

VALE OF WHITE HORSE LOCAL PLAN PART 1: EXAMINATION

SUBMISSION BY RADLEY PARISH COUNCIL (RPC)

MATTER 5 – PROPOSED REVISION OF GREEN BELT BOUNDARIES

1 JANUARY 2016

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Summary

This submission deals with general concerns about VOWHDC's conduct of its Green Belt review and with each of the four sites which fall within the boundaries of Radley parish.

General

The conduct of VOWHDC in developing and presenting proposals for Green Belt boundary change has been unclear, incoherent and arbitrary. The Plan justifies the proposed changes on the grounds that the identified sites 'no longer meet the purposes of the Green Belt' which, in the case of Radley sites at least, is patently untrue.

In the light of these very considerable failings, RPC considers that the proposals in the Plan for Green Belt boundary change should be removed from the Plan in their entirety and that properly argued and evidence-based proposals should be brought forward, if required, at a later stage for public consultation

Policy CP13 refers to a revised Green Belt area which RPC does not accept, but the policy is otherwise considered sound.

Matter 5.1; Matter 5.3; Matter 5.4

Housing allocation site 2

The proposal to remove from the Green Belt land within housing allocation site 2 (North Abingdon) which lies to the east of the A 4183 is unsound in that it has not been the subject of proper consultation and exceptional circumstances have not been shown.

Matter 5.1(a); Matter 5.2

Housing allocation site 3 and adjacent unallocated land

The proposal to remove from the Green Belt land constituting housing allocation site 3 (South Kennington) is unsound in that exceptional circumstances have not been shown. The proposal to remove from the Green Belt adjacent land to the west of the Kennington Road is further unsound in that the VOWHDC have offered no evidence in support, nor any view of what future is envisaged for it.

Matter 5.1 (a) and 5.1(c)

Housing allocation site 4

The proposal to remove from the Green Belt land constituting housing allocation site 4 (NW Radley) is unsound in that exceptional circumstances have not been shown.

Matter 5.1(a)

Sites not allocated for a particular use: South Radley

The proposal to remove a 10.57 hectare site in South Radley from the Green Belt is unsound in that it has not been subject to proper consultation and exceptional circumstances have not been shown.

Matter 5.1 (c)

5.1 Do exceptional circumstances, as required by the NPPF, exist to justify the plan's proposed revision of the boundaries of the Green Belt?

General

The NPPF (para 83) requires that Green Belt boundaries, once established, should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. RPC considers that

(a) the Vale has failed to demonstrate exceptional circumstances to justify its proposed changes to the Oxford Green Belt boundaries, and

(b) its conduct in establishing the proposals has been incoherent and arbitrary to the point of rendering them unsound and unjustified in their entirety.

(a) Failure to demonstrate exceptional circumstances

VOWHDC has made no attempt to define or describe the exceptional circumstances which justify its proposed changes. Instead, paragraphs 5.40 and 5.42 of the Plan make the simple assertion that certain parcels of land have been identified “which no longer meet the purposes of the Green Belt”. Contrary to what is said in those paragraphs, this claim is not supported by the Kirkham Review, which explored the relative value¹ of different parcels of land against the five recognised Green Belt criteria, or elsewhere in evidence supplied by the Vale.

For sites identified for release within the parish of Radley, the claim that they no longer meet Green Belt purposes is patently untrue, as shown below in relation to each site.

(b) Incoherent and arbitrary process

The conduct of VOWHDC in developing and presenting proposals for Green Belt boundary change has been incoherent and arbitrary in the extreme. The main points are:

(i) The Housing Delivery Update consultation undertaken between February and April 2014 was unclear about what changes to the Green Belt were being proposed over and above the strategic housing sites. Furthermore, the publicity material distributed at the time focussed on the housing development sites alone. In consequence, few people were aware of the full extent of changes proposed to Green Belt boundaries, and for many people there was no meaningful opportunity to comment on the non-allocated sites proposed for removal.

(ii) In so far as people did provide comments on non-allocated sites, or Green Belt issues in general, VOWHDC had no regard to them.

(iii) There was a succession of changes to the proposals over the period between January and November 2014 which appear opportunistic and ill-considered. New sites were proposed for removal from the Green Belt which had not been recommended in the Kirkham Green Belt Review. Sites which were disagreed by the Vale for removal from the Green Belt in February 2014 re-appeared on a later list without explanation.

(iv) A significant addition to the areas proposed for housing development – a large site to the east of the A4183 which now forms part of the North Abingdon strategic site – was introduced in the Publication Version of the Plan, at a point in the process after substantive consultation had finished. There was thus no opportunity for the public and

¹ Vale of White Horse Green Belt Review: Phase 2 report. Paragraph 2.6

interested parties to express views on the appropriateness of removing this piece of land from the Green Belt.

(v) The Publication version of the Plan failed to identify clearly what changes are proposed to Green Belt boundaries, or to explain the rationale for making them.

These criticisms are set out in more detail, with references to relevant VOWHDC documents, in the Annex.

Given these very considerable failings, RPC considers that the proposals in the Plan for Green Belt boundary change should be removed from the Plan in their entirety and that properly argued and evidence-based proposals should be brought forward, if required, at a later stage for public consultation.

5.1(a) Housing allocation site 2 (North Abingdon)

RPC's comments relate only to that part of this site which lie to the east of the A4183. This 17.6 hectare section is within the parish of Radley while, other than a small sliver to the west of the road, the rest of the North Abingdon housing development site is not. The section was not included as part of the North Abingdon site in the Housing Delivery Update published in February 2014, but was added in the Publication Version of the Plan in November 2014. The housing numbers allocated to the N Abingdon site were increased from 410 to 800 when this section was added, showing that it amounts to a very substantial amendment to the original proposed boundary.

Process irregularity

The fact that this area was not included in the Housing Delivery Update of the plan means that the VOWHDC has provided no opportunity for substantive comments to be made and considered. RPC considers that this in itself is sufficient grounds to reject the proposal to remove the area from the Green Belt.

Exceptional circumstances

RPC considers that the development of this site would be a severe loss to the Green Belt, in particular through undermining Purpose 2 (preventing merging of communities) and Purpose 3 (safeguarding the countryside from intrusion). Local residents have three major concerns:

- i. Sited as it is on ground which rises away from the village of Radley, development on this site would be clearly visible from the western side of the village, destroying the sense of open countryside which currently exists to the north of the Abingdon perimeter road. The open land remaining between the village to the east, the Radley College buildings to the north, the perimeter road to the south and the new development to the west will be transformed into a large suburban field rather than open countryside.
- ii. Development of this part of site 2 will reduce the already limited open space which lies between Radley and Abingdon, undermining Radley's identity as a separate community. This will be particularly the case if the proposed development of housing allocation site 4 (North West Radley) goes ahead.
- iii. The Abingdon perimeter road and A 4183 offer clear permanent features to provide a Green Belt boundary between Abingdon and Radley village. This will be broken if development of this site goes ahead, opening the way to further erosion of the Green belt in the future.

Expert judgments support local residents' view that development of this site would be a severe loss to the Green Belt.

The Kirkham Review² did not see scope for development here. It concluded that "The open landscape with long views is important in maintaining the separation of Abingdon from Radley". It commented also that the existing Abingdon settlement edge "is very much part of the wider landscape which extends along the Northern edge of Abingdon up to Lodge Hill" and that the perimeter road provides "a clear change from built form to extensive open countryside".

The LUC Oxford Green Belt review³ scored this parcel of land *High* against Purpose 2 (preventing neighbouring settlements merging) and *Medium* against Purpose 3 (safeguarding the countryside from intrusion).

The Hankinson Duckett review⁴ was specially commissioned by the Vale in August 2014 to assess the feasibility of the site for future housing development through addressing the landscape and visual constraints. At that time, very strong opposition was being voiced to the development of another proposed Radley housing strategic site (North Radley) which VOWHDC subsequently withdrew. It appears to us that the commissioning of the Hankinson Duckett review was a cynical exercise to muster supporting evidence when a decision had already been made to substitute the North Abingdon extension site for the North Radley site previously proposed.

Hankinson Duckett's broad conclusion was that land to the north and west of the stream running across the site could be developed "without significant adverse effects to the character of the wider countryside" provided that a number of "landscape mitigation measures" were implemented (including infilling breaks in vegetation to the north of the site and enhancing the existing vegetation along the stream). Even if true (which RPC does not accept), this is not enough to justify removal of the site from the Green Belt. The VOWH Green Belt Review itself concluded that "the potential to provide landscape mitigation and/or green infrastructure should not be regarded as justification for development in the Green Belt or for the exclusion of land from the Green Belt."⁵

5.1(a) Housing Allocation site 3 (South Kennington)

The land identified as Housing Allocation site 3 in the Publication Version of the Local Plan constitutes only about half of the South Kennington site identified as site 13 in the Phase 3 Kirkham Report as recommended for release from the Green Belt. The housing allocation site is a 12 hectare site lying to the east of Kennington Road, bounded by Sandford Lane to the north and the railway line to the east. Site 13 also includes a broadly equivalent area on the opposite (western) side of Kennington Road, currently occupied by three mobile home parks and a small number of houses. RPC opposes the removal of both areas from the Green Belt.

Housing allocation site 3

The Vale has not demonstrated exceptional circumstances to justify the removal of housing allocation site 3 from the Green Belt. Contrary to their contention that this site no longer meets the purposes of the Green Belt, Radley Parish Council contends that it is important in helping to

² VOWH Green Belt Review. Phase 2 report. Page 42. Land Parcel 8. Settlement edge of Abingdon: Radley Park

³ The Oxford Green Belt Study. LUC. October 2015. This is parcel AT 5, considered in detail in Appendix 4.

⁴ Landscape and Visual Feasibility Study. Hankinson Duckett. August 2014

⁵ VOWH Green Belt Review. Phase 2 report. Paragraph 4.2

maintain a separation of communities between Radley and Kennington (Purpose 2) and highly relevant to assisting in safeguarding the countryside from encroachment (Purpose 3).

There is already perilously close to continuous ribbon development connecting Oxford and Abingdon. From the edge of Oxford, development runs for 2.5 kilometres south through Kennington to Sandford Lane. Thereafter there is a 1.2k stretch of road with open countryside on the east side and woodland/ open country with occasional visible development on the west side. This proposed development will wipe out the open countryside on the east side of the road, leaving only some 0.7k of open countryside land between the south end of Kennington and the first buildings of Radley village.

The expert assessments of the value of this site for Green Belt purposes were mixed.

The Kirkham Review⁶ identified the area as having potential for further assessment on the grounds that it is better contained by existing development than other land to the east and south of Kennington.

The LUC Oxford Green Belt Study⁷ included this site in a land parcel bordering Kennington to the west and south. It rated the land parcel High and Medium under the two criteria it used to assess performance against Purpose 1, Medium against Purposes 2 and 3, and High against Purpose 4 (because it includes ancient woodland creating a wooded backdrop to views west from Oxford and to views towards Oxford from high ground to the west).

The mobile home sites

The land area to the west of Kennington Road which is occupied by 3 mobile parks was considered as part of a separate land parcel in the Kirkham Review Phase 2 report and was not at that point identified as suitable for further assessment against Green Belt criteria. However, it was included without explanation as part of the South Kennington site recommended for removal for the Green Belt in the Kirkham Review Phase 3 report. There is no indication in any of the Vale documents as to why it has been concluded that this part of the South Kennington site should be removed from the Green Belt, nor what future is envisaged for it.

RPC's view is that the existing mobile home parks should continue in being as a valuable source of low cost housing in the parish. It is noted that the sites are well set within woods and are not obvious visually from the road or surrounding countryside. The area is already providing a place for some 300 homes which would be lost if it was developed with permanent housing. In these circumstances, RPC cannot see any argument that the 'exceptional circumstance' test is met in respect to this part of the site.

5.1(a) Housing allocation site 4 (NW Radley)

Development of this site will eat into the open countryside which extends to the west of the village (Purpose 3) and erode the already limited area of undeveloped land which lies between Abingdon and Radley (Purpose 2). This will be particularly marked if development north of Abingdon to the east of the A 4183 is also allowed to go ahead. It is incorrect to suggest that the site no longer meets the purposes of the Green Belt. RPC does not consider that the exceptional circumstances test has been met.

⁶ Phase 2 report. Page 38. Land Parcel 6. Kennington and Radley floodplain.

⁷ The Oxford Green Belt Study. LUC. October 2015. This is parcel KE 1, considered in detail in Appendix 4.

The Kirkham Review⁸ concluded that this site made a lesser contribution to safeguarding the countryside than land to the west of White's Lane (but they did not argue that it makes no contribution) and argued that the separation of Radley from Abingdon in this area is already compromised by the built form. It is true that a single row of houses along Foxborough Road and at the south end of White's Lane run to within 400 yards of the nearest development in Abingdon, but RPC would argue strongly that this is not an argument for further compromising the separation between the two communities by building more houses at similar proximity. Land to the west is open and land to the north is occupied by the scattered heavily treed buildings and playing fields of Radley College.

The LUC Oxford Green Belt review⁹ scored this parcel of land *High* against Purpose 2 (preventing neighbouring settlements merging) and *Medium* against Purpose 3 (safeguarding the countryside from intrusion).

5.1(b) Land between sites 1 and 2

This land is not in Radley Parish and RPC has no comment.

5.1(c) Land to be removed from the Green Belt but not allocated for any particular use: South Radley

A 10.57 hectare site in South Radley is identified as 'S' in the note on proposed changes to the Green Belt submitted to the Inspector after hearing sessions on 22 and 23 September¹⁰. It is identified in the Kirkham Review as site 14. In their comments on the Green Belt review¹¹, VOWHDC conclude that 'the northern part of this site is a playing field and should be left as such', but that 'land to the south of the site could be allocated for development in Local Plan 2031 Part 2 or beyond the plan period'.

RPC is strongly opposed to the removal of this site from the Green Belt on the grounds that:

(i) There has been a lack of proper publicity for its proposed removal (see (b) (i) on page 3 and Annex). As a result, the majority of people in Radley were unaware of the proposal through the consultation period and have not had a reasonable opportunity to express views. Indeed, many residents remain unaware of the proposal today despite RPC's efforts to draw attention to it.

(ii) The site continues to serve Green Belt purposes and the Vale has not demonstrated exceptional circumstances – see below.

(iii) Taking account of proposed development at the NW Radley strategic site, the cumulative impact of development on Radley village would be excessive. The NW Radley site will already add 240 homes to a settlement currently comprising about 650 homes.

Measurement against Green Belt purposes

Like other sites in the parish, RPC notes that development of this site will destroy open countryside adjacent to Radley (Purpose 3), and substantially extend the amount of development in Radley which is within 400 yards of Abingdon (Purpose 2). The Vale's

⁸ Phase 2 report. Page 41.

⁹ The Oxford Green Belt Study. LUC. October 2015. This is parcel AT 5, considered in detail in Appendix 4.

¹⁰ VOWHDC Local Plan Part 1 Examination in Public. Summary Note on Changes to the Oxford Green Belt

¹¹ Vale of White Horse District Council's comments on the Green Belt Review – undated. Page 8.

contention that this site does not meet Green Belt purposes is manifestly untrue, and not supported in either of the review documents as summarised below.

The Kirkham Review¹² concluded that the settlement edge in this area “is part of a wider field pattern extending into open Thames countryside. Some small enclosed areas relate better to the settlement”. This area is not enclosed so the rationale for releasing it is not understood.

The LUC Oxford Green Belt Review¹³ scores the parcel of land within which this site sits as High on Purpose 2 (preventing towns merging), Medium on Purpose 3 (protecting open countryside) and Low on Purpose 4 (protecting the setting of Oxford – this relates to the proximity to the river of part of the parcel).

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

No; it is an unhelpful muddle, indicative of the rushed and ill-considered nature of thinking behind the late proposal to extend the North Abingdon site to include land lying to the east of the A 4183. None of this area should be removed from the Green Belt. The land to the east of the stream which is not proposed for release from the Green Belt should certainly not be developed for housing.

5.3 Does the Plan adequately identify the revisions to the Green Belt boundaries that it proposes

No.

(i) The Local Plan Part 1 Publication version contains no table or map identifying the changes proposed to Green Belt boundaries. This in itself is very unhelpful.

(ii) The Plan text refers the reader to the VOWH Green Belt Review undertaken by Kirkham Landscape Planning Ltd/ Terra Firma Consultancy. The Kirkham Review reports do not identify all the revisions which appear to be proposed, subsequently identified in a Summary Note on Changes prepared at the Inspector’s request following the Phase 1 hearings¹⁴. In particular, land to the north of Abingdon and east of the A 4183 is not identified in the Local Plan text or the Kirkham review documents.

(iii) The status of conclusions reached by the Vale that some sites identified by Kirkham are unsuitable for development¹⁵, and should not therefore be released from the Green Belt, is unclear. The final Kirkham review report appears to over-rule them, as does the Summary Note on Changes, but the reasons for doing so are not spelt out.

5.4 Is policy CP13 soundly based?

RPC considers that the proposed amendments to the Green Belt boundaries are not soundly based, as explained above.

Other aspects of Core Policy 13 are consistent with national guidelines and in our view soundly-based.

¹² Phase 2 report. Page 40.

¹³ The Oxford Green Belt Study. LUC. October 2015. This is parcel AT 6, considered in detail in Appendix 4.

¹⁴ VOWHDC Local Plan Part 1 Examination in Public. Summary Note on Changes to the Oxford Green Belt

¹⁵ See Vale of White Horse District Council’s comments on the Green Belt Review.

VALE OF WHITE HORSE GREEN BELT REVIEW: NOTES ON PROCEDURAL SHORTCOMINGS

The following VOWHDC documents are relevant to our submission.

Local Plan 2031 Part 1. Strategic Sites and Policies. Publication version. Nov. 2014
[Local Plan Part 1. Housing Delivery Update. February 2014](#)
[VOWH Green Belt Review. Phases 1 & 2 report. \(Kirkham Review\)](#)
[VOWH Green Belt Review. Phase 3 report. \(Kirkham Review\)](#)
[Comments on Green Belt Review. February 2014](#)
[Hankisson Duckett Associates. Landscape and feasibility study. August 2014](#)
[Consultation Statement](#)
[Topic Paper 9. The Natural Environment. November 2014](#)
[Summary Note on Changes to Oxford Green Belt](#)

RPC has the following criticisms of the VOWHDC handling of the proposals for change to the Green Belt boundaries.

Lack of clarity as to what was proposed in the Housing Delivery Update, February 2014

The consultation exercise undertaken between February and April 2014 was unclear about what changes to the Green Belt were being proposed. The main consultation document¹⁶ listed seven Green Belt sites proposed to be released as strategic housing sites, and suggested changed boundaries at 17 other sites indicated in figure 4.12. However, in a parallel published document with comments on the Green Belt Review¹⁷, VOWHDC indicated that it disagreed the release of 5 of the sites identified in the review (because they incorporated playing fields or were in a conservation area or were otherwise unsuitable for development).

Lack of publicity for proposed Green Belt changes which were not strategic housing sites

The consultation publicity material focussed on the 21 proposed housing development sites and made no mention of other sites proposed for release from the Green belt. As a result, very few Radley residents were aware at the time that, in addition to the three strategic housing sites proposed within the parish boundary, a further large site to the south of Radley was proposed for release from the Green Belt. There were very few comments from Radley on this proposal as a result.

Failure to take account of consultation responses on green belt issues

VOWHDC appear to have dismissed out-of-hand the many thoughtful and well-argued consultation responses which dealt with their general approach to the Green Belt, and also comments that dealt with the 17 non-strategic sites proposed for removal. Their Consultation Statement¹⁸ offers no analysis of comments on their general approach, nor of responses dealing with the 17 non-strategic sites. Nor was any modification made to the Plan in response to comments on these matters, with the single exception of a change to the wording of the policy in relation to saved Policy GS3.

¹⁶ The draft Local Plan Part 1 Housing Delivery Update. Paragraphs 4.20-4.24

¹⁷ VOWHDC Comments on the Green Belt Review. Table 1. Pages 6-9.

¹⁸ Local Plan Part 1 Consultation Statement. November 2014. See paragraphs 117-118 in particular.

Succession of arbitrary and ill-considered changes

There has been a succession of revisions to proposed Green Belt boundary changes which appear arbitrary and ill-considered. The Housing Delivery Update published in February 2014 included a strategic site in North Radley which was not proposed for release from the Green Belt in the Kirkham Green Belt review, or anywhere else. This proposal was dropped in November 2014, but was replaced by a proposal to extend the North Abingdon strategic site across the A 4183 into land which, again, had been ruled out for release from the Green Belt by the Kirkham Green Belt Review. The five sites identified by the Kirkham Green Belt review which VOWHDC disagreed in their comments on the review¹⁹ re-appeared without explanation in the list of sites to be removed from the Green Belt in the Kirkham Green Belt Review Phase 3 report, and in VOWHDC's summary Note on Changes. And finally, the South Kennington site has been enlarged without explanation to include land currently occupied by 3 large mobile home sites.

Introduction of totally new proposals post consultation

A significant addition to the areas proposed for release from the Green Belt – the part of the North Abingdon site which falls to the east of the A4183 as referred to above – was introduced in the Publication version of the Plan, and without any opportunity for substantive public comment.

Lack of clarity in Publication version of plan

The Publication Version of the Local Plan Part 1 includes only a very brief general comment on the outcome of the review, with no description of the approach adopted and no list or map of the sites affected. A footnote directs the reader to the Kirkham Green Belt Review documents for the detail. In reality, however, there are large parts of the story that do not derive from the Kirkham review, and are not explained there. Nowhere do VOWHDC provide a complete and comprehensive overview of Green Belt changes which are proposed to be put in place through the Local Plan, together with a statement of how these meet the tests set out in the NPPF.

¹⁹ VOWHDC Comments on the Green Belt Review. Table 1. Pages 6-9