

# 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="Mr"/>	<input type="text"/>
Full Name	<input type="text" value="John Cook"/>	<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="██████████"/>	<input type="text"/>
Address Line 2	<input type="text" value="██████████"/>	<input type="text"/>
Address Line 3	<input type="text" value="██████████"/>	<input type="text"/>
Postal Town	<input type="text" value="██████"/>	<input type="text"/>
Postcode	<input type="text" value="████████"/>	<input type="text"/>
Telephone Number	<input type="text" value="██████████"/>	<input type="text"/>
Email Address	<input type="text" value="██████████"/>	<input type="text"/>

For information on **sharing your details**: please see page 3

## 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/Strategies 1 (the Overall Strategy), 2 (South Oxfordshire Housing and Employment requirements), 6 (Green Belt). Policy TRANS 1a: paragraph 1(ii): Oxford to Cambridge Expressway

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.

In relation to each item of the previous question I wish to provide further information covering:

- Comments on the overall strategy (Strat 1)
- Comments on the South Oxfordshire Housing and Employment requirements (Strat 2)
- Comments on the Green Belt strategy (Strat 6)
- Comments on Oxford to Cambridge expressway

The information is set out on page 4 of this form.

(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.

1. The Plan should ensure that the Oxford Green Belt is protected in line with the Council's stated policy at paragraph 7.1. In particular, the Plan should be amended to ensure the removal of the Grenoble Road, Northfield and Bayswater Brook sites (Strats 11, 12 and 13) from the Local Plan and the retention of those areas of land as Green Belt.

2. The plan needs to explain why the Council has decided to ‘*continue to work positively with others on the development of [the Oxford to Cambridge Expressway]*’ and should contain a statement that it will not make a decision as to whether to support this project until full and proper consultation has taken place.

(Continue on page 4 if necessary)

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

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:  Date:   
(this can be electronic)

### 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.**

**Please refer to the comments in relation to each representation set out on separate sheets below, as requested.**

## **PART 1: STRAT 1 (THE OVERALL STRATEGY)**

### **1. Legal compliance and duty to cooperate**

- 1.1 The Plan is not legally compliant because the Council has not observed the statutory consultation requirements in relation to amendments to previous versions of the Plan. In particular:
- 1.1.1 There is now a significantly higher number of houses in the new Plan than in previous versions;
  - 1.1.2 Sites in the Oxford Green Belt (including Northfield and Grenoble Road) have now been included in the new Plan but without full consultation, as required by law.
- 1.2 Paragraphs 2.7 - 2.8 of the Plan state: “It is essential that we have sought the views and thoughts... [of South Oxfordshire people] in the preparation of this draft Local Plan.... [and so] we are undertaking extensive public consultation and engagement”. Paragraph 2.11 states that the “consultation exercises to date...have been undertaken under Regulation 18 of the legislation”. Consultation on the strategy to build extensively in the green belt took place at an early stage in relation to previous versions of the Plan. That strategy was rejected. The subsequent decision to include areas of green belt in the current Plan was made without full and proper consultation.
- 1.3 Accordingly:
- 1.3.1 there has been no meaningful or adequate public consultation provided by the Council to test the acceptability of its major change in strategy comprising the inclusion of six strategic housing sites on green belt land since the publication of its previous draft Local Plan in 2017. The failure to consult pursuant to Regulation 18 of the Town and Country Planning (Local Planning (England)) Regulations 2012 means that no comments on this significant change were obtained from public or relevant bodies.
  - 1.3.2 there has been no opportunity to assess the Council’s proposals in the light of its green belt policy (Strat 6) or to consider whether alternative sites not in the green belt might be suitable for the Council’s stated needs.
  - 1.3.3 there has been no meaningful or adequate public consultation provided by the Council to test its decision to *‘continue to work positively with others on the development of [the Oxford to Cambridge Expressway], and understanding potential impacts, including linkages with development proposed in this Plan’*.
- 1.4 The Local Plan is not legally compliant with NPPF Paragraph 171: Councils should “plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries”. There is no evidence that biodiversity has been planned for at a landscape scale.

### **2. Soundness**

- 1.1 The absence of proper consultation means the Plan has not been prepared in accordance with legal requirements and is accordingly unsound.
- 1.2 The inclusion of green belt land in the Plan is contrary to the Council’s stated objective at paragraph 7.1: ‘Protect and enhance the natural environment...placing particular

importance on the value of the Oxford Green Belt...'. The Council's policies were designed, amongst other things, to prevent coalescence and urban sprawl from Oxford City itself. The Council's selection of sites in the Oxford Green Belt to assist Oxford City Council meet its Growth Board targets should not be used to justify an encroachment into the Green Belt and is therefore unsound. Other more suitable sites across Oxfordshire should be sought to satisfy the requirements of the Growth Deal as it is for the county as a whole and not just Oxford City.

- 1.3 Paragraph 4.31 of Strat 1 states that there is considerable uncertainty over the unmet housing needs of Oxford City Council pending its assessment of its housing requirements. Following publication in October 2018 of Oxford City Council's Objectively Assessed Needs (OAN) update contained in its Strategic Housing Market Assessment, the number of houses required to 2036 has halved. Accordingly, there is in fact no uncertainty and the Council's decision is not sound.
- 1.4 The baseline for future housing projections (2014 SHMA) is out of date, not updated to reflect the Sept 2018 ONS data, Oxford City's updated SHMA, nor the latest NPPF methodology. Consequently, the housing requirement for South Oxfordshire is significantly overstated and the Council's decision in this regard is unsound.

# **PART 2: STRAT 2 (SOUTH OXFORDSHIRE HOUSING AND EMPLOYMENT REQUIREMENTS)**

## **1. Legal compliance and duty to cooperate**

- 1.1 The Plan is not legally compliant because the Council has not observed the statutory consultation requirements in relation to amendments to previous versions of the Plan. In particular:
  - 1.1.1 There is a significantly higher number of houses in the new Plan than in previous versions;
  - 1.1.2 Sites in the Oxford Green Belt have now been included in the new Plan but without full consultation as required by law.
  
- 1.5 Paragraphs 2.7 - 2.8 of the Plan state: *“It is essential that we have sought the views and thoughts... [of South Oxfordshire people] in the preparation of this draft Local Plan.... [and so] we are undertaking extensive public consultation and engagement”*. Paragraph 2.11 states that the *“consultation exercises to date...have been undertaken under Regulation 18 of the legislation”*. Consultation on the strategy to build extensively in the green belt took place at an early stage in relation to previous versions of the Plan. That strategy was rejected. The subsequent decision to include areas of green belt in the current Plan was made without full and proper consultation.
  
- 1.1 There has never been full or proper consultation on the plans to build many thousands of extra homes over and above the SHMA and over Oxford’s (now significantly reduced) unmet need.
  
- 1.2 Accordingly:
  - 1.2.1 there has been no meaningful or adequate public consultation provided by SODC to test the acceptability of its major change in strategy comprising the inclusion of six strategic housing sites on green belt land since the publication of its previous draft Local Plan in 2017. The failure to consult pursuant to Regulation 18 of the Town and Country Planning (Local Planning (England)) Regulations 2012 has meant that no comments on this significant change were obtained from public or relevant bodies.
  - 1.2.2 There has been no opportunity to assess the Council’s proposals in the light of its green belt policy (Strat 6) or to consider whether alternative sites not in the green belt might be suitable for the Council’s stated needs.

## **2. Soundness**

- 2.1 The absence of proper consultation means the Plan has not been prepared in accordance with legal requirements and is accordingly unsound.
  
- 2.2 The Plan is not sound as it is not internally consistent. STRAT2 says that 23,000 homes will be planned for. And yet, Table 5c shows that 28,500 are planned.
  
- 2.3 The plan relies on the SHMA 2014 which Strat 2 itself acknowledges is out-of-date. The plan does not acknowledge the current method for assessing Objectively Assessed Need contained in the revised NPPF in 2018. The new OAN is for 10,000 homes. This plan has a target for three times as many homes as are needed, driven by the demands of and the timetable imposed by the Growth Deal which is an aspiration, not an actual proven need.

The selection of sites within the Oxford Green Belt as strategic sites for this growth is wholly inappropriate with the Council's own policies; these give primacy to the preservation of the green belt and village communities and the protection of the environment. These policies were designed, amongst other things, to prevent coalescence and urban sprawl. Other more suitable sites across Oxfordshire should be sought as the Growth Deal is for the county as a whole and not just Oxford City.

- 2.4 Following publication in October 2018 of Oxford City Council's Objectively Assessed Needs update contained in its Strategic Housing Market Assessment, the number of houses required to 2036 has halved. The updated assessment has concluded that the actual unmet need is 585 houses per year (dpa) (ref para 9.15); adjusted for economic growth and some affordable housing it is 776 dpa yet SODC are proposing to build 1400 dpa. Over a 10 year period this represents 6,240 homes in excess of actual demonstrated need.
- 2.5 Accordingly, the SODC's voluntary over-supply to assist Oxford City Council achieve its targets, particularly when this requires encroachments into the green belt, is without any justification and unsound.
- 2.6 STRAT2 is inconsistent with policy ENV1 – encouraging and allowing such extensive and widespread development (particularly in the green belt) will constitute a failure to protect 'South Oxfordshire's landscape, countryside and rural areas...against harmful development.' STRAT2 is accordingly unsound. It does not recognise the scale of ecological collapse that would be caused and the Plan makes no moves to redress this.
- 2.7 The Plan is unsound at the proposed level of development as £9 billion is required for Oxfordshire to build 100,000 homes, according to the Oxfordshire Infrastructure Plan (to 2031). There is no indication in the Plan as to how the Council will procure this level of investment, other than by way of developer funding, which cannot be guaranteed.
- 2.8 The Oxfordshire Infrastructure Strategy (OXIS) was drafted in July 2017. It shows that infrastructure has already fallen far short of supporting the existing new housing, and there is no plan to deliver the required infrastructure for the proposed additional housing. In the Plan the Council relies heavily on the prospect of successfully negotiating developer funding rather than Government investment (an acknowledgement in itself that the £215m offered by the Government in exchange for signing up to the Growth Deal will be entirely inadequate) and there are no specific proposals to deal with:
  - sewage: no mechanism to increase outflow without illegal levels of river-pollution
  - road repairs
  - old electricity grid – unable to meet demand for local green electricity generation
  - broadband (no plan to deliver basic broadband to over 20,000 people)
  - green infrastructure to protect and enhance nature (including pollinators)
  - air pollution: in Wallingford, Henley, Thame, Watlington – there are no robust plans designed to reduce to legal limits
  - green electricity generation
  - carbon reduction commitments: no plan to refurbish older homes, new homes not carbon-zero
  - waste recycling centres



- future requirement for fresh water
- health care - plans are to close down beds
- social care – inadequate budget even for current need
- education - under-resourced
- loss of farmland to urbanisation reducing food security further undermined by Brexit
- transport - cancellation of subsidised buses has isolated communities eg Cuddesdon and Denton; inadequate provision for rural cyclists
- clean green transport - no plans for market towns to move people from cars to bikes and feet
- “flood risk set to worsen due to...climate change and urban development” (OXIS)

## **PART 3: STRAT 6 (GREEN BELT)**

### **1. Legal compliance and duty to cooperate**

- 1.1 Paragraphs 2.7 - 2.8 of the Plan state: *“It is essential that we have sought the views and thoughts... [of South Oxfordshire people] in the preparation of this draft Local Plan.... [and so] we are undertaking extensive public consultation and engagement”*. Paragraph 2.11 states that the *“consultation exercises to date...have been undertaken under Regulation 18 of the legislation”*. Consultation on the strategy to build extensively in the green belt took place at an early stage in relation to previous versions of the Plan. That strategy was rejected. The subsequent decision to include areas of green belt in the current Plan was made without full and proper consultation.
- 1.2 There has never been full or proper consultation on the new plans to build many thousands of extra homes over and above the SHMA and over Oxford’s (now significantly reduced) unmet need resulting in incursions into the green belt.
- 1.3 Accordingly:
- 1.3.1 there has been no meaningful or adequate public consultation provided by SODC to test the acceptability of its major change in strategy comprising the inclusion of six strategic housing sites on green belt land since the publication of its previous draft Local Plan in 2017. The failure to consult pursuant to Regulation 18 of the Town and Country Planning (Local Planning (England)) Regulations 2012 meant that no comments on this significant change were obtained from public or relevant bodies.
- 1.3.2 There has been no opportunity to assess the Council’s proposals in the light of its green belt policy (Strat 6) or to consider whether alternative sites not in the green belt might be suitable for the Council’s stated needs.
- 1.4 The Plan is not legally compliant with the Duty to Cooperate with Oxford City. Oxford’s unmet need has evaporated with its updated OAN (2018). Destroying significant areas of the green belt surrounding Oxford without the most pressing justification is not in the interests of Oxford or its nearby communities. SODC has a responsibility to assist Oxford in the preservation of the ‘lungs’ of the city.
- 1.5 Building on the sites would conflict with SODC’s own policy: paragraph 1 of ‘Strat 6: Green Belt in the Plan’.

### **2. Soundness**

- 2.1 The absence of proper consultation means the Plan has not been prepared in accordance with legal requirements and is accordingly unsound.
- 2.2 Policy Strat 6 is unsound. It is unjustified, not based on proportionate evidence, and in direct contravention of the NPPF and stated government policy to protect the Green Belt except in exceptional circumstances. There are no exceptional circumstances because the housing numbers used to justify taking areas of green belt into the plan have been incorrectly inflated.
- 2.3 The new Oxford City Local Plan 2036 and the JSSP have not been examined or adopted and no conclusion has been drawn as to the extent to which the City’s housing needs cannot be accommodated without incursions into neighbouring Councils’ green belt land.

## **PART 8: Policy TRANS1a: paragraph 1(ii): Oxford to Cambridge Expressway**

### **1. Legal compliance and duty to cooperate**

1.1 In spite of its potentially massive impact, there has been no consultation on the Council's stated aim (paragraph 7.13) to '*make a positive contribution towards delivering the ambitions set out for the Oxford to Cambridge Arc*'. This comprises a failure by the Council to adhere to its statutory obligations.

### **2. Soundness**

2.1 A decision is likely to be made on the new Oxford Cambridge Growth Corridor, and work may have begun, within the time scale of this plan. The new Expressway may bring a development obligation of an estimated 10,000 houses a mile. Although there is a strong possibility that the route of the expressway will run through the South Oxfordshire Green Belt, the Plan makes virtually no mention of it. Nevertheless, it is of great significance to the soundness of the Plan because it would be a highly important event in the Plan period, potentially impose a large further housing target and affect the site allocations in the plan. It could potentially devastate the Green Belt south of Oxford, and the open countryside and the villages within it, and change the character of the area forever.

2.2 The Local Plan is not sound because of its failure to deal fully with the potential impact of such a major incursion into this area of the County, whether it should be supported and how (if it occurs) its effects would be ameliorated.

**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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