

# 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="Miss"/>	<input type="text" value="Not applicable"/>
Full Name	<input type="text" value="Bryony Landsbert"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="n/a"/>	<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"/>

## 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 9

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.

Councillors not in possession of the facts before voting, and being 'whipped' to vote for the plan

- The plan was pushed through district council in the week before Christmas. This debate appears to have been flawed in that councillors were 'whipped' to agree to the plan AND did not have access to the 498-page Site Selection Background Paper or the 86-page Green Belt Assessment of Strategic Sites Dec 2018 document prior to the vote. As such they could not make an appropriately informed decision about the plan. To 'whip' councillors when they have not had access to all the necessary information seems unsound and irresponsible given that the majority of the 'STRATS' involve removing sites from the legally protected Green Belt.

The Expansion of a 'small village' with 'Heritage at Risk'

- Culham village is listed in Appendix 7 of the plan as a 'smaller village', indeed I would describe it as 'tiny'. Thame Lane is an extended part of this village. The South Oxfordshire Local Plan update document from January 2019 describes how "Small villages are no longer expected to contribute towards housing supply" going on to say that any building in small buildings would need to be wanted by the village, subject to robust evidence and 'windfall or infill'. The proposed development of 3,500 homes (i.e. around 8000 people) so close to a small village of 400 people does not fit with any of these plans and is therefore contrary to South Oxfordshire District Council's own plan. This is not 5-10% growth of a small village as described as in the update document, but rather would increase the population of Culham by 200%. This is wildly unacceptable and would completely change the character of the local area.

- I do not live in Culham, but am responding to this consultation partly because I am concerned that with a population of around 400 people (2011 census), their voices will not be heard, particularly if the number of objections is a factor. Other sites in the plan are clearly marked on the map as adjacent to 'large villages' ie Berinsfield and Chalgrove, (Campaigns about other 'STRAT's within the local plan, e.g. Chalgrove have much larger populations who can object.
- In addition, Appendix 12 of SODCs draft plan, page 287, lists Culham as a 'Heritage Asset at Risk' on Historic Englands Register.

### Green Belt

It seems to me that the proposal to build on Green Belt land in this location is not legal as there is a requirement for there to be 'exceptional circumstances' for the land to be removed from green belt. I cannot see exceptional circumstances for the following reasons:

- The plan describes this site as "land adjacent to Culham Science Centre", and this seems disingenuous as Culham Science Centre is the other side of the railway line and on one of the 4 sides of the site. The other 3 sides of the site form important parts of the character of the local area. The site would accurately be described as "protected Green Belt comprised of Grade 2 and Grade 3 farmland (ie it 'best and most versatile') which is home to many protected species, adjacent to the River Thames and an SSSI and a small village." There would indeed need to be incredibly 'exceptional circumstances to remove this site from the Green Belt.
- The land is Grade 2 and Grade 3 i.e. 'best and most versatile' land for farming, and therefore should be protected, especially in a world where we need to be reducing the carbon footprint of our food production.
- The local environment in this part of Oxfordshire is already suffering from massive amounts of building on green land, for example through house building and gravel extraction, albeit not in South Oxfordshire District Council's area, but the other side of the river in the Vale of White Horse District Council area. This means that, all the more, green belt land should be preserved for our native wildlife (see section below)
- There is already tracts of land adjacent to suburban land in the local area, eg in Didcot which has planning consent for houses, but has been left fallow and has not been developed. There should be a requirement for these houses to be built before land is removed from Green Belt. This is in line with the Chancellors statement in his 2017 Budget Statement. I.e. there are other options locally for building houses.
- The Local plan states that some of the building will not happen until after 2033. With this in mind, it is unreasonable to assert that there is are 'exceptional circumstances' with which to remove this land from Green Belt as part of the current Local Plan.
- National Policy is to reduce the inequalities between the north of the country and the south of the country. Continuing to build houses in the south, particularly on Green Belt, is contrary to this policy.
- The Campaign for the protection of Rural England are in agreement that there are no exceptional circumstances in this case.

## Protecting species and the natural environment

- Local studies have demonstrated that there are ‘Schedule 1’ Species of birds which nest within the STRAT9 site (Barn Owl, Hobby, Peregrine and Red Kite). The RSPB notes that *“it is an offence to intentionally or recklessly disturb at, on or near an ‘active’ nest”*. Building on or near this site that threatened species breed, will further threaten them, and is therefore *“intentionally and recklessly”* disturbing them and therefore illegal. There are no mitigating measures which could offset the total destruction of their habitat.
- I know that the Buckinghamshire, Berkshire and Oxfordshire Wildlife Trust (BBOWT) are enormously concerned about the decline of Barn Owls in Oxfordshire, and would be able to provide figures relating to the decline in the species due to loss of habitat.
- There is also evidence of a significant number of birds listed on the Birds of Conservation Concern (BoCC 4) Red List. These are birds which are globally threatened and or have severely declined over recent years. These include grey partridges, song thrushes, mistle thrushes, and cuckoos in more than one location. There are no mitigating measures which could offset the destruction of their habitat. Destruction of their habitat contravenes objective 7.1 of the plan *“to protect and enhance the natural environment, including biodiversity... ”* which also makes the local plan unsound (see below)
- The Habitats Regulations assessment makes reference to European sites, but not local SSSIs. The STRAT9 site is close to the Culham Brake SSSI, which is listed as such for having the rare summer snowflake plant. There needs to be a complete and thorough study of the impact that such a huge development would have on the Culham Brake SSSI. As such the Habitats Regulations Assessment is unsound, particularly as Natural England states that the following are offences.
  - *“Carrying out or authorising operations likely to damage an SSSI without meeting the requirements to notify us.*
  - *Failing to minimise any damage to an SSSI and if there is any damage, failing to restore it to its former state so far as is reasonably practical and possible.”*
- Although SODC have now carried out an assessments relating to how much the enormous STRAT9 would be affected by changes to the drainage as a result of the proposed development, it does not make any mention of assessment of population increase near the site (to which the summer snowflake is also particularly susceptible – information taken from Natural England Website). The proposed site surrounds the SSSI on 3 sides. Failure to have specifically assessed the impact would also make the plan illegal. Removing this land from Green Belt prior to doing this assessment would be foolhardy and unsound in terms of planning, and put this population of Snowflake plant at risk.
- Objective 7.1 of the local plan continues to be specifically about *“protecting and enhancing the natural environment, including biodiversity, green infrastructure and our waterways, placing particular importance on the value of Oxford Green Belt, our two Areas of Outstanding Natural Beauty and the River Thames”*. Building STRAT9 appears contrary to SODCs own plan in that
  - STRAT9 can only be built if this stretch of ‘Oxford Green Belt’ does not have particular importance placed on it.

- It is irreversibly destroying the natural environment, including land where barn owls and other Schedule 1 birds nest, live and hunt
- Removing land from green belt will undoubtedly have an effect on local biodiversity, especially with so much other development in the local area
- The site is very close to the fragile ecosystem of the River Thames, and adjacent to Oxfordshire's largest heronry – a heronry which is currently quite undisturbed by human activity, and a species which are known to be susceptible to disturbance from such human activity. Building on this site is not 'placing particular importance' on the River Thames and its ecosystem.

#### Unsound consideration given to flooding

- Although not in a flood risk area itself, STRAT9 is surrounded on 3 sides by Flood zones 3, and page 193 of the plan states that "Development should be directed away from areas of higher flood risk". As such the plan seems unsound. In the original draft plan (2017), the Green Infrastructure space is located at the north of the site. The brow of the hill lay approximately along the line marked by the 'green infrastructure' and 'proposed mixed-use allocations'. This means that the entire space given over to mixed use allocation is running downhill southwards towards the river between Sutton Courtenay and Appleford. I have been unable to establish whether this is still the case in the revised plan. I am seriously concerned about the lack of forethought given to the fact that any run off from the 3500 roofs and driveways will contribute to an area which is already renowned for flooding, and in an area where the road infrastructure is seriously compromised when this happens as it affects all three river crossings This has happened at last twice in the last 5 years, for several days at a time.
- Significantly, there can simply be no expectation that the 'green infrastructure' area can be used to store run off water as all the water would need to go uphill in order to get there... an impossibility! It seems clear to me that this 'green infrastructure' area has been identified, not because it is suitable for recreation, or wildlife, but because the land is either too steep to build on or is floodplain which the environment agency classifies as having a 'high risk of flooding'
- Sorting a plan for draining, given the degree of flooding, and that the site is surrounded by floodplain on three sides, cannot be left until after the land has been taken out of Green Belt.

#### Unsound consideration given to infrastructure

- The site of STRAT9 has one main road adjacent to it. The A415. The traffic from all 3500 houses (and likely at least that many cars) would have to exit on to this road unless there are significant plans to the build further bridges to the north and west of the site over the river (which would further contravene Objective 7.1 and add huge expense to the project) and/or a bridge over the railway line to the East of the site, again destroying further Green Belt land. This in itself would be unsound.
- The A415 already suffers from considerable traffic, and many people organise their working lives around the hideous delays both ways along the A415 during the rush hour. The proposed bridge towards Didcot will not stop the fact that ALL traffic has to exit from the site onto the A415, before making its journey along it in order to in any direction.

- In addition to the strain on the road due to the twice daily commute, should there be an accident on the A415 which causes a traffic jam (as inevitably will happen), there will be a whole town full of people effectively trapped in the town, and with potentially disastrous effects should emergency services need to access the proposed new town, or indeed any of the surrounding towns and village such would be the impact. NB the submitted accident rates only include accidents where emergency services have attended, and not the many more accidents which regularly have an impact on traffic flow. As such, the data re accident rates could be considered unsound.
- The proposed new road and bridge to Didcot might alleviate some of the strain for South Bound Traffic, but the plan does not include adequate infrastructure to enable traffic to head either north or west. Traffic will either a) Head through Abingdon or b) head over the already congested Sutton Bridge and through the historic village of Sutton Courtenay, and onward either through Milton Park and Milton Village in order to get to the A34. No amount of proposed signposting can mitigate the impact that the additional traffic will have on these locations particularly during rush hour, where there are existing traffic jams in all locations, as most drivers rely on local knowledge and SATNAV.
- I believe that the traffic flow assessment which contributed to the plan is not independent in that the council has to assess the one provided by the applicant, this makes the process unsound. Crucially, there need to be several assessments over time, including term time and traffic to and from the Europa School. Such a traffic assessment CANNOT be left until after the land has been taken out of Green Belt and planning permission applied for. This again makes the plan unsound.
- There are serious concerns about construction traffic for the site, especially as the ONLY way to the site involves going through either Abingdon or the relatively narrow roads in Sutton Courtenay and Clifton Hampden. The fact that there is a proposed quarry around a mile to the east of the site, where the only access is also onto the A415 adds further complications to the management of significant numbers of HGVs in these historic villages.
- Oxfordshire County Council has recognised that Sutton Courtenay cannot manage any more traffic their responses to Vale of White Horse Planning Applications, and yet there no regard has been given to this historic village just 1 mile from the site of STRAT9. (See below re duty to co-operate)
- Within its arguments around sustainability, STRAT9 cites how the site is adjacent to Culham Station, and that commuters will be able to use the train. This is an unsound assertion when put in the context of the fact that National Rail has stated that it is not possible for more trains to stop at this station due to traffic going from Reading to Oxford and freight traffic. In order to enable more trains to stop at the station, the line and a deep cutting would need to be widened. I am not aware SODC have not submitted any paperwork from Network Rail confirming that it is feasible, within the lifetime of the Local Plan to extend the length of the station, widen the cutting and stop more trains at the station, and in the absence of this information, the sustainability argument using rail transport is unsound. Even if the platform was extended to allow for longer trains, the current plan does not allow for any increase in the frequency of trains.
- This lack of planning around infrastructure seems to contradict Objective 7.2 of the plan “Conserve and enhance our rich and varied historic assets and their settings, celebrating these as some of our strongest attributes” (Also see Duty to co-operate below, as many of

these 'assets' are very close and within the Vale of White Horse rather than South Oxfordshire District Council.

Unsound prediction of demand for houses and employment.

- The plan describes a planned expansion of Culham Science Centre and £100 million grant. The press release (December 2017) from the Government about this. (<https://www.gov.uk/government/news/86-million-boost-for-uk-nuclear-fusion-programme>) describes how the £86 million grant from “ The National Fusion Technology Platform is expected to create around 100 jobs at Culham Science Centre and many more in the wider nuclear industry supply chain.” This ‘wider supply chain’ I know is not at Culham Science Centre, and that CSC plans to spend much of this money nationally, rather than locally. As such the assertion that there are jobs in the locality is unsound.
- The assertion that required local infrastructure is reliant on houses built at Culham is now inaccurate as Oxfordshire County Council have stated that they do not need houses at Culham to fund the local bridge and Clifton Hampden bypass, having applied for a significant grant from the Government.
- The idea that Culham should be the location for Oxford City’s housing need is also unsound and contrary to SODCs own plan in terms of minimising the impact on the environment. Oxford City’s housing need should be near Oxford, and not on a patch of green belt which has already congested transport links to Oxford. Any building to the south of the Oxfordshire should be proven in terms of need in this area (not Oxford City) – this assessment has been done, and Didcot Garden Town takes the burden of this housing need in the Vale of White Horse Area. This brings me to my final subheading.

Duty to co-operate

The Government’s guidance in relation to ‘duty to co-operate’ on their own website explains how *“The duty to cooperate was created in the [Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004](#). It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.*

*The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.”*

The plan, as presented by South Oxfordshire District Council does not adhere to the government’s guidance for the following reasons.

Information from Oxford City Council

- National policy stands that authorities should only remove land from Green Belt when all other reasonable options have been fully examined. With this failure to consider all alternative options within or adjacent to the Oxford City Council area, the land in Culham should not be removed from Green Belt. This links back to arguments about the legality of

STRAT9. Although SODC should consider the requests from Oxford City Council, there is no duty to agree to the request if it is not well argued.

#### Information from Vale of White Horse District Council

- Meanwhile, South Oxford District Council has not appropriately considered the impact that the development will have on residents in the Vale of White Horse (which surrounds the site to the North, the South and the West. No consultation events have been held within these communities, or indeed advertised within them. As a result, many residents in Abingdon and Sutton Courtenay (both within the Vale of White Horse District Council) remain entirely unaware of the proposal to build 3500 homes, i.e. a whole new market town within their locality, and so have not been aware of the need to submit comments in the way I have today. Both these communities will be enormously affected by the proposed STRAT9 - both within a couple of miles, and both the other side of the river Thames with transport links rely on the river crossings which join with the A415. This means that South Oxfordshire District Council has not “engaged constructively, actively and on an ongoing basis’ with the Vale of White Horse District Council and their residents in order to maximise the effectiveness of the plan in relation to the impact it will have on surrounding communities.
- The populations within Sutton Courtenay and Abingdon vastly outweigh the 1000 people who live in Culham and Clifton Hampden, and as such the majority of the affected population have not been adequately consulted.
- Please also consider that documentation from Oxfordshire County Council which concluded that no further houses (not even a few hundred) could be built in Sutton Courtenay because traffic surveys suggested that the roads could not cope with further traffic, and yet just a mile away, within Oxfordshire County, there is a plan to build several thousand!

(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.

The National Planning Policy Framework states that “ *Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*”. Currently the number of assessments which have not yet been completed (flooding, employment, traffic, and SSSI to name but a few, do not prove that the potential harm is clearly outweighed by other considerations in any way shape or form. Given all the above evidence, it is my conclusion that the impact this whole development would have on the surrounding communities (human, flora and fauna) means that South Oxfordshire District Council has not ensured “*that substantial weight is given to any harm to the Green Belt*” (National Planning Policy Framework). Indeed there are exceptional circumstances which suggest that this area should REMAIN as Green Belt. Therefore STRAT9 should be removed from South Oxfordshire District Council’s local plan.

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:

(this can be electronic)

Date:

18.2.19

### 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).

**Please return this form 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).