

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

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)
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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:

STRAT 6 Green Belt (& STRATS 8-14, and Land at Wheatley)

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.

None of the Green Belt releases identified in point 3 of STRAT 6 are consistent with Government Policy to protect the Green Belt and the purposes of keeping land within it either in whole or in large part.

Particularly they do not correspond to a proper evaluation of need or to the requirements of NPPF paras 136-138 and the sequential approach required.

The purposes of the Green Belt are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The Green Belt is a planning mechanism and does not depend on the attractiveness or otherwise of its constituent landscape.

All Green Belt land contributes to assisting in urban regeneration; and assisting in safeguarding the countryside from encroachment. The Oxford Green Belt is not very deep and all of it protects from unrestricted sprawl, if not as a line of first defence in every case. On the outer edge, notably at Culham, it is preventing merger of neighbouring towns, being Oxford and Abingdon. The setting of Oxford is not just important views, but the whole physical approach to the City which will be harmed by loss of Green Belt land.

In the NPPF, para 136 requires that *once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified*

Para 137 requires that *before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.*

Para 138 requires that *strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.*

It is our case that no exceptional circumstances exist for any of the proposed Green Belt releases; that the para 137 sequential process has not been evidenced and that consequently the point at which exceptional circumstances could be considered has not been reached; and that no consideration has been given to channelling development to areas inside the Green Belt boundary or beyond it as required by the NPPF.

The background Site Selection paper, recognising the requirements of the NPPF states merely at Part 2 page 7 that ***Excluding Green Belt sites from the potential allocations would lead to a shortfall of 3,356 homes against the housing requirements. It is considered that to deliver the required number of homes, the release of sites from the Green Belt is required. Secondly, there are significantly more sustainable options for strategic allocations that are available and deliverable on sites, currently within the Green Belt.***

It is clear that the Green Belt sites in general are being considered *pari passu* with others, the Green Belt is being treated as the location they happen to be at rather than as a designation representing a high hurdle for release. The fact of the Green Belt location is not treated as a strong factor against development despite e.g. para 133 of the NPPF stressing their intended permanence, and the sequential process in 137 clearly requiring all alternatives to be dismissed before even the consideration of exceptional circumstances can begin.

The NPPF at 137 requires Authorities to consider whether consideration of Green Belt development could be avoided by:

1. Optimising *the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
2. *discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.*
3. And 138 recommends *channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.*

Even supposing that the volume of housing in the Growth Deal was appropriate there is little evidence that these steps have been properly considered prior to targeting the Green Belt sites.

1. Optimising Density

The Green Belt sites have a total allocation of 7,360 homes, 25% of a total plan number of 28,465. Increasing densities across the non-Green Belt sites by 30%, that is e.g. from a Plan average of 55 to 70 – the plan density for major centres, would enable all of the Green Belt allocations to be met on

non-Green Belt sites. It is noted that the underlying plan target density figures are stated to be minima and are in any event not very challenging.

This option has not been explored in the Plan.

2. Discussions with neighbouring authorities

There is no evidence of discussion with neighbouring authorities on taking sufficient of South Oxfordshire's housing need to enable Green Belt to be spared. This could be with direct partners in the Vale who have a windfall previously developed site at Dalton not far from SODC's proposed Green Belt release at Culham; it could be with partners in the City to press them to increase their own planned densities within the City to the levels SODC is itself proposing for the urban fringe which could accommodate almost the whole of SODC's planned Green Belt releases.

In actuality South Oxfordshire has dismissed a number of high capacity alternative sites within its own area – Playhatch, Reading Golf Club - primarily because they are “too near” the neighbouring authority of Reading.

3. Channelling development elsewhere to towns and villages outside or inset within the Green Belt.

There is no evidence that this option has been seriously considered and rationally dismissed. Doubling the allocation to sites brought forward from the 2011 Strategy would accommodate almost all of the Green Belt allocations in this Plan.

4. The Contingency

Apart from all of the above, the Green Belt allocations of 7,000 homes are not far above the contingency 6,000 homes built into the Plan. As the Green Belt should be the last option after other opportunities are exhausted, the inescapable conclusion is that the inclusion of Green Belt land is almost entirely to provide the contingency in case other sites fail to come forward. Eliminating the in any case inappropriate contingency would eliminate any justification for releasing Green Belt land.

CPRE is not equipped to rework the site allocations in the Local Plan. But since each of the above options would theoretically accommodate almost all of the numbers allocated to Green Belt land it is clear that a combination of them should in practise be capable of accommodating them all.

Therefore, no exceptional general circumstances have been shown for release of Green Belt land. The credibility of site-specific circumstances will be considered elsewhere.

It is apparently suggested in the Plan that qualitative judgments, especially around the extent to which the five purposes are met, can be a factor in determining whether exceptional circumstances exist. CPRE reject this notion. Land was included in the Green Belt because it met the purposes. As we state earlier all of it can be demonstrated to meet sufficient of the purposes to merit inclusion.

No reference can be found in the NPPF to the kind of qualitative assessments the Councils appear to rely on to provide “exceptional circumstances”. To the extent that there is indirect reference, e.g. in para 141, it is to the effect that landscapes and visual amenity should be enhanced where possible.

Green Belt Sites

The proposed Green Belt releases have been grouped into (a) those on Oxford's urban edge related to Oxford's unmet need and (b) those in the wider Green Belt.

The first “unmet need” group comprises STRAT 11 Grenoble Road; STRAT 12 Northfield; and STRAT 13 Land North of Bayswater Brook and the second (outer) group STRAT 8 and 9 Culham; STRAT 10 Berinsfield; STRAT 14, Wheatley and (no reference) Land at Wheatley to be released for the nascent Neighbourhood Plan.

Oxford’s Unmet Need Group of Sites.

These three sites on the inner edge of the Green Belt are all considered to be justified on the “exceptional circumstance” of assisting in meeting Oxford’s unmet need albeit secondary justifications related to Park and Ride and potential rail link are cited. These would not have the capacity to be exceptional circumstances as whether they proceed or not is not mainly or even largely related to the proposed developments.

Before dealing with the groups of sites, it is noted that all sites include a considerable portion of “green infrastructure” in some cases up to two thirds of the site area, as at Northfield. It is perverse to release land from the Green Belt to provide green infrastructure, which can in any case hardly be an exceptional circumstance and any releases which may be approved should be reduced to the area intended to be built. If the “green infrastructure” is intended to mask future extension in the next plan period then it should be made clear that this is the case.

1. No unmet need exists.

Whilst the new NPPF does not carry forward Ministerial advice that unmet need will not usually be a justification for Green Belt release, at para 60 it does require that “need” should be measured by the standard method, that is the new OAN formula or an equivalent based on population projections and “market signals”.

On that basis the 15,000 house Oxford unmet need, based on the out of date SHMA (the “working assumption” on which all Oxon Local Plans are based in default of any clear working by Oxford itself) would be reduced to just 1,920 houses or pro rata 634 for South Oxfordshire, as against the 4,950 based on the SHMA.

The urban edge Green Belt sites presently in the Local Plan amount to 4,600 homes, 4,000 more than the standard method.

That however assumes that Oxford’s housing capacity is limited to the 13,000 houses from which the 15,000 unmet need working assumption based on the out of date SHMA was derived.

As CPRE has shown (see STRAT 5 response), merely using the densities SODC proposes for the urban edge sites for the new build in the City could increase Oxford’s capacity by 8,000 houses, without affecting the ring-fenced employment land. Allocating the latter to much-needed housing, instead of retaining it to ratchet up housing demand rather than satisfy it, would remove the SHMA “working assumption” of unmet need altogether.

Since all of the SHMA houses could be accommodated in the City and even assuming the City’s low density and ring-fenced employment land were acceptable, the City could accommodate all of its housing need under the OAN, no unmet need exists.

There is therefore no unmet need to be satisfied and satisfying it cannot be an exceptional circumstance for Green Belt release.

2. In any case urban edge development is not necessary to satisfy unmet need, even should any exist.

In considering the allocation of Oxford's "unmet need", in a very flawed process the Growth Board commissioned reports from Landscape Use Consultants to assess the suitability of sites offered by the Districts themselves. On that basis the quantum of unmet need per District was calculated.

It is significant that LUC did not include proximity to Oxford in their assessment but accessibility, a very different measure.

On that basis they assessed a site distant from Oxford at Drayton St Leonard equally with sites immediately on the urban edge like Kidlington.

In the Vale Enquiry Part 1 the Inspector accepted that a site on the North of Abingdon was capable of providing for Oxford's unmet need although the territory of the Vale stretches up to Oxford and indeed includes part of the City at Botley. In their Local Plan West Oxfordshire provide for the greater part of the Oxford unmet need at Eynsham, eight miles from the City and outside the Green Belt. Neither did South Oxfordshire District Council in its previous aborted submission Plan in October 2017 include any of these sites to provide for Oxford's unmet need, which was accommodated elsewhere.

All this goes to demonstrate that neither the Growth Board nor either of the Local Authorities who have had their plans tested to date, nor up to October 2017 South Oxfordshire itself, considered it essential that accommodating Oxford's unmet need necessitated an urban edge or even a Green Belt location.

Neither Oxford's unmet need nor an urban edge location are therefore exceptional circumstances to over-ride the presumption of protecting the Green Belt for releasing the sites in the "unmet need" group at Northfield, Grenoble Road or Bayswater Brook.

The Outer Group

1. The "Outer Group" of sites do not depend on a single false premise as the "unmet need" group do, but have individual false premises unique to themselves.

a. Culham Science Centre

The site is presently developed and could be redeveloped with proportional intensification within the Green Belt. It is not clear why removal from the Green Belt is considered justified especially as a considerable part of the area to be released is said to be retained as Green Infrastructure.

b. Culham Extension adjacent to Science Centre

In so far as "exceptional circumstances" are provided in the Site Selection report they appear to be that *the benefits that development brings to unlock infrastructure (including the proposed Culham Bridge) in this critical part of Science Vale far outweigh the harm (assessed as "high" in the Site Selection report) that green belt release would cause.*

This may be that the unexceptional circumstance is "unlocking" the Culham Bridge or it may be the housing supporting the Science Centre. In the former case there is no evidence that the Culham Bridge would fail to be "unlocked" if the specific site was not released.

As for the housing it is just a tuppenny bus ride to be beyond the Green Belt and a short distance to the Vale's windfall previously developed site at Dalton Barracks capable of accommodating up to 7,000 homes of which only 1,200 are proposed in the Vale's own plan.

These are not exceptional circumstances sufficient to outweigh the harm of Green Belt release as there are clear alternatives as required in para 137, and no exceptional circumstances to demonstrate why these should not be chosen.

c. Land at Berinsfield

Berinsfield is presently washed over but it was accepted at the Core Strategy examination that it should be inset, together with a reasonable extension of the envelope.

The proposed extension is almost twice the area of the existing village.

The exceptional circumstances given are that the present mix of tenure is unbalanced and that development will address the village's high scores on deprivation.

A doubling of the housing stock in the village cannot be required to address housing mix, much less the release of land roughly equivalent to twice the area of the village, and neither is it clear how this would assist in reducing deprivation, which in any case is not far below the national average.

Although there may be justification for a much more modest release of Green belt land to address the problems advanced, the exceptional circumstances proposed do not carry enough weight to begin to overcome the high to medium high harm the Site Selection review considers would occur from the release of all of the site area, especially in the near merger with Drayton St Leonard.

d. Land at Wheatley Campus

The land at Wheatley Campus is a previously developed site in the Green Belt. It has been proposed for release in previous draft Local Plans but in the end retained.

CPRE has consistently argued that as a previously developed site it can be redeveloped whilst retaining Green Belt status, with allowance made for the benefit of removing the tower block which dominates the site, and it is relevant that SODC officers argued exactly that in supporting a redevelopment application (P17/S4254) for 300 houses (the Plan number) in November 2018.

Although that application was refused the principle remains that Green Belt release is not necessary to develop the built area of the site and as the Local Plan site release intends to retain the unbuilt part of the site as green space there is no justification whatsoever for the release proposed.

e. Wheatley Neighbourhood Plan

Referred to in the text but not as a site allocation is the proposed release of Green Belt land (which is also green field) on the South side of London Road Wheatley for the Wheatley Neighbourhood Plan. It is relevant that a proposal very similar to this was rejected by the Inspector examining the present adopted Plan when he considered amongst other things that it would lead to coalescence of settlements.

It is not clear at this point whether this is simply to flag up that the Local Authority would not object to the emerging local Plan wishing to make a minor detailed amendment to the existing Green Belt boundary in line with para 136 – which to be “detailed” would clearly need to be very small in scale indeed, or whether the Council is in effect releasing a larger – albeit unquantified area – for the NDP to provide numbers for.

It is relevant that the October 2017 version of the Local Plan prior to the amended NPPF contained a release of approximately 20 hectares – sufficient for 1,000 houses – to support Wheatley's Neighbourhood Plan. Wheatley has 1600 households presently so the amount of land proposed to be

released would have allowed a Green Belt extension equivalent to 60% of the present settlement and could not by any stretch of the imagination be considered the “detailed amendment” to the Green Belt boundaries envisaged in the new NPPF.

The Inspector is asked to make it clear that either this release should be a site allocation with housing numbers in the Plan or, if left to the NDP, it is superfluous as the NPPF in any case allows a very minor adjustment to Wheatley’s existing inset, although not the 20 hectares envisaged in the aborted October 2017 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.

At Wheatley campus, development should be restricted to the previously developed area of the site within Green Belt policies and the site retained within the Oxford Green Belt.

At Berinsfield, the area proposed for release from the Green Belt should be substantially reduced to the level which can be shown to be needed to properly balance the village’s existing housing stock.

All the other Green Belt allocations and proposed alterations to the Green Belt are unjustified and should be entirely removed from the Plan.

(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: 15.2.19
(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

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 or call 01235 422600 (Text phone users add 18001 before you dial).

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