

## Vale of White Horse Local Plan

### **STATEMENT OF THE OXFORD GREEN BELT NETWORK** **Relating to MATTER 5** **“Proposed Revision of Green Belt Boundaries (and Policy CP13)”**

Each of the Inspector’s questions is addressed in turn below.

#### **Question 5.1 Do exceptional circumstances, as required by the NPPF (paragraphs 79-86), exist to justify the plan’s proposed revision of the boundaries of the Green Belt?**

In response to the specific request to do so, the Vale Council have put forward 3 grounds on which it is considered that exceptional circumstances exist. These are addressed below and it is our contention that, neither individually nor collectively, do they amount to exceptional circumstances sufficient to justify the proposed revision of the boundaries of the Green Belt.

The Council’s exceptional circumstances:

(i) *The need to meet the objectively assessed housing need in full within the District.*

The Oxford Green Belt Network (OGBN) continues to question the “objectively assessed housing need” derived from the SHMA, believing that the housing figures allocated to each of the County’s Districts are related to, and derived from, anticipated levels of employment growth that are not, themselves, objective.

However, even if “need” could be proven to exist at the level proposed in the Local Plan, it is our view that need should not be accepted as the justification for redrawing the boundaries of the Green Belt. We rely for this opinion on Government guidance, in particular on Planning Practice Guidance, published by the Government in March 2014, which states that “Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the ‘very special circumstances’ justifying inappropriate development on a site within the Green Belt”. This statement, intended to provide guidance on the interpretation of the NPPF, is quoted in the House of Commons Briefing Paper of 30 June 2015 which, on page 6, states that the Planning Practice Guidance “sets out that unmet housing need in a particular area is unlikely to meet the ‘very special circumstances’ test to justify green belt development“.

In the light of these statements of Government policy, it is the view of OGBN that there are no grounds on which the Vale Council can argue that any housing needs they identify can amount to exceptional circumstances, and that this suggestion must be rejected.

(ii) *The ability to release land presently designated as Green Belt with no harm to the purposes of the Green Belt.*

If it can be shown that all parts of the Green Belt fulfil at least one of the 5 basic purposes of Green Belts, then it is difficult to see how the Vale Council can argue that removing some of these parts can be done without causing harm to the Green Belt.

In fact, the Green Belt Study, carried out for the Oxfordshire Growth Board, of which the Vale is a part, and published in September 2015, finds that all parts of the Green Belt fulfil one or more of these 5 basic purposes. We submit, therefore, that harm is bound to be caused by releasing land from the

Green Belt, and that the Vale Council is not justified in putting forward this particular argument as a reason for claiming that exceptional circumstances are present. This conclusion is supported by the consultants who carried out the Green Belt Study who themselves concluded that “the relatively poor performance of land against Green Belt purposes is not, of itself, an exceptional circumstance that would justify release of the land from the Green Belt”.

Paragraph 88 of the NPPF significantly refers not only to ‘harm’ to the Green Belt but also to ‘any other harm’. Earlier this year, The Planner (June 2015, page 34) carried an article which examined this concept of any other harm. In it, we are informed that the Court of Appeal, in a case relating to Redhill Aerodrome, determined that any other harm was “not to be limited to green belt issues but other factors must be considered”. This judgement, in our view, opens up the whole notion of harm to embrace, not only the 5 basic purposes of Green Belts, but also all those other benefits that derive from land being a part of the Green Belt. The latter cover matters relating to health, recreation, visual amenity and protection of nature, benefits that some refer to as natural capital. We believe that it should be a requirement of any local authority to take account of such benefits in any assessment it makes of the role played by the Green Belt and that the Vale Council has failed to do so.

No doubt the benefits of particular sites which the Vale Council wishes to remove from the Green Belt will be demonstrated by representatives of the parishes concerned in their own Statements and at the hearing session. OGBN is content to leave this to them at this point, our position being that removal of any of the sites would be harmful and that the Green Belt should be left untouched.

*(iii) The need to deliver sustainable development, through sustainable patterns of growth supported by the necessary infrastructure.*

Paragraph 14 of the NPPF advises that Local Plans should meet objectively assessed needs unless (amongst other things) specific policies in the Framework indicate development should be restricted. It then goes on, in Footnote 9, to clarify what these policies relate to, and these include ‘land designated as Green Belt’. In view of this advice, we believe that the Vale Council cannot argue that the need to deliver sustainable development amounts to exceptional circumstances justifying revision of the boundaries of the Green Belt. Indeed, we find it strange that this argument is used at all when Science Vale is the focus of growth in the District and that there is no obvious need to consider the Green Belt in terms of what are called patterns of growth.

In the light of all of the above, we contend that the Council has not put forward the exceptional circumstances which the NPPF requires to justify revision of the Green Belt boundaries.

Since our position is that no justification for revising the Green Belt, there is little to be gained from examining the particular sites referred to in parts a, b and c of Question 5.1. We would, however, take particular issue over the Vale’s non-allocation for any particular use (part c) of some sites. The impression one is left with is that the Vale Council would like to take some sites out of the Green Belt just in case it can think of some use for them at some unspecified date in the future. Paragraph 85 of the NPPF, however, says that land necessary to meet longer-term needs should be designated as ‘safeguarded land’. There appears to have been no attempt on the Council’s part to come to terms with this advice.

**Question 5.2 Is it soundly based for Housing Allocation site 2 to include an area of land designated as Green Belt?**

In short, No. One assumes that the object of leaving this area as Green Belt it must be, either because the Council feels it contributes to the purpose of separating Abingdon from Radley, or because it would like to keep it in reserve (5.1 c above). If it is for the former reason, the land in question should not be allocated for development. If the latter, our misgivings on keeping land in reserve were expressed above.

**Question 5.3 Does the plan adequately identify the revisions to the Green Belt boundary that it proposes?**

We have found the process of identifying revisions to the Green Belt difficult to follow and suggestive of uncertainty on the part of the Vale Council. On the basis of a commissioned Green Belt review, some sites were selected for revision and others rejected, although it was suggested that the latter might play a part longer term. There then seems to have been a switch of policy to one favouring an urban extension to Abingdon whilst leaving most of the original sites in limbo. It might be argued that some of the changes have followed as a result of consultation on drafts of the Plan, but the impression one is left with is of conflicting ideas over where to make the revisions that the local authority feels that, for some reason, it is obliged to make. This leaves one with little faith in the results of the identification process.

**Question 5.4 Is policy CP13 soundly based?**

In the light of our criticisms of the Vale Council's assertions that exceptional circumstances exist to justify their policy, we believe that Policy CP13 is not soundly based.

CP13 is presented on the basis that it will incorporate all the changes to the Green Belt which the Council wish to see take place, enlarging the existing insets to take in land removed from the Green Belt, adding Farmoor to the list of inset villages, and allowing other changes such as limited infilling in a number of sensitive small settlements. Justification for these changes is sought on the basis that a local Green Belt review found that certain areas of land "no longer meet the purposes of the Green Belt" (paragraph 5.40 on page 62). OGBN challenges this assertion on the grounds, (i) that the conclusions reached by the Vale's local Green Belt review are not upheld by the Green Belt Study carried out for the Growth Board (already referred to above), (ii) that it is based on a selective and limited, and therefore at least a very partial, view of the statutory purposes of the Green Belt which are based primarily on the core concept of "openness", and (iii) that it takes no account of the harm that will result from the removal of the identified sites from the Green Belt.

Paragraph 5.6 (page 49) of the Local Plan is about Policy CP13 and refers to protecting land "that continues to meet the purposes of the Green Belt and maintaining the setting of and managing the growth of the city of Oxford". We take issue with these comments which illustrate what we see as the Council's blinkered view of the role of the Green Belt.

Firstly, the reference to meeting purposes (plural) implies that more than one, perhaps all, of the 5 purposes set out in the NPPF should be met. This is not the case - one is sufficient to justify inclusion of land in the Green Belt. Secondly, we believe that the Council has too limited a concept of what constitutes the setting of Oxford. The latter is more than just views of spires. This point was made powerfully in the Oxfordshire Structure Plan 2016 (paragraph 3.9) where it was stated that, "The special character of Oxford and its landscape setting means not just the University and the views of the dreaming spires, but a much broader concept including the countryside around the city, the Cherwell and Thames floodplains, and the relationship of nearby settlements to Oxford. Its character also

includes the overall scale of activity, since significant growth will generate more traffic and pressures for further development, which could threaten the nature, character and setting of the city”.

We endorse this view of what constitutes the setting of Oxford and believe that the development proposed by the Vale Council in the Green Belt is a threat to the character and setting of the city for the reasons stated.

Thirdly, and related to the above, we suggest that by referring to managing the growth of Oxford, the Vale Council is envisaging something that goes well beyond helping to meet some of the city’s ‘unmet housing need’ and is endorsing a city-based growth agenda that will ultimately, if carried through, be destructive of the Green Belt. It should not be the aim or purpose of the Vale’s Local Plan to manage the growth of Oxford.

So far as detail in CP13 is concerned, we question the inclusion of Farmoor in the list of inset villages. The Vale already has more insets than the other Oxfordshire Districts and we suggest that Farmoor remains ‘washed over’. We also question the inclusion in the list of what is not inappropriate of (v) ‘limited infilling in Shippon, South Hinksey, Wootton Old Village and Wytham’. The place for a policy on village infilling is elsewhere in the Local Plan and its inclusion here risks inviting unsuitable development in these historic small settlements where infill could be damaging to their character.

In conclusion, we are dismayed to see in paragraph 5.41 a reference to a possible future Green Belt review. The NPPF makes clear (Paragraph 79) that permanence is an essential characteristic of a Green Belt. As we see it, this means that local authorities should not treat Local Plan preparation as a kind of rolling programme that allows for successive reviews at short intervals as circumstances appear to require them. We have criticized above what we see as uncertainties over the Green Belt sites in the Vale Local Plan and this reference to more reviews to come compounds our belief that the Council’s policy on the Green Belt is ill-thought through and unsound.

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