

Comments from Nigel Pearce of 1 City Farm, Eynsham OX29 4YA on:

West Oxfordshire District Council Local Plan (2011-2031)

Further Main Modifications (FMMs) Sustainability Appraisal (SA)

Further Addendum Report, Enfusion/WODC, February 2018

Table 2.1, page 8

What Enfusion/WODC say:

“The SA Further Addendum is an **independently prepared** report that **objectively** and **impartially** assesses a number of reasonable alternative options using an established assessment framework” [my emphasis].

My comment:

This is an assertion, not a fact. Previous hearing statements submitted by me and others have used **facts** to demonstrate that Enfusion’s SAs, post-2015 at least, have been biased and frequently incorrect. Far from being objective, in the case of West Eynsham and the Garden Village, they have clearly striven to provide a justification of WODC’s preferred option, rather than in impartial assessment.

The claim of independence is something of a joke. Enfusion have been working for WODC on Sustainability Appraisals since at least the first half of 2014.¹ The same WODC planning officer has been cited as one of the authors of all five SA reports. The Director of Enfusion is also common to all five. WODC have informed me that for their four last reports, Enfusion were paid £37,500.²

Enfusion and WODC have thus enjoyed a very close working relationship for at least the last four years. The closeness of their relationship has made self-questioning and reappraisal of assumptions highly unlikely. The language of the latest SA is the clearest indication yet that they are acting wholly in concert.

What Enfusion/WODC say:

“The SA uses Government data through Magic Map supported by any more detailed site level information if available.”

My comment:

More information was available (two separate maps from Natural England) but was not used by Enfusion. In addition, to reiterate a point previously made, the LUC report said of the southern half of the site that the majority of it (77%) was Grade 3 agricultural land, and 17% was Grade 1 or 2. **It is absolutely essential that a full ALC survey is carried out for the whole site before any development, or detailed planning, gets under way.**³

¹ See Enfusion’s ‘Focussed Consultation Sustainability Report’, July 2014.

² Enfusion were also called in to advise Eynsham Futures (who did not request this advice) on how to prepare the SA for Eynsham’s Neighbourhood Plan, which WODC subsequently and without warning or consultation undermined completely with the announcement of the Garden Village and West Eynsham SDA.

³ As Enfusion themselves say in four places in CD2 of 2015 (re SA Objective 11), “It would be recommended that further investigations are carried out to determine the quality of the agricultural land which would reduce any uncertainty of effects” (“in light of the precautionary principle”).

As Defra's 'A Green Future: Our 25 Year Plan to Improve the Environment' says on page 35, "We will protect ancient woodland and grasslands, high flood risk areas and **our best agricultural land.**" Likewise, the new NPPF document says at paragraph 112, "local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land". As LUC pointed out, Grade 3a land and above is "considered to be a national resource and should not be lost".

These two government documents – and Defra's *Health and Harmony: the future for food, farming and the environment in a Green Brexit* – should surely change the game, although back in 2009 the Sustainable Development Commission made the same point: "The loss of food-growing land – to building, roads, development – cannot be ignored . . . Soil is the most precious resource and everywhere needs to be kept in good condition to feed people while promoting ecosystems support." LUC said of the southern half of the site that "development would have a significant negative effect on efficient land use and preserving soil quality", and that loss of Grade 3a land (and above) would likely lead to "permanent major negative effects". That sounds like at least a double negative mark, whereas Enfusion carefully kept their marks to a single negative for 'improve efficiency of land use' and to neutral/negative with uncertainty for 'protect and improve soil and water resources'. A double negative means "Problematical and improbable because of known sustainability issues; mitigation likely to be difficult and/or expensive." No wonder they avoided it.

Table 2.1, page 9

What WODC say about Enfusion's methodology and performance:

"Their overall approach was found to be adequate in 2015 by Inspector Emerson in his preliminary findings [IN015]."

My comment:

I and others have not been referring to what happened during Inspector Emerson's regime. My complaint, and that of others, pertains to the three SAs prepared since then, that is, *after* the Garden Village and West Eynsham SDA came into play. It is during this period that Enfusion have fallen well short of objectivity, impartiality and independence.

An egregious example of bias, lack of independence – and plain ignorance

In earlier hearing statements submitted by me and others, we have pointed out a series of instances of bias and error in Enfusion's Further Addendum Report. There is another area in which these shortcomings are exemplified, not previously brought to the attention of the Planning Inspector: SA Objective 10 – "Address the causes of climate change by reducing greenhouse gas emissions and be prepared for its impacts".

A comparison of SA Objective 10 for the three potential Garden Village sites reveals the following:

- The first two paragraphs are identical in all three cases, as is most of the text in the paragraph beginning “Development at the site”.
- For Land North of Barnard Gate, the paragraph beginning “Any development is likely” is omitted for some reason, although this does not seem particularly significant. The text is mostly identical for the other two sites.

So far, well OK. Now for the important differences.

- Land North of Barnard Gate has extra text about the loss of an existing solar farm, and it is this ‘loss’ that apparently lowers the mark for this site to negative with uncertainty, making it lower than the other two sites. But it is not clear why the solar farm should be lost. Surely it is an advantage to have it there as a ready source of renewable energy, and the site could be adjusted somewhat to accommodate it?
- The text for the Oxford Cotswolds Garden Village refers to a “vision for an exemplar development for this new village”, indicating “an approach that could promote leading-edge sustainable energy to be considered at masterplanning stage”. This directly reflects WODC’s Expression of Interest, as footnote 20 makes clear. But it makes for a very **unfair comparison**, because no mention is made of any potential for a similar exemplar development with leading-edge sustainable energy at the other two sites. Presumably, WODC would demand such standards if either of the other two sites were chosen. Indeed, Gladman’s planning application for the Barnard Gate Garden Village includes similarly fine words on sustainable energy in paragraphs 6.2.18–6.2.21 of their planning statement, in a section entitled “Innovation”.
- And the most striking difference can be referred to as:

THE SOUTH-FACING FIASCO

In another **unfair comparison**, no mention is made of which way the other two sites are facing, while the Oxford Cotswolds Garden Village is proudly claimed to be “south facing”. This is what Enfusion say about the OCGV:

“Much of the site is south facing and the opportunities for maximising passive solar gain are included in the indicative proposals.”

This is an absurd and incorrect statement. When I asked WODC if Enfusion had been involved in the Expression of Interest, they confirmed by email that there had been no such involvement. It is therefore clear that Enfusion simply lifted text from the Expression of Interest. This is what WODC’s Eol said:

“Much of the site is south facing, hence its overall orientation is ideal for maximising passive solar gain, taking advantage of solar technologies and reducing energy costs.”

Is that what an SA should do, just take everything the Council says as correct, without bothering to check? Should Enfusion's independent and 'professional judgement' be based on what is essentially somebody else's sales document in a national competition?⁴

There are major problems with both WODC's and Enfusion's statements.

As Enfusion (for once correctly) say in CD10a, "The site is relatively flat in a gently rolling landscape." Parts of the OCGV site are indeed flat, particularly in the south-east. That means that those parts of the site are **not facing in any direction**. As for the gently rolling parts of the site, the gentleness of the rolling means it does not have any practical bearing on the positioning of solar panels. It would only make a difference if the slopes were steep.

But here comes the real shocker: **the site is not south facing**. Just a cursory glance at an Ordnance Survey map would have shown the contours falling away to the east – from 85 to 75 to 70 to 65. The City Farm brook, on reaching the Garden Village site, flows from west to east, as does the watercourse that runs through New Wintles Farm. WODC's own Parish Flood Report for Eynsham of 2008 notes that the Eynsham Mead Ditch rises in farmland to the north of the A40 at Acre Hill House and then flows in a north-easterly direction across the site. All three flow into the Evenlode, to the east of the site. When you walk up westwards from Lower Road towards Cuckoo Lane, that's what you do, *you walk up*. **The site, where it gently rolls, is predominantly east facing.**

Why does this elementary mistake matter? Because it indicates either careless ignorance or deliberate fabrication in support of a policy decision. I am inclined to think the former.

Returning to Enfusion's January 2018 SA, it says at paragraph 1.8, "The general approach taken . . . has been to build upon the previous SA work to ensure **consistency** so that changes are assessed or refreshed to **the same level**" [my emphasis again]. Yes, Enfusion have been consistent: consistently ill-informed, consistently misleading, consistently justifying WODC's position in defiance of the facts. The **level** to which changes have been refreshed is unacceptably **low**.

In sum, Enfusion's work, at least in relation to the Garden Village and West Eynsham, is of an unacceptably poor standard. It is also clear that WODC, in their attempts to show that their Local Plan is sound in this regard, have relied heavily on Enfusion's series of SAs. It would be an extraordinary travesty if the massive developments in and next to Eynsham went ahead on the basis of this deeply flawed, partial 'evidence'. Surely another consultancy, preferably appointed by the Planning Inspectorate, should be brought in to carry out the kind of thorough and objective SA that Enfusion, since 2016, have consistently failed to deliver.

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⁴ Similarly, Enfusion's CD10a footnotes WODC's Expression of Interest ten times, and takes what the Council has written as read, without any qualification. In CD10, the wording in paragraph 4.13, for example (on flood risk and heritage), is exactly the same as in the Eol's paragraph 3.4, and in both cases it is misleading.