

# 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

Y

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="Peter McCarter"/>            | <input type="text"/>             |
| Job Title (where relevant)    | <input type="text" value="Chairman"/>                  | <input type="text"/>             |
| Organisation (where relevant) | <input type="text" value="Friends of Old Headington"/> | <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:

Our comments relate to the SODC Local Plan 2034 publication version pp 68-73, Land North of Bayswater Brook (Policy STRAT13). They also encompass wider issues as noted in each comment below.

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.

### **Not legally compliant / unsound: Local Development Scheme**

This new Local Plan 2034 is not a 'second Publication version' but an entirely new plan driven by a new political and economic agenda, the Oxford Growth Deal. Presumably because of the pressure to meet the deadline set by the Growth Deal, the new Local Plan has been hurriedly prepared and the usual assessments and consultations that all preceding plans had gone through appear to have been dispensed with, notably in our area of concern, Land North of Bayswater Brook (LNBB).

LNBB is an amalgam of two previous site proposals, Wick Farm and Elsfield. We believe that SODC has not gathered relevant and up-to-date evidence or assessments to support the selection of LNBB as a strategic allocation for 1100 new houses. (See NPPF para 16b and para 30.)

**LNBB has never been assessed as an integrated site.** In preparing this new Local Plan 2034, SODC has not conducted the same kind of 'site specific' assessments for the merger of those two sites into one strategic allocation, Land North of Bayswater Brook (LNBB).

Only recently, For LP 2033, the council conducted separate assessments of Lower Elsfield and Wick Farm. After years of consultation and assessment, SODC rejected them as strategic allocations. Now it **proposes a merger of these sites into LNBB for a strategic allocation, but it has not deemed it necessary to put this new site through a detailed assessment.**

## National policy and legislation

### *Green Belt*

It is **unsound** to justify release of LNBB from the Green Belt if its development not only does harm to the Green Belt but to the existing road network and nearby communities that have to use it. The fact that the land is 'close' to the city and to centres of employment such as the JR hospital and Brookes University ignores the massive barrier represented by the A40, and the already dense traffic. This is mentioned, for example, in the points below (taken from relevant local publications):

- Para 4.114 of the Local Plan (p. 69) states that: 'Whilst the site directly adjoins Oxford City and is within relatively close proximity to employment locations and a wide range of services and facilities, the A40 is a major physical barrier to connectivity, particularly in terms of walking and cycling.'
- Para 4.115 of the Local Plan (pp. 69-70) states: 'road capacity to the east of Oxford is already under significant pressure, particularly along the A40 and the Headington roundabout. There is currently insufficient road capacity to support new, direct road access between the site and the A40 west of the Barton Park site.'
- In *Evaluation of Transport Impacts* January 2019 (p.39) Oxfordshire County Council observes, 'Accesses to the Wick Farm / Elsfield Development [aka LNBB] are forecast to distribute to demand into different corridors but 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.'

The Minister of Housing, James Brokenshire MP, said (on BBC 4 Any Questions 11 January 2018): 'on the Green Belt absolutely I think that needs to be protected, that needs to be safeguarded. Now I'm not one who is advocating that we should be effectively building all over our green belt in order to hit those housing targets. I think that we can do this creatively, how we use the existing built environment and indeed that brownfield sites that are there. And actually, the protections that are around green belt have been upheld and strengthened through our planning guidance to ensure that that is the focus.'

There is currently a clear identified physical Green Belt Boundary between Oxford and SODC at the Bayswater Brook which runs along the south of LNBB. At LNBB, however, SODC proposes a new boundary that follows arbitrary lines through fields to the north of the site. This approach goes against the recommendations of its own Green Belt Assessment which states, 'The tree-lined Bayswater Brook forms a strong and consistent boundary to the urban area, supplemented at the western end of the parcel by the A40. Any change in the Green Belt edge here would represent a weakening of the boundary'. In using an arbitrary and moveable line in the site as a new Green Belt boundary, the council is non-compliant with national planning regulations. NPPF para 139f requires local authorities to 'define [green belt] boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' (p.41). Otherwise there is a risk that SODC and the landowner could, in future, push the Green Belt boundary out further to promote future development on this site.

### *Lack of strategic flood-risk assessment*

There is no site-specific strategic flood-risk assessment (SSFRA). The council intends to postpone a SSFRA for LNBB to planning application phase. If it also postpones data collection for the Bayswater Brook, then it may be years before there is enough evidence to conduct a robust SFRA at this site. This is a crucial omission and provides another reason for removing LNBB from the local plan.

### *Lack of sustainable transport assessment*

There is no up-to-date sustainable transport assessment: the *Sustainable Transport study* (2017) focused on areas of growth in the centre of the district (near Didcot, Wallingford) not on Green Belt sites near Oxford. This is a critical omission because SODC identified - as an exceptional circumstance - the proximity of this site to Oxford and its potential to support sustainable travel (by walking, cycling or bus) (see LP 2034, Strat 13, para 4.107, p.68).

SODC's proposals for more housing in the Green Belt near the city will only increase the vehicle traffic on the Oxford ring road and into the city centre. None of the new Green Belt sites around Oxford has access to rail and the delivery of new and frequent bus service to some of the Green Belt allocations is uncertain as it depends on private bus companies seeing a commercial advantage in providing the service. Current traffic volume through Headington / the Old Headington Conservation Area is already at such a level that many residents find it intolerable. This is already set to become much worse once the Barton Park development has been completed.

SODC has not conducted an up-to-date site-specific transport assessment nor an air quality risk assessment to consider how or whether these negative impacts could be mitigated. This omission is another example of how at plan-making stage, SODC has not gathered the quantity or quality of evidence to support the selection of this site as a strategic allocation.

### ***Lack of site-specific studies***

SODC has produced none of the required site-specific studies for LNBB. Instead it intends to postpone all of these detailed studies to planning permission stage. But without these assessments it cannot demonstrate the deliverability of LNBB, as the Chief Planner indicated in her report to the Scrutiny Committee in December 2018.

Also, evidence and assessments about the road projects for LNBB are wholly inadequate and SODC cannot demonstrate that these transport proposals are deliverable. In particular, unspecified 'significant upgrades' to the Northern Bypass could have severe implications for local residents. The proposal for a new link road depends on identification and securing of as yet unknown land east of the Headington Roundabout. There is no consideration of how these roads would interact to aggravate congestion and traffic on the neighbouring wards of nearby Oxford, including Headington, Northway, Marston, Barton, Sandhills, and Risinghurst. Furthermore, there are no proposals for mitigating these negative impacts either on LNBB or nearby communities.

We are concerned about the closeness of the proposed site to SSSIs at College Pond and Sydlings Copse. SODC's limited evidence suggests that the mix of recreational and environmental impacts from the LNBB development will cause irreversible harm to biodiversity in the SSSIs. These unique habitats cannot be recreated elsewhere, and mitigation or compensation will be pointless if development destroys the very qualities that make Sydlings Copse and College Pond of scientific significance. The council is failing in its obligation to avoid development that causes significant harm to biodiversity and SSSIs. Its policies are entirely non-compliant with all sections of NPPF para 175 about protecting and safeguarding SSSIs.

### **Lack of consultation / duty to cooperate**

Despite the fact that the implications of more housing and associated traffic are significant for the conservation area of Old Headington, there has been no local consultation – the nearest exhibition of the proposals was in Wheatley. The Friends of Old Headington were not informed of the proposals. We have not had enough time to read and comment on the plan, nor to consult our membership on the proposals. We feel this new plan should have been subject to a Reg 18 consultation lasting several months rather than the Reg 19 consultation of just 6 weeks.

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.

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:

*(this can be 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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