

Submission to the Planning Inspector,
Mr Malcolm Rivett, from Keep Cumnor Green

August 2015



Matter 1: Duty to Co-operate and Other Legal Requirements

Matter 1.1:

We do not believe that the Vale of the White Horse District Council (VWHDC) has satisfactorily discharged its duties to co-operate so as to maximise preparation of its Local Plan in the context of cross-boundary matters. While we understand that specific Green Belt issues are provisionally scheduled for more detailed consideration in Part 2 of the Inspector's hearings, we make mention of several of these in this submission as they exemplify shortcomings in larger matters of principle and approach.

Our primary objection under this heading is that the Vale's Local Plan is projected on the basis of a piecemeal assessment of the Oxford Green Belt. It considers only that portion of the Oxford Green Belt which falls within its own administrative borders. *(Please see paragraphs 18 – 20 of the report in the attached appendix prepared by Mr Mike Gilbert, Planning Consultant and a former member of the Vale's own planning department.)*

Secondly, whereas a review is being currently undertaken of the Oxford Green Belt by the Oxford Growth Board appointed by Oxfordshire County Council, this review has yet to be completed and made available for public scrutiny and debate. Moreover, grave reservations have been expressed, by the Campaign to Protect Rural England (CPRE) amongst others, regarding the objectivity, terms and membership of this Board.

Thirdly, the VWHDC has announced recently, one might say belatedly as it was almost on the eve of the Inspector's hearings, that it will be shouldering responsibility for providing some 3,300 additional new houses to accommodate unmet housing needs within Oxford City. However, in the absence of any comprehensive, open and soundly based review of the whole of the Oxford Green Belt, and in the light moreover of clearly laid down national planning policy provisions that unmet housing needs do not constitute exceptional circumstances justifying

incursions into the Green Belt, the grounds for such a commitment have not been demonstrated.

Finally – and again, we trust, not anticipating the more detailed examinations in Part 2 of the hearings – we should like to point out that, if the VWHDC's case for releasing Oxford Green Belt areas surrounding Cumnor has as its rationale a joint initiative by the district councils to meet Oxford City's housing needs, this appears to be at odds with the City's own published report on the suitability of Cumnor Green Belt areas for its housing developments. This report concluded one of the larger areas adjoining Cumnor identified by the VWHDC for removal from the Green Belt (Area 3 in the Local Plan) was completely unsuitable to meet its needs. (*Please see <http://www.oxford.gov.uk/Library/Documents/Planning/Informal%20Green%20Belt%20Assessment%20May%202014.pdf> page 39 – 40 paras 70 and 71*).

This view was further underlined in the recent statement by Oxford City Councillor Bob Price that building in Cumnor will not address the city's unmet housing need and that on the contrary it 'will need be met through its developments on the northern and southern arcs of the city' (*Oxford Mail*, 8th August 2015).

Therefore in fulfilling its cross-boundary duties to cooperate VWHDC's policies and processes have been partial, hurried and contradictory.

Matter 1.3:

We believe it is unacceptable for the VWHDC to introduce an artificial division between consideration of strategic issues in Part 1 of the Local Plan and detailed allocations etc only to be made publicly available at a later date in Part 2. The two clearly hang together, and it is only fair and above board that they be considered together. Transparency on the part of the Council is sadly lacking in this regard. Those most affected are effectively being asked to come to conclusions whilst being kept in the dark.

Matter 1.4:

In seeking to remove areas from the Oxford Green Belt, the VWHDC has not complied with its community and national obligations. Its proposals, for instance, stand in clear breach of national planning policy stipulations which lay down that meeting unmet housing need does not constitute acceptable grounds for moving Green Belt boundaries. (*In this regard please see Mr Gilbert's report, paragraphs 7 – 16.*)

In paragraph 30 Mr Gilbert adds that land '*should only be removed from the Green Belt if it can be demonstrated that it is needed for development - it should not be removed if it might be needed for development as part of a future Local Plan. And land should certainly not be removed from the Green Belt simply because it is judged not to meet the five purposes of the Green Belt.*' We would contend that each site fulfils at least 3 of the five purposes and believe it is disingenuous to argue that decisions about the removal of areas from the Green Belt can be arrived at irrespective of the purposes to which they ultimately will be put. One can be certain that lifting Green Belt protection will herald open-season for commercial developers and that high density development such as that on the brownfield Timbmet (Known as Kimmeridge Road) site in Cumnor will undoubtedly follow. This development, along with other brownfield site developments, has increased the size of Cumnor approximately 20% since 2011.

Planning policy logic and consistency appears to be sadly lacking on the part of the VWHDC. Taking as an example the five areas around Cumnor slated for removal from the Oxford Green Belt, it appears to be Council policy not to allocate them for housing purposes. Why then remove them from the Green Belt? The Council's response seems to be that their removal is based on general principles of objective assessment regarding the Green Belt. But, if so, why then did the Council's own *Green Belt Review* give all of these areas such glowing environmental and amenity assessments? Similarly, the Vale's own comments on the first edition of the Local Plan ruled against the removal of areas 4 and 5 from the Oxford Green Belt. Why then was their removal reinstated in the second edition of the Plan? (*Please see Mr Gilbert's report, paragraphs 46 – 48 and 54 and 55.*) Again, there is an unexplained inconsistency in the Vale's identification of land slated for removal in Area 6. (*Please see Mr Gilbert's report, paragraph 60.*)

Finally, as regards the Council's duties of community compliance, it is our view that its consultation exercise, carried out at the end of 2014 when the second edition of the Local Plan was published, fell woefully short of what citizens might rightly expect. The consultation finished on 19th December, at one of the busiest times of the year, and was very poorly publicised. According to Cllr Barber, a Post Office error led to many Cumnor residents receiving an unmarked, sealed envelope with a Local Plan leaflet in it. The online consultation system was user-unfriendly in the extreme and seemed almost to have been designed to deter responses. This user-unfriendliness was the experience of computer literate and less computer literate individuals alike. It is perhaps indicative of this that whereas only about a hundred

residents commented online, Keep Cumnor Green when circulating a petition (to be submitted at the hearings) found almost 1,000 residents opposed to the Local Plan. The difficulty residents experienced in commenting online must surely be a major factor contributing to this discrepancy.

Appendix

Proposed changes to the Oxford Green Belt at Cumnor



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62 Broadmarsh Lane Freeland Witney OX29 8QR
Email: mg.planning@btinternet.com

Appendix

Contents

	Page
Introduction	3
National planning policy context	5
Oxford Green Belt	7
Vale of White Horse Green Belt Review	8
Exceptional circumstances: housing needs	10
The 5 sites at Cumnor	14
Area 3	15
Area 4	17
Area 5	20
Area 6	22
Area 24	24
Conclusion	26

Introduction

1. Vale of White Horse District Council has submitted the *Vale of White Horse Local Plan 2031 Part One Strategic Sites and Policies* to the Secretary of State for examination. This is the *Submission Vale of White Horse Local Plan 2031* which sets out the overall amount of development planned for the district to 2031, plus some specific and broad locations for delivering housing, employment and other development needs such as shopping, transport and key supporting infrastructure. Part Two of the Local Plan will provide more detailed policies and proposals across the Vale and will be prepared following the adoption of Part One.
2. The Submission Local Plan and accompanying array of documents (i.e. the evidence base) will be examined at hearings taking place from the week commencing 21 September 2015. The Local Plan Examination will be held in two stages. Stage 1 will consider the main strategic issues of the Plan (i.e. not Core Policy 13 relating to the Oxford Green Belt). If, following the Stage 1 hearings, the Inspector concludes that in relation to the main strategic issues the Plan is likely to be capable of being found sound, Stage 2 of the Examination will then commence. Stage 2 will consider the soundness of all other matters relating to the Plan, including Core Policy 13. The deadline for registering a wish to take part in a Stage 1 hearing is 14 August 2015, and the deadline for submitting statements to be discussed at a Stage 1 hearing is 21 August 2015. No timetable has yet been set for the Stage 2 hearings.
3. The essential purpose of the Examination hearings is for the Inspector to hear representations on the "soundness" of the Submission Local Plan based on the criteria set out in paragraph 182 of the National Planning Policy Framework. The relevant criteria for assessing soundness are whether the Local Plan is:
 - **positively prepared** - i.e. the Plan is based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is

reasonable to do so and consistent with achieving sustainable development;

- **justified** - i.e. the Plan is the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence;
- **effective** - i.e. the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **consistent with national policy** - i.e. the Plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

4. Part of the evidence base of the Submission Local Plan is the Vale's "*local review*" of its part of the Oxford Green Belt. That review was carried out in three phases during 2013 and 2014 and recommends that 5 sites at Cumnor are removed from the Green Belt. Consequently, Core Policy 13 of the Submission Local Plan proposes to amend the Green Belt boundaries following the local review, and the *Draft Adopted Policies Map* shows those sites that are proposed to be removed from the Green Belt. All 23 sites proposed to be removed from the Green Belt in the local review plus an additional site on the north side of Abingdon are shown to be outside the Green Belt on the *Draft Adopted Policies Map*. All 5 sites at Cumnor are shown outside the Green Belt, apart from part of Area 6 alongside Appleton Road.

5. In accordance with Keep Cumnor Green's briefing paper dated 28 May 2015, this report assesses the robustness of the Submission Local Plan's proposal to remove the 5 sites at Cumnor from the Oxford Green Belt. My responses to specific issues raised in the briefing paper are at Appendix 1.

6. The following documents are referred to in this report:

- Document 1: *Topic Paper 9, The Natural Environment*, November 2014, Vale of White Horse District Council
http://www.whitehorsedc.gov.uk/java/support/dynamic_serve.jsp?ID=447617593&CODE=9F34A389B26815A9F55EB4016E1ADE57

- Document 2: *Vale of White Horse District Council's comments on the Green Belt Review*, February 2014, Vale of White Horse District Council
http://www.whitehorsedc.gov.uk/sites/default/files/2014_02_20%20council%20comments%20on%20CB%20final.pdf
- Document 3: *Investigation into the potential to accommodate urban extensions in Oxford's Green Belt*, May 2014, Oxford City Council
<http://www.oxford.gov.uk/Library/Documents/Planning/Informal%20Green%20Belt%20Assessment%20May%202014.pdf>

National planning policy context

7. Green Belt is not a landscape or heritage designation, so it is distinctively different to Areas of Outstanding Natural Beauty or Conservation Areas. Paragraph 79 of the National Planning Policy Framework (NPPF) says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts, therefore, are their openness and permanence. Land is included in Green Belts based on its importance in meeting the 5 purposes of the Green Belt as set out in paragraph 80 of the NPPF. These are:

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

8. Although part of the importance of Green Belts is their permanence, the NPPF sets out a mechanism for reviewing Green Belt boundaries. Paragraph 83 says:

"Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan."

In other words, land should only be taken out of the Green Belt if exceptional circumstances require it to be made available for development which would be inconsistent with its Green Belt status.

9. The National Planning Practice Guidance (NPPG) says that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" necessary to justify inappropriate development in the Green Belt (paragraph 034: 3-034-20141006).

10. In addition, paragraph 044: 3-044-20141006 of the NPPG says:

"Do housing and economic needs override constraints on the use of land, such as Green Belt?"

The National Planning Policy Framework should be read as a whole: need alone is not the only factor to be considered when drawing up a Local Plan. The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion. The Framework makes clear that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan."

11. The thrust of Government policy on Green Belts, therefore, is very clear. Land within Green Belts needs to be protected from development to maintain their openness. Whilst Green Belt boundaries can be reviewed as part of the Local Plan preparation process, that should only be done if land is needed for development and that need can be demonstrated to constitute "*exceptional circumstances*".

Oxford Green Belt

12. The Oxford Green Belt was approved by the Secretary of State for the Environment as an amendment to the County Development Plan in 1975. This set the outer boundary of the Green Belt. The inner boundaries (including the boundaries around the inset villages such as Cumnor) were subsequently set by the Local Plans prepared by each of the Oxfordshire local planning authorities within whose areas the Green Belt lies - i.e. the four district councils and the city council. In the Vale of White Horse, the Oxford Fringe and Green Belt Local Plan, adopted in March 1991, set the inner boundaries.

13. The Oxford Fringe and Green Belt Local Plan set the context within which the inner boundaries of the Green Belt were set in the Vale:

"It is an area of distinctive character. From Newbridge the upper Thames takes a great sweep northwards by Swinford and Godstow before passing through Oxford and southwards to Kennington and Radley; within this huge arc in the river's course west of Oxford can be found a landscape of wooded hills and small valleys rising from the water meadows. Here it is the country made famous in Matthew Arnold's 'Scholar Gipsy' – Wytham Hill, Boars Hill, Cumnor, Bagley Wood, Bablock Hythe, the Chilswell Valley. The hills, the woods and the villages have seen many changes – in the Victorian age as well as in our century – but much of their attractive quality remains, and they still form the essential backdrop to the dreaming spires of Oxford."

14. From the outset, therefore, the essential purpose of Oxford's Green Belt has been to preserve the famous and unique setting of Oxford and to prevent urban sprawl. The city remains intimately connected with its landscape setting, which is an essential and distinctive feature of its special character. The Green Belt also protects the individual towns and villages around Oxford from merging into an expanding city, thereby allowing them to retain their separate identities.
15. Oxford sits in a bowl and the largely undeveloped green hills around the city form an important part of its setting and represent much of the reason for the designation of the Oxford Green Belt. The open character of the Green Belt clearly plays an essential role in the landscape setting and special character of Oxford, but it also plays an essential role in the landscape setting and special character of the Conservation Areas in the Green Belt around Oxford, including Cumnor.
16. The whole of the Oxford Green Belt covers an area of approximately 337 sq km. It is one of the narrowest Green Belts in the country at only four to six miles wide, so it is very sensitive to incremental erosion at its edges.

Vale of White Horse Green Belt Review

17. The Vale of White Horse Green Belt Review was carried out in three phases during 2013 and 2014. Phase 1 divided the Green Belt into land parcels and assessed the edges of the settlements against the 5 purposes of the Green Belt. Phase 2 assessed the remainder of the Green Belt and brought all of the information together in a final report dated February 2014. Phase 3 was a "*more detailed examination*" (according to Document 2) of the areas suggested to be removed from the Green Belt, and resulted in a nine page report dated November 2014 which set the boundaries of the sites proposed to be removed from the Green Belt.

18. The purpose of any Green Belt review is to provide an independent qualitative assessment of how strategic segments of the Green Belt perform against the 5 purposes of the Green Belt. The review should follow a "principles based approach" which assesses the whole Green Belt against the fundamental aim of Green Belt policy and the 5 purposes of including land within the Green Belt. It is accepted custom and practice that reviews should provide an independent and comprehensive evaluation of the Green Belt as a whole. It should not be a piecemeal review carried out partially (and potentially inconsistently) by separate local planning authorities. The review should have clear terms of reference to ensure it is carried out consistently across the whole of the Green Belt. This approach was successfully followed by Gloucester City Council and Cheltenham and Tewkesbury Borough Councils in their joint review of the Gloucester and Cheltenham Green Belt in 2011.

19. The area of the Oxford Green Belt within the Vale of White Horse District Council's jurisdiction is 75.4 sq km, which is only 22.4% of the whole of the Green Belt (i.e. 337 sq km). The Vale's Green Belt Review, therefore, is far from comprehensive and there can be no assurance that it will be consistent with any other or wider reviews of the Oxford Green Belt. On this point, it is worth noting that the Oxfordshire Growth Board (a Joint Committee of all six Oxfordshire Councils) has commissioned an appraisal of the whole of the Oxford Green Belt.

20. It is also worth noting that paragraph 2.16 of Document 1, which is part of the Council's evidence base, says:

"Objections were also raised to the piecemeal approach to reviewing the Green Belt and that a holistic review of the entire Oxford Green Belt should be undertaken."

However, the Council has not published its response to this legitimate criticism of its partial review of the Oxford Green Belt.

Exceptional circumstances: housing needs

21. The Oxfordshire Strategic Housing Market Assessment (SHMA) was published in March 2014 and says that a high level of new housing is needed across the county up to 2031. 100,000 new homes are required between 2011 and 2031. 1,028 and 1,400 new homes are needed per annum in the Vale of White Horse and Oxford City respectively up to 2031. This is significantly higher than both Councils had previously been planning for. Their new Local Plans, therefore, need to make proper provision for this increased number of new homes if they are to be found sound following independent examination - i.e. they need to be "positively prepared" and "effective". Oxfordshire CPRE and others have criticised the SHMA, saying it is not realistic and over-estimates the level of housing need. This will no doubt be the subject of a separate submission by Oxfordshire CPRE.

22. Paragraph 2.19 of Document 1 says:

"As part of the process of assessing sites to meet the increased housing target set out in the Strategic Housing Market Assessment, the Council commissioned a Green Belt Review to identify whether there was any land suitable for release from Green Belt, so that it could be considered for housing alongside other reasonable alternatives."

23. Paragraph 2.30 of Document 1 then says:

"On this basis, in order to meet the housing target set out in the SHMA, there is no reasonable alternative to releasing sites from the Green Belt."

24. And paragraph 11 of Document 2 says:

"Given that growth in the settlements within the Green Belt had been restricted for so long and as these settlements are some of the most sustainable in the district, a Green Belt Review has been undertaken to ascertain if any land could be released from the Green Belt."

25. The driving force of the Vale's Green Belt Review, therefore, has been to see if any sites could be removed from the Green Belt and so be made available for development to help meet the increased housing target identified in the SHMA. That is seen as the "*exceptional circumstance*" to justify removing land from the Green Belt. This approach complies with Government policy, but only if the land proposed to be removed from the Green Belt can be demonstrated to be needed for development. There is no exceptional circumstance to justify removing land from the Green Belt if it is not needed to help meet the housing target set by the SHMA. Paragraph 2.27 of Document 1 recognises this when it says:

"The release of sites from the Green Belt should be consistent with the evidence." (i.e. the SHMA)

26. An essential purpose of the Submission Local Plan is to set the overall housing strategy in terms of the amount and distribution of new housing to be provided over the plan period. The Local Plan achieves this through a number of proposed strategic allocations, including four allocations within the Green Belt (i.e. sites on the edges of Abingdon, Kennington and Radley). Consequently, these are amongst the 24 sites proposed to be removed from the Green Belt in the Submission Local Plan.

27. None of the other 20 sites proposed to be removed from the Green Belt, therefore, are required to be developed to meet the Vale's strategic housing needs as set out in the Submission Local Plan. That includes all of the 5 sites at Cumnor. Consequently, there is no exceptional need within the Vale to justify removing the 5 sites at Cumnor from the Green Belt.

28. Nevertheless, it is important to note that Core Policy 8 of the Submission Local Plan says that up to 722 new dwellings will be allocated in the Local Plan 2031 Part Two within the sub-area which includes Cumnor and the Vale's part of the Oxford Green Belt.

29. With this in mind, the Council says at paragraphs 20 to 22 of Document 2:

"20. Paragraph 83 of the NPPF states that where Green Belt boundaries are reviewed, this should have regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. On this basis, we have considered releasing land from the Green Belt other than for the strategic sites, where the review shows that the five purposes are not met.

21. Even though land is suggested for release from the Green Belt, which is not identified for strategic development, this does not necessarily mean that development would be appropriate or supported at these locations. However, the sites may be reviewed during preparation of Local Plan 2031 Part 2 (LPP2), which will identify small (non strategic) development sites. Work will begin on LPP2 once LPP1 is adopted.

22. Paragraph 83 of the NPPF states that Local Planning Authorities should only alter Green Belt boundaries in exceptional circumstances. Paragraph 85 of the NPPF states that defined boundaries should be consistent with the strategy in the Local Plan for meeting identified requirements for sustainable development. On this basis, we think that land should only be released from the Green Belt if it is developable and would constitute sustainable development."

30. However, this approach is not consistent with Government policy. Land should only be removed from the Green Belt if it can be demonstrated that it is needed for development - it should not be removed if it might be needed for development as part of a future Local Plan. And land should certainly not be removed from the Green Belt simply because it is judged not to meet the 5 purposes of the Green Belt (as stated in paragraph 20 of Document 2).

31. The SHMA confirms that the greatest housing need lies within Oxford City. In Document 3, Oxford City Council says that Oxford does not have the capacity to meet all the identified housing need within the constraints of its administrative boundaries.

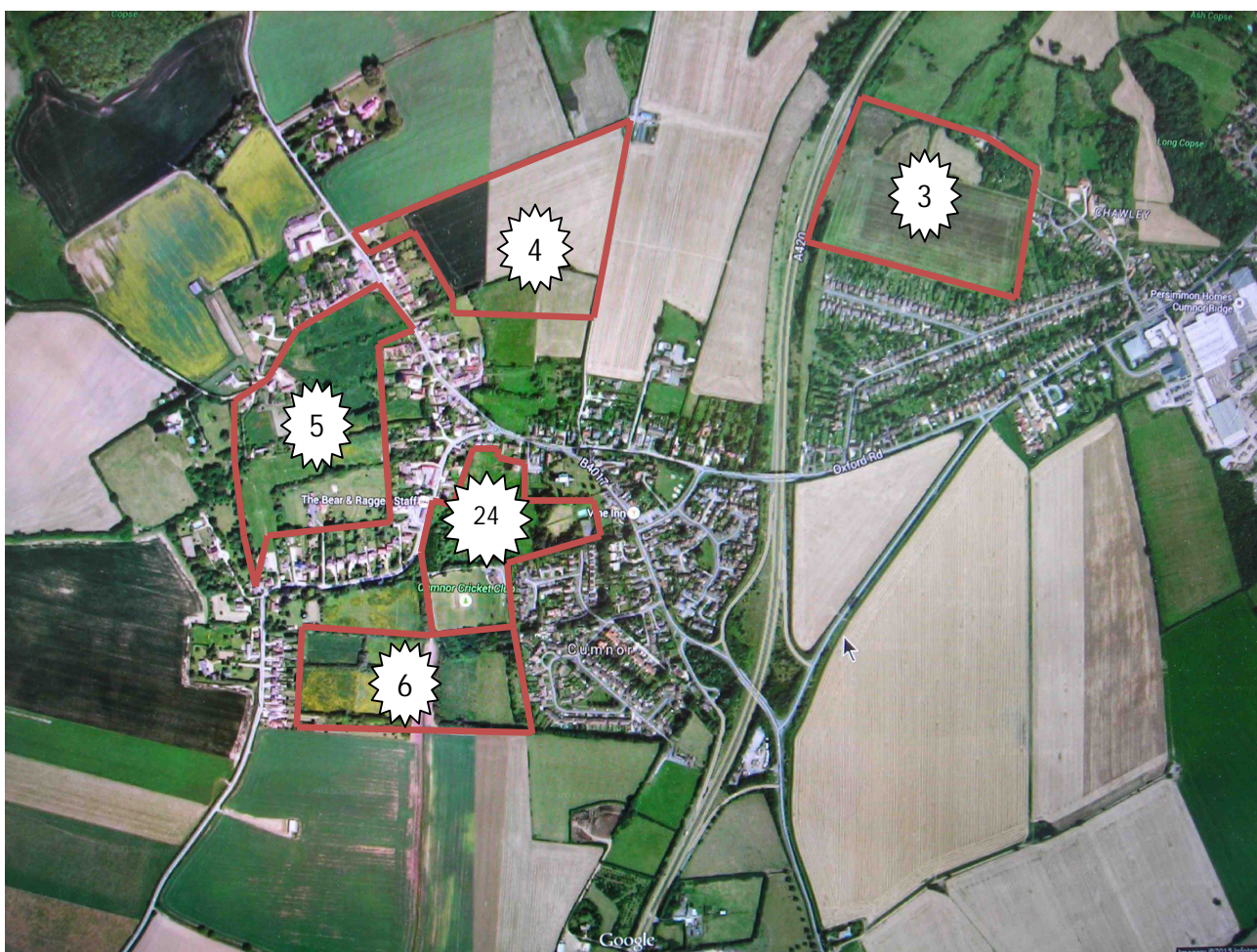
32. This is recognised by the other local authorities in Oxfordshire. Accordingly, it is expected that some of Oxford City's housing needs will have to be met through allocations within the Local Plans of Oxfordshire's four District Councils. This is likely to require some adjustment of the boundaries of the Green Belt, which is probably part of Oxfordshire Growth Board's remit in carrying out its appraisal of the whole of the Oxford Green Belt. However, at the current time the extent of Oxford's housing needs that will need to be met outside its administrative boundaries and the most sustainable way of meeting those needs are not known. In paragraph 2 of Document 3, Oxford City Council says, rather than a piecemeal erosion of the Green Belt:

"Oxford's [housing] needs will be most sustainably provided in an urban extension that is close and well connected to Oxford."

It may be decided that that is the most sustainable option but, as yet, we do not know. Equally, we do not know whether there will be a need for additional housing land on the edge of Cumnor. These major issues can only be decided following a comprehensive review of the whole of the Oxford Green Belt. Without such a comprehensive review, the unmet housing needs of Oxford cannot be promoted as an exceptional circumstance in the Submission Local Plan to justify removing the 5 sites at Cumnor from the Green Belt.

The 5 sites at Cumnor

33. The above assessment demonstrates that there is no strategic need to remove the 5 sites at Cumnor from the Green Belt. In addition to this, consideration needs to be given to the Council's assessment of the contribution the 5 sites make to the fundamental aim of Green Belt policy (i.e. its openness) and the 5 purposes of including land within the Green Belt, as set out in paragraphs 79 and 80 of the NPPF. Is each site important to protecting the openness of the Green Belt? How does each site contribute towards meeting each of the 5 purposes of the Green Belt? These issues are considered for each of the 5 sites in turn below. The Google Map below shows the location of the 5 sites in relation to Cumnor village and the surrounding countryside.



Google Map showing Areas 3, 4, 5, 6 and 24

Area 3 (land between Norreys Road and Chawley Lane)



View looking south across Area 3 from public footpath 184/41

34. There can be no doubt about the positive contribution Area 3 makes to the openness of the Green Belt. It mostly comprises a large tract of open agricultural land and is prominent in public views as it is bounded on three sides by public footpath 184/41.
35. Area 3 lacks any built development or significant urbanising influences and it contributes to the open countryside feel of the Green Belt. It is a prominent part of the rural landscape and clearly extends out away from the built-up area of Cumnor and into open countryside. The area, therefore, is an important part of the Green Belt's sensitive edge and plays an important role in terms of safeguarding the countryside from urban encroachment.

36. Area 3 comprises part of the "open land" of Land Parcel 3 as described in Section 9 of the Council's Green Belt Review Phase 2 Report. According to that report, Area 3 is also part of *"the northern area [which] contributes to maintaining the separation of Cumnor and Botley by maintaining an open landscape setting in the Vale north of Cumnor and Chawley"*, and which *"is important as part of the Vale landscape which forms a setting to and links Wytham Hill and the River Thames riparian landscape."* The Phase 2 Report also says this area *"contains areas typical of the special qualities of the Green Belt: small valleys and wooded areas, small areas of pasture between woodland. These have good links to the wider landscape of wooded hills (e.g. Hurst Hill). The characteristics of this edge of settlement area are identified as important to the landscape setting and special landscape character of Oxford."*

37. Area 3, therefore, contributes significantly to the openness of the Oxford Green Belt and to three of the purposes of including land within the Green Belt, namely to prevent neighbouring towns merging into one another, to assist in safeguarding the countryside from encroachment, and to preserve the setting and special character of historic towns (i.e. the landscape setting of Oxford includes the landscape around Cumnor).

38. The Green Belt Review Phase 3 Report says the following about the removal of Area 3 from the Green Belt: *"the new boundary follows a strong tree line and the A420."* However, the existing Green Belt boundary in this area is already strong as it is set by the ends of the gardens of the properties along Norreys Road and Chawley Lane.

39. The Phase 3 Report also says:

"Particular care needs to be taken in Areas 3 and 4 that any new built form does not have an adverse impact on the open character of the adjacent Green Belt."

Clearly, new built form on Area 3 will have a significantly adverse impact on the open character of the existing Green Belt.

Area 4 (land between Tumbledown Hill and Denman's Lane)



View looking north-west across Area 4 from public footpath 184/18

40. There can be no doubt about the positive contribution Area 4 makes to the openness of the Green Belt. It comprises a large tract of open agricultural land and is prominent in public views as it is crossed or bounded by public footpaths 184/15, 184/16 and 184/18. The land forms part of sweeping open countryside to the north of Cumnor and part of the western edge lies within Cumnor Conservation Area. There is also a question of consistency here. Why has Area 4 been considered for removal from the Green Belt but not adjoining land on the east side of Denman's Lane which lies closer to the village centre and so intrudes less into the open countryside? This has not been explained and is another example of how partial the Green Belt Review has been.

41. The 2014 Strategic Housing Land Availability Assessment Update (SHLAA) confirms that Area 4 is grade 2 agricultural land. Paragraph 112 of the NPPF

says that poorer quality land should be promoted for development ahead of "*the best and most versatile agricultural land*".

42. Area 4 lacks any built development or significant urbanising influences and it contributes to the open countryside feel of the Green Belt. It is a prominent part of the rural landscape and clearly extends out away from the built-up area of Cumnor and into open countryside. The area, therefore, is an important part of the Green Belt's sensitive edge and plays an important role in terms of safeguarding the countryside from urban encroachment.
43. Area 4 comprises part of the "*open land*" of Land Parcel 3 as described in Section 9 of the Vale's Green Belt Review Phase 2 Report. According to that report, it is also part of the area which "*is important as part of the Vale landscape which forms a setting to and links Wytham Hill and the River Thames riparian landscape.*"
44. Area 4, therefore, contributes significantly to the openness of the Oxford Green Belt and to two of the purposes of including land within the Green Belt, namely to assist in safeguarding the countryside from encroachment and to preserve the setting and special character of historic towns (i.e. the landscape setting of Oxford includes the landscape around Cumnor).
45. The Green Belt Review Phase 3 Report says:
- "Particular care needs to be taken in Areas 3 and 4 that any new built form does not have an adverse impact on the open character of the adjacent Green Belt."*
- Clearly, built form on Area 4 will have a significantly adverse impact on the open character of the existing Green Belt.
46. All of these concerns about removing Area 4 from the Green Belt have been acknowledged by the Council. Document 2 disagrees with the recommendation of the Green Belt Review Phase 2 Report that Area 4 should be removed from

the Green Belt. Table 1 in Document 2 says:

"The Cumnor Conservation Area Character Appraisal specifically refers to [Areas 4 and 5] as important to the character of the Conservation Area. On this basis, these sites would not be supported for development and therefore removing them from the Green Belt would serve no purpose."

47. The Council has not explained why Area 4 is still shown to be removed from the Green Belt. I queried this and received an email from the Council's Planning Policy team on 8 June 2015 which says:

"Cumnor sites 3, 4, 5, 6, and 24 have been signed off from higher levels of authority and thus submitted to the Planning Inspectorate with our Local Plan 2031 Part 1, for removal from the green belt. We agree that this may not have been clearly indicated, and will be addressed through the examination hearings of the Local Plan 2031 Part 1."

48. It is not clear whether the retention of Areas 4 and 5 (and probably Area 24) as sites to be removed from the Green Belt in the Submission Local Plan is a mistake or whether the Council will argue at the Examination hearings that Document 2 (i.e. the Council's own report) is wrong.

Area 5 (land between High Street, Leys Road and Appleton Road)



View looking south-west across Area 5 from High Street

49. Area 5 lies wholly within the village Conservation Area and includes Closes Field recreation and playing fields area. It is crossed by public footpaths 184/26 and 184/28 and is essential to the landscape setting of Cumnor and the open and rural character of the Conservation Area. It is a green area partly used for sport and recreation which reaches into the heart of the village.

50. Paragraph 2.23 of Document 1 says:

"The report [Document 2] recommended that the majority of sites suggested be released from the Green Belt but that those that were unsuitable for development, such as recreation grounds and land important to the character of the conservation area, should remain in the Green Belt."

51. In addition, the Green Belt Review Phase 3 Report says:

"The division of the land within Areas 5, 6 and 24 into small parcels of land divided by hedgerows and trees is a key characteristic of the setting of the village and the Conservation Area. As far as possible these should be retained and included in the Green Infrastructure for the area. Areas of pasture are important local landscape features and where possible, especially where they contribute to the setting of the Conservation Area, they should be retained as open space."

52. The Council's objective of retaining Area 5 as open space, particularly as it lies wholly within the Conservation Area and includes a significant area of recreation and playing fields, provides full justification for retaining Area 5 within the Green Belt. Document 2 objects to the proposal to remove playing fields at Botley and Kennington (Areas 8, 18 and 19) from the Green Belt on the grounds that *"these sites are playing fields, which the council would not support for redevelopment unless alternative provision was made."* The same applies to Area 5 at Cumnor.

53. Area 5 contributes significantly to the openness of the Oxford Green Belt and to two of the purposes of including land within the Green Belt, namely to assist in safeguarding the countryside from encroachment and to preserve the setting and special character of historic towns (i.e. the landscape setting of Oxford includes the landscape within and around Cumnor). As mentioned in paragraph 15 above, the open character of the Green Belt forms an important part of both the landscape setting of Oxford and the special character of the Conservation Areas in the villages around Oxford.

54. All of these concerns about removing Area 5 from the Green Belt have been acknowledged by the Council. As mentioned in paragraph 49 above in relation to Area 4, Table 1 in Document 2 says:

"The Cumnor Conservation Area Character Appraisal specifically refers to [Areas 4 and 5] as important to the character of the Conservation Area. On

this basis, these sites would not be supported for development and therefore removing them from the Green Belt would serve no purpose."

55. The Council has not explained why Area 5 is still shown to be removed from the Green Belt even though it clearly has no development potential.

Area 6 (land between Appleton Road and Robsart Place)



View looking north across Area 6 from public footpath 184/12

56. The Landscape Capacity Study which is part of the Submission Local Plan's evidence base confirms that the landscape capacity of Area 6 is the lowest of the five categories. In other words, the site scores highly in terms of its overall landscape and visual sensitivity and its landscape value. The landscape and visual sensitivity of the site is enhanced by public footpaths 184/12 and 184/24 crossing the site and the land rising noticeably to the east and west from the

stream which runs through the middle of it. In addition, the 2014 SHLAA Update confirms that Area 6 is grade 2 agricultural land, which is "*the best and most versatile agricultural land*" (paragraph 112 of the NPPF).

57. Area 6 contributes significantly to the openness of the Oxford Green Belt and to two of the purposes of including land within the Green Belt, namely to assist in safeguarding the countryside from encroachment and to preserve the setting and special character of historic towns (i.e. the landscape setting of Oxford includes the landscape within and around Cumnor). As mentioned in paragraph 15 above, the open character of the Green Belt forms an important part of both the landscape setting of Oxford and the special character of the Conservation Areas in the villages around Oxford.

58. The Green Belt Review Phase 3 Report says:

"The division of the land within Areas 5, 6 and 24 into small parcels of land divided by hedgerows and trees is a key characteristic of the setting of the village and the Conservation Area. As far as possible these should be retained and included in the Green Infrastructure for the area. Areas of pasture are important local landscape features and where possible, especially where they contribute to the setting of the Conservation Area, they should be retained as open space."

59. The Council's objective of retaining this land as open space, particularly as it adjoins the Conservation Area, provides full justification for retaining Area 6 within the Green Belt.

60. It is unclear why part of Area 6 alongside Appleton Road is now shown to be retained within the Green Belt on the *Draft Adopted Policies Map*. The Council has not explained the reason for this decision. If there were good planning reasons not to remove this part of Area 6 from the Green Belt there are equally good planning reasons, as explained above, not to remove the remainder of Area 6 from the Green Belt. This illustrates the Council's inconsistency in its

approach to the proposed removal of sites from the Green Belt and casts considerable doubt on the soundness of this part of the Submission Local Plan.

Area 24 (land between Appleton Road and Abingdon Road)



View looking east across the cricket ground in Area 24

61. Area 24 includes a large part of the village Conservation Area and Cumnor cricket ground. It is bounded by public footpaths 184/12 and 184/24 and is essential to the landscape setting of Cumnor and the open and rural character of the Conservation Area. It is a green area partly used for sport and recreation which reaches into the heart of the village.

62. Area 24 contributes significantly to the openness of the Oxford Green Belt and to two of the purposes of including land within the Green Belt, namely to assist in safeguarding the countryside from encroachment and to preserve the setting and

special character of historic towns (i.e. the landscape setting of Oxford includes the landscape within and around Cumnor). As mentioned in paragraph 15 above, the open character of the Green Belt forms an important part of both the landscape setting of Oxford and the special character of the Conservation Areas in the villages around Oxford.

63. The Green Belt Review Phase 3 Report says:

"The division of the land within Areas 5, 6 and 24 into small parcels of land divided by hedgerows and trees is a key characteristic of the setting of the village and the Conservation Area. As far as possible these should be retained and included in the Green Infrastructure for the area. Areas of pasture are important local landscape features and where possible, especially where they contribute to the setting of the Conservation Area, they should be retained as open space."

64. The Council's objective of retaining this land as open space, particularly as it mostly lies within the Conservation Area and includes the village cricket ground, provides full justification for retaining Area 24 within the Green Belt.

65. Document 2 objects to the proposal to remove playing fields at Botley and Kennington (Areas 8, 18 and 19) from the Green Belt on the grounds that *"these sites are playing fields, which the council would not support for redevelopment unless alternative provision was made."* The same applies with even greater force to Area 24 as it includes Cumnor cricket ground.

66. Paragraph 2.23 of Document 1 says:

"The report [i.e. Document 2] recommended that the majority of sites suggested be released from the Green Belt but that those that were unsuitable for development, such as recreation grounds and land important to the character of the conservation area, should remain in the Green Belt."

67. Area 24 comprises Cumnor cricket ground and a large part of Cumnor Conservation Area. It has no development potential, so its removal from the Green Belt would serve no purpose.

Conclusion

68. Only 22.4% of the Oxford Green Belt lies within the Vale of White Horse. The Vale's Green Belt Review, therefore, is only a partial review and there can be no assurance that it will be consistent with any other or wider reviews of the Oxford Green Belt.

69. The driving force of the Vale's Green Belt Review has been to see if any sites could be removed from the Green Belt and so be made available for development to help meet the increased housing target identified in the SHMA. None of the 5 sites at Cumnor are required to be developed to meet the Vale's strategic housing needs. Therefore, there is no exceptional need within the Vale to justify removing the 5 sites at Cumnor from the Green Belt.

70. In addition, at the current time, the extent of Oxford's housing needs that will need to be met outside its administrative boundaries and the most sustainable way of meeting those needs are not known.

71. Consequently, there is no strategic need to remove any of the 5 sites at Cumnor from the Green Belt.

72. All of the 5 sites at Cumnor contribute significantly to the openness of the Green Belt and to at least two of the 5 purposes of including land within the Green Belt. Those parts of the sites within or adjacent to the Conservation Area or which comprise playing fields clearly have no development potential. There are no "*exceptional circumstances*" to justify removing any of the sites from the Green Belt.

73. At paragraph 2.21 of Document 1 the Council says:

"The Review recommends that 23 sites on the edge of settlements could be removed from the Green Belt because they are less effective at meeting the five purposes of Green Belt."

74. This (in addition to paragraph 20 of Document 2) demonstrates the Council's flawed approach. Land should not be removed from the Green Belt simply because it is judged not to meet the 5 purposes of the Green Belt. Government policy makes it very clear that *"exceptional circumstances"* need to exist to justify removing land from the Green Belt (paragraph 83 of the NPPF). There are no exceptional circumstances to justify removing any of the 5 sites at Cumnor from the Green Belt.

75. As a result, the Submission Local Plan, insofar as Core Policy 13 and the Draft Adopted Policies Map propose the removal of the 5 sites at Cumnor from the Green Belt, is not sound. The proposal does not meet the two following tests of soundness:

- The Plan is not effective as it is not based on joint working on the cross-boundary strategic priority of a comprehensive Green Belt review.
- The Plan is not consistent with national policy as the proposed removal of the 5 sites at Cumnor from the Green Belt is contrary to paragraphs 79, 80, 83 and 85 of the NPPF and paragraph 044: 3-044-20141006 of the NPPG.

28 July 2015