

# South Oxfordshire Local Plan 2034

## Publication Version

### Representation Form

**Please return by 5pm on Monday 18 February 2019 to:** Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email it to [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

This form has two parts:

**Part A** – contact details

**Part B** – your comments / participation at oral examination

## Part A

Are you responding as an: (please tick)

Agent

Business or organisation

Individual

Due to the plan-making process including an independent examination, a name and contact details are required for your comments to be considered. If you are acting on behalf of another organisation, please provide their details in column one and your company name and contact details in column two.

	1. Personal Details	2. Agent Details (if applicable)
Title	<input type="text" value="Dr"/>	<input type="text"/>
Full Name	<input type="text" value="Eugenie Buchan"/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text" value="REDACTED"/>	<input type="text"/>
Address Line 2	<input type="text"/>	<input type="text"/>
Address Line 3	<input type="text"/>	<input type="text"/>
Postal Town	<input type="text" value="REDACTED"/>	<input type="text"/>
Postcode	<input type="text" value="REDACTED"/>	<input type="text"/>
Telephone Number	<input type="text" value="REDACTED"/>	<input type="text"/>
Email Address	<input type="text" value="REDACTED"/>	<input type="text"/>

## Part B – Please use a separate sheet for each representation

For comments on the Local Plan, please provide the paragraph or policy to which your comments relates.

If you wish to comment on one of the evidence documents or the policies maps, please state the document title as well as the paragraph or policy reference.

Document / Policy / Paragraph:

Local Plan 2034 STRAT 13 LNBB para 4.107

Do you consider the Local Plan and supporting documents:

(1) are legally compliant

Yes

No

Don't know

(2) are sound

Yes

No

Don't know

(3) comply with the Duty to Cooperate

Yes

No

Don't know

Please provide further information in relation to the previous question. e.g. why you do or do not consider the Local Plan to be legally compliant or sound.

To justify the release of Land North of Bayswater Brook (LNBB) from the Green Belt, SODC uses exceptional circumstances that are not evidence-based. The first two concern the potential for sustainable transport and the third relates to the unmet housing need of Oxford.

### Sustainable transport

The first exceptional circumstance assumes that people living in LNBB, approximately 6 miles (9.6 kilometres) from the centre of Oxford, will prefer to walk, cycle or take a bus to various destinations rather than to drive. (the distance used is from the Buswell mobile home park at the site to St Giles).

SODC has not conducted an up-to-date study on sustainable transport for any of the new strategic allocations in the Green Belt. The last appraisal was the *South Oxfordshire Sustainable Transport Study for New Developments South Oxfordshire District Council Evidence Base Report (July 2017)*. It looked at proposed growth locations in the Science Vale and around Didcot. Without a site-specific sustainable transport appraisal, SODC cannot begin to make the case that the potential for sustainable transport at any of the three sites constitutes an exceptional circumstance for releasing the land from the Green Belt.

Nonetheless, the 2017 Sustainable Transport study gathered some interesting transport data on Wheatley which has a bearing on LNBB. Geographically Wheatley is the closest and most similar area to LNBB. Wheatley has no train service and nor does LNBB: the lack of rail links significantly curtails

the potential for sustainable transport in both places. In analysing commuter trips of less than 5 kilometres in and around Wheatley, the study found that 69 percent of those were by car, 21 percent by walking or cycling and 7 percent by bus.

The fact that Wheatley offers local employment and shops helps to account for the reasonable share of trips by foot and bicycle. LNBB, however, would only offer a few jobs at a primary school and perhaps a community shop. This estate will be a dormitory community with residents travelling considerably more than 5 kilometres to get to work. The longer the distance, the less likely that they will want to bicycle or walk.

The major disincentive to sustainable transport at this site concerns the road network. In LP 2034 SODC recognises that even though LNBB is relatively close to Oxford, 'the A40 is a major physical barrier to connectivity, particularly in terms of walking and cycling.' (Para 4.114 Local Plan 2034, p. 69) Furthermore SODC recognises, 'the rural nature of the district means that many residents will still be dependent on car travel for some or all their journeys' (LP 2034, para 7.6 p.106).

As for buses, SODC has aspirations that sites adjacent to Oxford can appropriately tie in with the current Oxford bus network to allow sustainable transport access to nearby employment, services and facilities. (South Oxfordshire District Council, Local Plan 2034 Transport Topic Paper p. 18) but Oxford County Council has expressed doubts about the potential for bus service at the Bayswater site because it would require 'significant infrastructure improvements': 'there are no existing public transport routes that can readily be adjusted to cater for this site. Instead, there are significant difficulties with devising an appropriate public transport solution for this site' (OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO SOUTH OXFORDSHIRE LOCAL PLAN 2034 PROPOSED SUBMISSION (Final Publication Version 2nd), p.30)

Oxfordshire County Council also has warned that this development will boost congestion on the nearby road network: it forecasts that the accesses to and from the site will distribute demand into different corridors and are 'likely to result in increased congestion along the links leading to the A40. There is also a forecast increase to network stress at the Headington Roundabout.' (*Evaluation of Transport Impacts* January 2019 p.39) More congestion on overburdened roads near the site will discourage people from walking or cycling. There is plenty of anecdotal evidence about the air pollution and safety hazards that pedestrians and cyclists face on the two access roads for the site, the single track Elsfield Lane leading to the Marston Junction and the Bayswater Road going up to the A 40 roundabout.

**It makes no sense to promote a development that not only will do irreversible harm to the Green Belt but add to congestion on the over-burdened road network and more traffic and pollution for neighbouring the communities.**

Taking into consideration the problems with both conventional and sustainable transport at this site, Oxford County Council has proposed that, if it were to be allocated after the examination in public, SODC should 'delete specific reference to public transport provision as being a positive point, or review this text having regard to the circumstances set out for Green Belt removal at

other sites.’ (OXFORDSHIRE COUNTY COUNCIL’S RESPONSE TO SOUTH OXFORDSHIRE LOCAL PLAN 2034 PROPOSED SUBMISSION (Final Publication Version 2nd), p.30)

These comments lead to the conclusion that **the potential for sustainable transport cannot be identified as an exceptional circumstance to justify release of LNBB from the Green Belt.** On this point the district council’s policy is purely aspirational but not deliverable. That makes the policy non-compliant with NPPF Para 16 b: ‘plans should be prepared positively, in a way that is aspirational *but deliverable.*’

#### Oxford’s unmet housing need

SODC also regards the contribution of LNBB to Oxford’s unmet housing as an exceptional circumstance. In terms of housing numbers and location, the evidence suggests that this strategic allocation is not essential for achieving the sustainability objectives of the local plan and it could be dispensed with altogether.

There is considerable confusion and debate over the way that Local Authorities calculate their housing requirements. Last Year the MHCLG came up with a standard method for objectively assessed housing need: as of 24 January 2019, this became the official way to estimate housing requirements in local plans. Nonetheless across the country, local authorities have been using different calculations to produce the housing figures that they want for various political reasons. Stakeholders should question the soundness of all these current housing requirement targets as a basis for planning.

The Oxfordshire Growth Board and its members made a positive decision last year not to use the standard method but to apply an alternative method whereby they arrived at 775 homes per year (17,825 between 1 April 2011 and 31 March 2034); they also agreed with the Growth Board to contribute 495 homes per year to Oxford’s unmet housing need (4,950 between 1 April 2021 and 31 March 2031) So for SODC, the total housing requirement for the plan period comes to 22,775 homes for the district’s total housing requirement. That is a tall order because it requires annual construction of 1423 houses on average whereas over the past seven years only 623 houses per year have been completed in the district. There is a real question whether this rate of building is deliverable.

If the Growth Board and SODC had used the standard method based on the latest statistics to for calculate objectively assessed housing need, they would have come up with a figure for the district of 556 homes a year, or 12,788 homes over the 23 year plan period from 2011 to 2034. (Housing Topic Paper 2018 para 2.9 p.3) The council and the Growth Board rejected this estimate because it was too low to support its growth agenda. It can be argued that the entire Growth Board strategy is inconsistent with NPPF para 35a & 60 which requires Local Authorities to use the standard method unless there are very special circumstances not to. And in the case of LNBB these do not exist.

SODC originally offered 3750 houses towards Oxford's unmet housing need, 1200 less than the current commitment. The Sustainability Appraisal for the Local Plan points out the 'the options of 3,750 or 4,950 dwellings would have similar levels of effects given the relatively small difference between these two numbers. These options will help to provide housing to meet local needs (SA Objective 1), help to create safe places (SA Objective 2), improve access to services (SA Objective 3) and maintain health and well-being (SA Objective 4).' (Sustainability Appraisal 2018, p. 10). It is reasonable to infer that if the 1100 houses in Strat 13 were subtracted from the overall housing requirement, the difference would have no real impact on the effectiveness of the spatial strategy to meet sustainability objectives.

As regards location for these 4950 houses, SODC is not obliged to put them in the Green Belt around Oxford, 'close to where that need arises.' The Inspector for the Vale of White Horse plan has accepted that houses built in Abingdon could serve the unmet housing need of Oxford; in the case of the West Oxfordshire plan, the inspector also found that Eynsham could provide 2200 homes specifically for Oxford's unmet need. Both sites were further from Oxford but had better transport links to it than LNBB. *What matters is connectivity not proximity in and of itself.* LNBB lacks that connectivity and will do so for years to come.

#### No exploration of alternatives

According to NPPF PARA 36b, for a local plan and a spatial development strategy to be considered sound, they must be justified, 'considering the reasonable alternatives and based on proportionate evidence.'

SODC explored but rejected at least one reasonable alternative to Strat 13. Land near Thornhill Park and Ride could have been a possible urban extension to Oxford: it could have provided access to regular bus service into Oxford and under all scenarios, potential for up to 875 houses (Site Selection Paper, p.49) As it is already on the south side of the A40, development here would not have that physical barrier to walking and cycling to overcome. Yet SODC was 'of the view' that exceptional circumstances did not exist to release the land at Thornhill from the Green Belt (Sustainability Appraisal, p.199). This opinion, for no apparent reason, carried greater weight than assessment against SA criteria where Thornhill had about the same scores as Wick Farm and Lower Elsfield (Sustainability Appraisal, Table NTS.4 Summary of Performance Against the SA objectives for Strategic Sites p.15).

To sum up, using unmet housing need for Oxford as an exceptional circumstance to take this land out of the Green Belt for development does not meet tests of soundness.

- Thornhill offered at least one reasonable alternative to Land North of Bayswater Brook for an urban extension to Oxford which SODC rejected for inadequately explained reasons.
- SODC is not obliged to build its share of Oxford's unmet housing need in the Green Belt: other district councils are fulfilling that duty at sites that are some distance from the city but have good rail and bus service to it. By contrast, as the County Council and SODC have

noted, there are barriers to both sustainable and conventional modes of transport at LNBB: its development would boost congestion in the surrounding area. Because it will degrade air quality, Strat 13 will conflict with the environmental and sustainability objectives of Local Plan 2034.

- As SODC has given itself a surplus of about 5500 units in its housing supply target, it cannot claim that 1100 at LNBB is crucial to its spatial strategy.

The exceptional circumstances that SODC identifies for changing Green Belt boundaries and developing LNBB are not fully evidenced or justified. Once the case for these exceptional circumstances falls apart, SODC must respect its statutory duty to protect this corner of the Oxford Green Belt. If it continues to promote Land North of Bayswater Brook as a strategic allocation, it will be in direct contravention of NPPF guidelines (paras 133-136) on protecting the Green Belt.

Strat 13 should be removed from the Local Plan.

(Continue on page 4 if necessary)

Please set out any modifications you consider necessary to make the Local Plan legally compliant or sound, having regard to your comments above. (NB - any non-compliance with the duty to co-operate is incapable of modification at examination).

It will be helpful if you could put forward your suggested wording of any policy or text as precisely as possible.

Remove all references to Strat 13 and to Land North of Bayswater Brook from the Local Plan 2034.

Would you like to participate at the oral part of the examination, which takes place as part of the examination process? \*

(Continue on page 4 if necessary)

Yes

No

\* **Please note:** the inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the public hearing.

Signature:    
(Electronic)

Date: 18 February 2019

**Sharing your personal details**

All comments will be submitted in full to the Secretary of State alongside a submission version of the Local Plan. The Secretary of State will appoint an independent planning inspector, who will carry out an examination of the plan.

Your name, contact details and comments will also be shared with the planning inspector and a programme officer, who will act as a point of contact between the council, inspector and respondents. This means that you will be contacted by the programme officer (and where necessary the council) with updates on the Local Plan. This is required by Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004.

We have received assurance that the data passed to the planning inspector and programme officer will be kept securely and not used for any other purpose. The inspector and programme officer will retain the data up to six months after the plan has been adopted. South Oxfordshire District Council will hold the data for six years after the plan has been adopted.

Comments submitted by individuals will be published on our website alongside their name only. No other contact details will be published. Comments submitted by businesses and/or organisations will be published on our website including contact details. If you would like to know more about how we use and store your data, please visit [www.southoxon.gov.uk/dataprotection](http://www.southoxon.gov.uk/dataprotection)

**Future contact preferences**

As explained in our data protection statement, in line with statutory regulations you will be contacted by the programme officer (and where necessary the council) with relevant updates on the Local Plan. South Oxfordshire and Vale of White Horse District Councils have a

shared planning policy database. If you would like to be added to our database to receive updates on other planning policy consultations, please tick the relevant district box(es):

- I would like to be added to the database to receive planning policy updates for South Oxfordshire

- I would also like to be added to the database to receive planning policy updates for Vale of White Horse

**Further comment:** Please use this space to provide further comment on the relevant questions in this form. **You must state which question your comment relates to.**



**Alternative formats of this form are available on request.** Please email [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk) or call 01235 422600 (Text phone users add 18001 before you dial).

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