooted though not all confirmed, and to simply divide this large county into north and south is not justified in the document. Nor is this divide clear within it, where para 4.29 takes Oxford as the mid point, but in para 4.33 says that provision from the ‘northern part of the county ... should be from within the Standlake to Yarnton area’, an area west and south of Oxford. Whilst Current District Council planning indicates that most development may occur in the North-east (Bicester), and South west (Wantage), and the mooted ‘Science Vale west of the A34, only the Bicester and Wantage developments are indicated by Figure 2 on page 13 of the Plan. Whilst it is inappropriate for this Part 1 document to randomly speculate over future development and site allocations; when the

Part 1 states that this subject will be addressed in the Part 2 document, it needs to be far more nuanced than a speculated north south divide with no supporting evidence for the judgements expounded. Further prejudice is exposed in para 4.33 where it states 'provision should not be made from the resource areas further to the west, around Bampton and Clanfield, primarily because these areas are further from the main locations of demand for aggregate in Oxfordshire and lack suitable road access to the advisory lorry route network.' However a main location of demand drawn on figure 2 is Wantage, which is close by Bampton. Bampton is not further from a main location of demand but is adjacent to one! Bampton is also close to Shrivenham which is planned to treble in size over the next 15yrs and is thus another 'main location of demand' near Bampton, as is the ever expanding Carterton. Furthermore, Bampton is close by the designated strategic road of the A420. Via the A420 (a strategic road on figure 13, and thus a suitable road) mining near Bampton and also Standlake could supply not only Wantage but also the large growth zone currently being planned for the 'Science Vale' (referenced in para 4.30 but omitted erroneously from figure 2) west of Abingdon. The evidence in this Part 1 strategy contradicts the prejudices stated in para 4.33. Thus para 4.33 is contradicted by Figure 2 and the stated aim of this document, para 4.33 is unsound, unjustified and not supported by robust evidence, makes false claims and needs deleting.

8. Para 4.31 also inappropriately speculates on site allocation and suggests that 'a new working area within the Lower Thame Valleys area from Oxford to Cholsey' is 'likely' allocated for mining. This appears to be asserted solely on the basis of road access criteria (which isn't assessed nor supporting evidence given). However Cholsey is far further than Bampton from the planned developments around Wantage and the Science Vale and does not have the strategic route to Bicester that Bampton and Standlake do. Cholsey is not close to a 'strategic road' (figure 13) and lorry access to the main development area in the south as indicated on figure 2 would require navigating narrow and suburban roads for far greater distances than areas being excluded from consideration due to road distance. Para 4.31 is unsound as its conclusions are contradicted by the evidence it pretends to present and must be deleted.

9. Section 4 is illogical, prejudiced, unjustified and inconsistent and lacks credible evidence. That it discusses site allocation areas on the basis of likely development (based on the thumbnail incomplete sketch at figure 2), without first detailing all likely developments is unsound. That it discusses site allocation areas by reference to road transport to development areas, without full evidence of where those developments might be is unsound. That the only evidence to base these deliberations on is the sketchy and incomplete figure 13 roadmap which omits many of the road obstructions in Oxfordshire is unsound. Furthermore it is stated in the Plan that where better road access is required miners will need to provide those roads, so why should current road state be used here as a defining criteria?. It is wrong for section 4 to indulge in site allocations by making existing road access a deciding factor when the plan clearly states in section 3.4 vii that other modes of transport than roads should be prime considerations, but section 4 fails to consider these alternates

at all. Section 4 makes no mention of other means of transport while ruling in and out site areas on the basis of existing roads, and then rules areas in and out inconsistently and falsely on this narrow road access criteria. Section 4 is unsound as it reaches conclusions that lack credible evidence and indeed are contradicted by the scant evidence presented. The speculation in Section 4 which indicates 'likely' areas for mining does not respect nor follow the principles for determining allocation laid down in Section 3. That Section 4 seeks to prejudice deliberations to come in Part 2 by prior allocating site areas is unsound, unjustified, prejudiced and in direct contradiction to the stated aims in this document that it should be a strategy and NOT a site allocation document. The determination of site allocation areas should be conducted in Part 2 and not speculatively prejudged in the Strategy Part 1 if this document is to be consistent in its stated aims. The unjustified, contradictory, non-credible and prejudiced Paras 4.28 through para 4.35 must be deleted in their entirety.

10. Policy M3 'Principal locations for working aggregate minerals' is unsound as it is not justified with robust and credible evidence. No sound research and fact-finding is presented, nor is it backed up by robust factual evidence, and there is no evidence of participation of the local community and others having a stake in the area. It appears to be based solely on the sketches in Figure 9 (the Minerals Key Diagram) but this diagram appears to be based solely on the statement in para 4.45 Policy M3. Thus the presented evidence for Policy M3 consists of figure 9, and the presented evidence for figure 9 is Policy M3! This is not justified credible evidence! There is no evidence presented to explain why vast areas of identical resource mapped in figure 3 (Sand and gravel resources in Oxfordshire) are then omitted and excluded from consideration as possible locations in Policy M3 and figure 9. The lack of research and credible evidence leaves the entirety of para 4.45 Policy M3 as unsound, unjustified, prejudiced speculation, and it must be deleted in its entirety. Furthermore there is no evidence of participation of the local community in formulating the random prejudices that are Policy M3 and figure 9.

11. Policy M10 rightly gives high priority to the restoration of mining sites, however this policy can be enhanced by also suggesting a more creative and positive vision for mineral workings. By seeking beneficial uses for former workings local populations can be persuaded that the inconvenience of mine working will be offset by longer term enhancements. Para 2.20 clearly states the NPPF expectation to 'positively seek opportunities to meet the development needs of the area', but there is scant consideration of this objective within the Part 1 guidelines except for one sentence in para 4.78. In keeping with para 2.20 greater emphasis on the possible civic and economic amenity of a restored mine site should be made, and listed as a bullet point under Policy M10 in para 4.85.

It is suggested the following bullet point is inserted in Para 4.85. 'possible economic opportunities for future creative use of a site that will be beneficial to the community.' To support this point the following sentences should be inserted after the first sentence in para 4.78:

'When deciding mineral working sites, consideration should be given to

the possible future use and amenity to be gained from the excavation, beyond just returning the site to farmland or to nature. For example, could it provide a world class watersports venue (rowing, swimming, sailing, skiing?). Could it be sited to provide a marina and mooring area linked to a river and town? Could it provide a safe shooting area, or secluded, noise-deadening area for motor sports, or an amphitheatre, or 'Eden project'. A lateral approach to considering future uses should be undertaken, and where a productive future use for a site can be identified this should be given a positive weighting in site allocation.'

12. Policy W4 is unsound due to not being positively prepared or fully effective in meeting the stated goals of policies W1 to W3. Policies W1 to 3 emphasise the need to encourage communities to take responsibility for their own waste (5.10) and encourage recycling and recovery (5.13, 5.14, 5.15). Policy W4 gives insufficient attention to the distances and the demographic distribution of the South East of the County. In assessing the locating of facilities to encourage recycling of waste streams, attention is required to accessibility for the approximately 50,000 people who live in the South east part of the County where there are no recycling centres designated on figure 12.

The following sentence should be added to sub-para 5.39. c) of policy W4.

"Bring-to' recycling centres should be provided evenly around the County, and existing recycling facilities should be retained, in order to facilitate community waste recycling in accordance with Policies W1 to W3.

Continue on a separate sheet or expand the box if necessary

2(e) Please set out the changes(s) you consider necessary to make the Oxfordshire Minerals and Waste Local Plan Core Strategy legally compliant or sound, having regard to the reason you have identified at 2(c) above where this relates to soundness. You should say why this change will make the Core Strategy legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Justification for changes below is in the text above at 2(d).

1. Figure 1 is unsound as it does not fulfil the criteria of being 'a robust and credible evidence base'. It needs to be completed or deleted.
2. Figure 2 is unsound as it does not fulfil the criteria of being 'a robust and credible evidence base', and cannot be used for planning purposes. It needs to be completed or deleted.
3. Figure 13 is unsound as it does not fulfil the criteria of being 'a robust and credible evidence base', and cannot be used for planning purposes. It needs to be completed or deleted.
4. The unjustified prejudice displayed in para 4.24 can only be remedied by deleting para 4.24.
5. The unjustified, contradictory, non-credible, inconsistent and prejudiced Paras 4.28 through para 4.35 must be deleted in their entirety.
6. The lack of research and credible evidence leaves the entirety of para 4.45 Policy M3 as unsound, unjustified, prejudiced speculation, and it must be deleted in its entirety.
7. It is suggested the following bullet point is inserted in Para 4.85.

'possible economic opportunities for future creative use of a site that will be beneficial to the community.'

To support this point the following sentences should be inserted after the first sentence in para 4.78:

'When deciding mineral working sites, consideration should be given to the possible future use and amenity to be gained from the excavation, beyond just returning the site to farmland or to nature. For example, could it provide a world class watersports venue (rowing, swimming, sailing, skiing?). Could it be sited to provide a marina and mooring area linked to a river and town? Could it provide a safe shooting area, or secluded, noise-deadening area for motor sports, or an amphitheatre, or 'Eden project'. A lateral approach to considering future uses should be undertaken, and where a productive future use for a site can be identified this should be given a positive weighting in site allocation.'

8. The following sentence should be added to sub-para 5.39. c) of policy W4.

“Bring-to’ recycling centres should be provided evenly around the County, and existing recycling facilities should be retained in order to facilitate community waste recycling in accordance with Policies W1 to W3.

Continue on a separate sheet or expand the box if necessary.

2(f) Written representations or oral hearing

If your representation is seeking a change to the Oxfordshire Minerals and Waste Local Plan Core Strategy, do you consider it necessary to participate at the oral hearing part of the examination? *(tick box below as appropriate)*

No , I wish to communicate through written representations	
Yes , I wish to participate at the oral hearing part of the examination (go to 2(g))	

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated they wish to participate at the hearing part of the examination.

<p>2(g) If you wish to participate at the hearing part of the examination, please outline why you consider this to be necessary.</p>
<p>I can explain the points I have made in my submission above, and clarify any points of understanding.</p>
<p>Continue on a separate sheet or expand the box if necessary</p>

Please complete Part 2 of the form separately for each separate representation you wish to make, and submit all the Parts 2s with one copy of Part 1 and Part 3.