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South Oxfordshire District Council Local Plan 2034

Regulation 19 Consultation

February 2019

Representations on Behalf of
Greystoke Land

Waterstock New Village Proposal

1. These representations are submitted for and on behalf of Greystoke Land, in response to South Oxford District Council's Regulation 19 consultation.
2. Greystoke Land has identified and wishes to promote a New Village located close to junction 8A of the M40. This proposal is comprised of an initial phase of 200 acres (see attached plan) with subsequent phases comprised of an additional 300 acres. This land has not been considered as part of the local plan process to date and has only very recently become available. As such this land has not yet been included within the district's housing land supply availability assessments. The legal basis for advancing this proposal at this stage is set out in a note which should be read together with this submission.
3. This site is being proposed as:
 - A highly sustainable and deliverable additional allocation site, that will make a valuable and unique contribution to the housing land supply within the District, to assist in the fulfilment of the Council's Strategic objectives;
 - and / or an alternative proposal to the deeply flawed Chalgrove Airfield allocated site.
4. The demonstrable shortcomings of the Chalgrove allocation render the current plan unsound. For reasons outlined later in these representations it is evident that the proposed development of Chalgrove Airfield is inconsistent with the delivery of sustainable development, inconsistent with the National Planning Policy Framework, and fundamentally undeliverable. It is also inconsistent with a key priority of the Employment Strategy, namely the retention of existing employment land, as expressed by draft Local Plan employment policy EMP3.
5. In contrast to the shortcomings of the Chalgrove allocation site, Waterstock New Village offers a highly deliverable and sustainably located new community with excellent accessibility to Oxford. Waterstock is unconstrained by any concerns over viability, deliverability or sustainability and as such it is a highly desirable location for a strategic location to meet the needs of SODC in this plan period.
6. It is acknowledged that the introduction of this new site comes at a relatively late stage in the consideration of the draft plan. However, it would be wholly wrong to continue to pursue a flawed and undeliverable allocation when a demonstrably more sustainable and desirable alternative has come to light. This is particularly important when considered in the context of strategic development proposals that will permanently shape the environment of the district.

The Waterstock Proposal

7. **Strategic Location** - this newly identified site is currently comprised of Waterstock Golf Course and adjacent farmland. This site is adjacent to the A40 / M40 junction. At 9.3 miles to Carfax in central Oxford, and 11.1 miles to Oxford Station, this is a location that offers direct and convenient access to Oxford by both the private car and public transport. The site is also conveniently located for easy access to Thame which lies some 6.6 miles away.
8. **New Community** - this site provides the ability to create a new village community of some 1750 homes, plus a primary school, and minor convenience retail plus public open space within a framework of ecologically beneficial structural landscaping appropriate to this rural location.
9. **Employment** – The location of this site on Junction 8A renders Waterstock capable of providing a regionally significant hub for distribution and logistics as part of the mix of employment uses in this new village. This location on a key road junction enables the viable delivery of this new business floor-space and as such, it is highly sustainable in terms of the Economic dimension of sustainability.
10. **Accessibility to Oxford and Thame** - sustainability is not just about proximity to services and facilities and to other settlements. It is however extremely important that any new community is well placed to take advantage of and contribute towards accessible and available work and leisure opportunities. In environmental terms it should therefore be considered comparatively more sustainable than other candidates being considered for allocation. For the same reason it should be regarded as comparatively superior in terms of the social dimension of sustainability as those in need of affordable housing will find it easier to access services and facilities in Oxford compared to the alternatives.
11. **A Unique Opportunity** - Bearing in mind the strategic requirement to deliver housing in the vicinity of Oxford city, this site offers a unique opportunity to create a highly sustainable new community which will have a measure of self-containment but will inevitably have a close physical and socio-economic relationship with Oxford and Thame. This is entirely consistent with NPPF 72 (b). In this context the benefits of a location which minimises commuting distances and offers real and viable public transport provision must be accorded significant weight.
12. **Deliverability** - in addition to the obvious benefits of this site in terms of its proximity and accessibility to Oxford and the strategic road network, it is also readily deliverable. The direct access onto the A40/M40 ensures that there are no significant off-site highways infrastructure requirements in order to deliver this new community. In contrast, other sites bear heavy burdens of infrastructure provision which may

threaten their viability and, ultimately, deliverability. Waterstock has no such problem. The land is owned freehold and there are no complex third-party ownerships or leaseholds to inhibit the submission of an application and delivery of the new community, subject to stakeholder engagement and master planning.

13. Constraints - there are no material flooding, ecological, archaeological, landscape or significant heritage constraints on the development of this new settlement. Waterstock village conservation area borders this site to the north. As a very small hamlet of 38 dwellings within a large conservation area, the setting of this can and will be accommodated within the masterplan for the new village. The site is within the greenbelt which is obviously policy restriction and one that is being set aside elsewhere within the plan in order to facilitate sustainable locations for development.

Harrington New Settlement

14. The Council has rejected this environmentally compromised and damaging proposal for over 6500 dwellings close to the village of Great Haseley as a scheme that demonstrates the problems associated with badly located new settlement proposals. Not least in terms of the need to deal with major on-site constraints such flood zone 3, and high-pressure gas mains and electricity lines plus significant off-site highways infrastructure requirements. These are problems of excessive scale for the location, that combine to harm the rural environment and undermine viability and deliverability. In contrast to Harrington, Waterstock is unconstrained by flood zone or ecological constraints; is of a manageable scale, it requires no significant highways infrastructure and is commercially viable and therefore, crucially, deliverable within predictable timescales.

Chalgrove airfield

15. Chalgrove is demonstrably flawed, and undeliverable due to a combination of planning and environmental problems.
16. Isolation – Chalgrove is not connected to the strategic highway network and is not readily accessible to Oxford by public transport. It's demonstrable shortcomings as a location are set out by the County Council in its letter of 20 March 2018. A copy of this is appended to these representations. These observations from the County Council object in principle to Chalgrove due to its relative remoteness and inaccessibility and unsustainability in highways and public transport terms. Nothing material has changed since March 2018 to overcome these fundamental shortcomings.
17. Unresolved environmental and accessibility issues - the Local Plan Sustainability Appraisal 2018 highlights the limitations and complexities of this site. It indicates a lack of certainty in relation to the necessary mitigation for dealing with a whole range of potential constraints both

on and off the site. Aside from the existing commercial use on the site there are issues of flooding, ecology and heritage impact. Of particular importance is the explicit requirement for associated infrastructure improvements namely the Stadhampton and Chiselhampton bypass (Table NTS.3 Sustainability Appraisal). In addition, Watlington and Benson have included the provision of bypasses in their neighbourhood plans in order to offset the impact of the extra traffic from this airfield. It is estimated that the costs of these two bypasses is in the order of 13 million and £9 million respectively and Oxfordshire County Council has described the delivery of the Watlington and Benson proposals as “extremely complex” involving a number of different developers and landowners. The provision of these major off-site highways infrastructure improvements is uncertain and dependent upon tens of millions of pounds of public investment.

18. Deliverability - Chalgrove airfield is now owned by Homes England, but this does not resolve the significant conflict with the existing tenant. The local plan text paragraph 4.64 makes it clear that terms have yet to be agreed with Martin Baker Limited and that attempts are still being made to reach agreement. It is wrong in Law that threats of compulsory purchase are set out within a draft local plan which is seeking to demonstrate the long-term deliverability of one of its important strategic sites. This paragraph also makes it clear that the existing business, Martin Baker is continuing to resist the allocation. Furthermore, there is a rational basis for the position taken by the tenant and no certainty, or even probability, that the land may be acquired for development against their continued opposition. Finally, as discussed below, even if the land were to be acquired either by agreement or compulsory acquisition the compensation bill together with the infrastructure burden would render this site unviable and undeliverable.
19. Viability – Chalgrove requires the forced relocation and containment of the successful existing business on the site. The uncertainties and costs of compulsory purchase, coupled with the off-site highways mitigation, including four village by-passes, is excessive and renders the scheme commercially unviable without significant public subsidy.
20. Existing Business Use - This business is a defence contractor of national importance and a world leader in its field. The decision to limit the space available to it will impede the future expansion of this business and due to the proximity of residential uses, in all probability eventually force this business from the site. This is in direct breach of the economic strategy for the district as expressed by policy EMP3 Retention of Employment Land within the draft plan.
21. Flawed allocation - the Chalgrove proposal is deeply flawed in terms of its remote location, and poor accessibility to Oxford, the necessary but unresolved on-site and off-site mitigation measures and its direct conflict with the economic importance of its current occupier. In other words, this is an un-sound and unacceptable allocation and it should not remain within the local plan.

The Benefits of Waterstock New Village

22. **Viable and Deliverable** - Waterstock is a desirable and sustainable opportunity to deliver around 1750 dwellings in a mixed-use community. It is acceptable on its own merits as a further contribution to dealing with the housing land supply problem facing this District and Oxfordshire as a whole. It is simple and uncomplicated in terms of its viability, with no barriers to the delivery of houses early in the plan period. The lack of significant additional costs associated with highways infrastructure render it more likely to be delivered than other more complex proposals within the plan. The deliverability of Waterstock contrasts with the complexity and enormous public cost required to deliver Chalgrove, assuming any of the necessary bypasses can be funded. Such a scheme cannot be justified when there is a straightforward and deliverable privately funded alternative.
23. **Accessible and Sustainable** - Considered on its merits in planning terms as an allocation; Waterstock is a site which complies with and supports the council's spatial strategy. It is a strategy that seeks to balance various competing influences but focuses upon housing delivery that is consistent with economic development and success while seeking to minimise unsustainable modes of transport. Waterstock achieves these goals and it can be depended upon to deliver them in practice.

Compliance with NPPF 18 (or the equivalent advice in NPPF 12)

24. The allocation of Chalgrove renders the plan unsound. It is contrary to the requirements of NPPF paragraph 35: it is not *justified*; it is in a remote location, and explicitly seeks to undermine a nationally important employment use. It is an allocation that will not be *effective* because it cannot be relied upon for the delivery of the intended houses. It is *Inconsistent with National Policy* in its failure to deliver sustainable development.
25. In contrast, the allocation at Waterstock would be both Justified and Effective – it is readily accessible to Oxford by public transport and can deliver 1750 dwellings and is strategically placed to support B8 Distribution and employment opportunities; it is clearly Justified as an allocation site. It is an unconstrained and available site that requires no significant off-site mitigation or public subsidy, it is viable and deliverable. As such it would be an *effective* addition to this plan.
26. The policies within the NPPF are supportive of Waterstock as an appropriate allocation and are relevant to the shortcomings of the Chalgrove proposal as demonstrated by the following paragraphs:
16. *Plans should:*
- a) *be prepared with the objective of contributing to the achievement of sustainable development;*
- b) *be prepared positively, in a way that is aspirational but deliverable;*

27. In this context Waterstock is sustainable and deliverable; Chalgrove is, as highlighted by the Comments from the County Council, neither.

Maintaining effective cooperation

26. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

28. The significant and costly highways improvements necessary to deal with the lengthy private car movements arising from Chalgrove, are coupled with its poor location relative to viable opportunities for public transport. The reluctance of the County Council to support this allocation is evidence of a failure of joint working.

Preparing and reviewing plans

31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence.

29. Paragraph 31 is evidence of the importance given to ensuring that Plans are as current and up to date as possible during their preparation. In this Context the availability of Waterstock must accorded appropriate weight and taken fully into account; as a hitherto unknown but deliverable allocation site.

32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements¹⁷. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued.

30. Paragraph 32 emphasises the requirement to, *whenever possible*, choose the most sustainable options in preference to the less sustainable alternatives. Waterstock has appeared quite late in the process; but to allow concerns about possible procedural delays to prevent improved planning and land use outcomes would be unreasonable and contrary to the guiding principle of achieving sustainable development.
31. The Sustainability Appraisal comparison below demonstrates the clear advantages of Waterstock against Chalgrove and it demonstrates the

extent to which Waterstock represents an opportunity to avoid unnecessary and harmful impacts.

Summary of Performance Against the SA objectives

32. The table below is based on the approach set out in table 4.1 of the Sustainability Appraisal 2018.

SA Objective	Chalgrove Airfield	Waterstock
1 Housing	✓✓	✓✓
2 Community safe	✓	✓✓
3 Access to facilities	✓✓	✓✓
4 Health and Wellbeing	✓✓	✓✓
5 Environmental protection	X	✓✓
6 Travel choice	✓	✓✓
7 Biodiversity	X	✓✓
8 Land use	✓✓/ X X/X	✓
9 Historic environment	X X	✓
10 Climate factors	✓	✓✓
11 Flood risk	✓✓/ X X	✓✓
12 Waste	X	✓✓
13 Employment	✓✓	✓✓
14 Education skills	✓✓	✓✓

The presumption in favour of sustainable development

33. The need for plans to be able to react quickly is stressed with paragraph 11. (a):

(a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

34. The identification of Waterstock provides an opportunity for this emerging plan to react positively and flexibly in identifying the benefits that can be delivered by its allocation.
35. NPPF policies for the delivery of a sufficient supply of homes support the allocation of Waterstock. Its ability to deliver homes early in the plan period is in accordance with the governments stated aim of “significantly boosting the supply of homes” and with paragraph 67(a), as a “specific deliverable site”.
36. The provision of affordable housing with direct access to Oxford is consistent with paragraphs 62 and 64.
37. Paragraph 72 supports larger scale development in the form of new settlements when this can meet housing needs in a sustainable way. As described within the representations Waterstock is capable of doing this in conjunction with viable employment development. The absence of exceptional off-site costs or public subsidy will enable Waterstock to be an exemplar of sustainable design and construction. This will incorporate on-site waste, energy and water recycling and efficiency, coupled with design principles which are explicitly locally distinctive. The existing land use also enables exceptional levels of ecological enhancement to be provided on what is currently a mix of golf course and intensive farmland.

Conclusion

38. **In response to these representations the Inspector is invited to take the following steps:**
 - **Delete the proposed Chalgrove allocation**
 - **Include the allocation of Waterstock as a sustainable mixed-use new village of 1750 dwellings, with employment provision and primary school, as an exemplar of sustainable design and construction within an ecologically enhanced landscape framework.**