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by email to idakemp@cloud.com

17 May 2016

Dear Mr Kemp

**Vale of White Horse draft local plan 2031 Part 1: Strategic Sites and Policies
Safeguarding of Land for Transport Schemes in the Abingdon on Thames and Oxford fringe sub area
(core policy 12)**

We are instructed by Mrs Anthea Eno, the owner of Stonehill House, Stonehill Lane, Drayton, Abingdon OX14 4AA which is directly affected by the proposed safeguarding an area of land for a possible Abingdon southern bypass in the draft local plan.

In April 2013, our client's then Solicitors Morgan Cole LLP wrote to the local planning authority to object to the safeguarding of the land - see enclosed letter dated 23 April 2013. On 30 April 2013 the local authority responded by letter (enclosed). Among other things the letter stated: "this policy is not proposing to develop a bypass to the south of Abingdon. We are not proposing to develop the land to the south of Abingdon as we do not consider it to be viable at the present time due to the cost of this road. However, we have identified through our evidence base and transport modelling that if land to the south of Abingdon was ever to be developed a bypass would be required." the letter goes on to state "the indicative route for the safeguard of land...is not the final land to be safeguarded as it runs through a number of highly constrained areas. ...the final route to be safeguarded needs to take account of these constraints and any other issues that may arise as part of the consultation. Therefore as acknowledged in the topic paper between now and the submission version of the local plan we will work to determine a more appropriate route. I will add your client's property to the list of constraints to take account of when realigning the route to be safeguarded in the coming months. When we have developed some alternative routes I will be happy to meet with you and/or your clients."

On that basis, our client assumed that nothing further would happen unless and until a revised alignment was identified, at which point she would be consulted. Our client was, then, understandably alarmed to discover within the last few days that, not only is the allocation still in the current advanced draft of the plan but that the amount of land safeguarded has substantially increased, including a more substantial part of her property. She instructs us that, in a previous draft of the plan she has seen, the safeguarded area had been deleted altogether.

We fully acknowledge that the examination into the draft local plan is at an advanced stage and that representations ought to have been submitted some time ago. Nevertheless, the issue has only just come to our client's attention and she, understandably, has grave concerns about the impact of the proposed safeguarding on, among other things, two listed buildings (Stonehill House and its associated Barn), wildlife (our client manages the substantial grounds of the house on an organic basis in order to encourage diverse wildlife) and her ability to enjoy and, potentially develop, her property.

Our client's property would clearly be blighted by the safeguarding of this land. This blight would continue for an indefinite period. The council acknowledged in 2013 that it was unlikely that the bypass would actually be developed. While the safeguarding allocation exists, it will be impossible for our client to sell her property nor can she reasonably be expected to invest in it by carrying forward proposals she currently has, under section 4 of the acquisition of land Act 1981 enhancement in the value of the land resulting from such works would be ignored in accessing compensation pursuant to any compulsory purchase. To make matters worse core policy 12 states

that planning permission will not be granted for development which would prejudice the construction of the new bypass.

The situation is intolerable. Immediate proposals to drive a highway through the curtilage of two listed buildings resulting in significant loss of wildlife and habitat would be bad enough. What makes the matter worse is that our client's property is being blighted indefinitely with no reasonable prospect, according to what our client has been told by the Council, of the bypass ever being built.

In addition we consider that the lack of a dialogue with our client, despite the fact she is clearly directly affected, resulting in her not making representations, taken together with the blighting effect of the proposals is, at best, a significant failure on the part of the Council to properly and efficiently progress its Plan, and, at worst a breach of our client's Human Rights under Art 6 (right to a fair trial within a reasonable time of matters concerning her civil liberties) and Art 8 (right to respect for privacy and home) of the European Convention on Human Rights and Art 1 of the First Protocol (right to peaceful enjoyment of property).

In all the circumstances, we request that the inspector, exceptionally, take account of our client's concerns and at, minimum, seek an explanation from the Council as to why no dialogue with our client has been maintained over an issue that severely adversely affects her and to state clearly what is the likelihood of the Abingdon Southern bypass ever coming forward. If they cannot satisfactorily answer those points, we submit that the safeguarding should be deleted from the Plan.

Yours Faithfully,

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BY POST AND BY EMAIL

23 April 2013

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Dear Sirs

Vale of White Horse Draft Local Plan 2029 Part 1: Strategic Sites and Policies (the "Draft Local Plan")

Our client: Mrs Anthea Eno of Stonehill House, Stonehill Lane, Drayton, Abingdon OX14 4AA

We have been instructed by Mrs Anthea Eno of Stonehill House, Stonehill Lane, Drayton, Abingdon OX14 4AA.

We write on behalf of our client to object to the proposal for a new southern bypass for Abingdon (the "Proposed Bypass") set out in Chapter 5 of the Draft Local Plan at paragraphs 5.31-5.37, Core Policy 11 and the accompanying map in Appendix E relating to Core Policy 11 (the "Map").

The Map shows the land to be safeguarded for the Proposed Bypass (the "Safeguarding Land"). The Safeguarding Land route goes directly through our client's property, parts of which are Grade II listed buildings and which parts, so designated, are to be considered nationally important heritage assets.

The lack of any funding for the Proposed Bypass identified at paragraph 5.35 of the Draft Local Plan itself illustrates the impractical and unfeasible nature of the Proposed Bypass, and we therefore request that the Proposed Bypass be removed in its entirety from the local plan, with all references thereto and any maps thereof removed from the local plan when adopted, if it is to achieve the required standards of 'soundness'.

The mere proposition in the Draft Local Plan of the Proposed Bypass in the location indicated on the Map is clearly detrimental to the considerable value of our client's property, the extent of which we are instructed comprises some 22 acres. We will be keeping this situation under

review going forwards with regard to possible blight proceedings relating to the full extent of our client's property, if and when such were to become necessary in the future depending on how the local plan progresses.

If the Proposed Bypass were to be included in the local plan notwithstanding our objections above and that it is our position that the Proposed Bypass is not necessary, the route of the Proposed Bypass as indicated in the Map is not suitable and we would suggest that there are a number of alternative routes for the Proposed Bypass to take and which would not affect Grade II listed buildings as presently proposed.

A copy of this letter has also been sent to Oxfordshire County Council to put it on notice of our client's objection to the Proposed Bypass and our request for all references to it to be removed from the local plan.

We look forward to hearing from you further to this letter and would welcome a meeting with you at the earliest opportunity to discuss the proposals further.

We also note that no representative of the Vale of White Horse District Council has visited our client at her property to see how the Proposed Bypass and its route will affect her property. Our client would be happy to extend an invitation to your representative(s) to make such a visit and we also look forward to hearing from you in this regard.

Yours faithfully

Morgan Cole LLP

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CC

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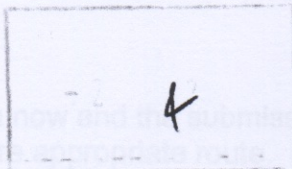
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**Vale
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Your reference: 457301.1/RL.LDR

30 April 2013

Dear Morgan Cole LLP

Safeguarding of land for transport schemes in the Abingdon-on-Thames and Oxford Fringe Sub Area (Core Policy 11)

I am writing in response to your letter dated 23 April 2013 in relation to the safeguarded land for a bypass south of Abingdon in the Local Plan 2029 Consultation Draft.

Firstly, I would like to apologise for any anguish the safeguarding of land to the south of Abingdon has caused your client.

I think it is necessary to clarify the purpose of the proposed Core Policy 11. This policy is not proposing to develop a bypass to the south of Abingdon. We are not proposing to develop the land to the south of Abingdon as we do not consider it to be viable at the present time due to the cost of this road. However, we have identified through our evidence base and transport modelling that if land to the south of Abingdon was ever to be developed a bypass would be required. The safeguarding of land for a southern bypass is important to protect land necessary to deliver this scheme and from being developed for alternative uses that would prejudice the delivery of a bypass in the future should it be required to support development to the south of Abingdon. //

The indicative route for the safeguarded land, shown in the Appendix E of the consultation draft, was taken from the 'Abingdon Bypass, Initial Route Assessment Report' produced for the county council in June 2009. This was the best available information on which to map an indicative route. We acknowledge in the Transport and Accessibility Topic Paper, which forms part of the evidence base, that this route is not the final land to be safeguarded as it runs through a number of highly constrained areas. The map in Appendix E is at the present time an indicative route. This is explained at paragraph 7.14 of this paper. The topic paper is available online at: www.whitehorsedc.gov.uk/evidence.

The final route to be safeguarded needs to take account of these constraints and any other issues that may arise as part of the consultation. Therefore as acknowledged in //

