Vale of White Horse District Council	**Vale of White Horse Local Plan Part One: Strategic Sites and Policies** Publication Stage Representation Form	**Ref:** **(For official use only)**

Name of the Local Plan to which this representation relates: Vale of White Horse Local Plan

Response form for the Vale of White Horse strategic planning policy document, the Local Plan Part one. Please return to Planning Policy, Vale of White Horse District Council, Benson Lane, Crowmarsh, Wallingford, OX10 8ED or email planning.policy@whitehorsedc.gov.uk no later than Friday 19 December 2014 by 4.30 pm precisely.

This form has two parts –
Part A – Personal Details
Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details* **If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*		2. Agent's Details (if applicable)
Title	Mr	
First Name	Benjamin	
Last Name	Dean	
Job Title (where relevant)	Surgeon	
Organisation (where relevant)		
Address Line 1	1 Edward Road	
Line 2	Kennington	
Line 3		
Line 4		
Post Code	OX1 5LH	
Telephone Number	[redacted]	
E-mail Address (where relevant)	[redacted]	

Part B – Please use a separate sheet for each representation

Name or Organisation :
Benjamin Dean

3. To which part of the Local Plan does this representation relate?

Paragraph	Chapter 5 – page 62 section 5.39 and 5.40 Appendices page 12 and 13	Policy	Protecting the Green Belt	Proposals Map	Appendices Section 3 page 12 and 13 (South of Kennington (Radley Parish))

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	Yes	No	
4.(2) Sound (Positively Prepared, Effective and Justified)	Yes		No	No
4 (3) Complies with the Duty to co-operate	Yes	Yes	No	

Please mark as appropriate.

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The local plan states:
"5.40. A local Green Belt Review51 has been completed that assessed land around settlements in the Vale against the five purposes of the Green Belt as set out in national policy52. This review

demonstrated that parcels of land, which no longer meet the purposes of the Green Belt, could be released around these settlements."

Reference 51 and 52 are cited which relates to Kirkham Landscape Planning Ltd/Terra Firma Consultancy (2014) Vale of White Horse District Council Green Belt Review, available at: http://www.whitehorsedc.gov.uk/evidence and CLG (2012) National Planning Policy Framework (NPPF), para 80

The NPPF para 80 states that two of the five purposes of the Green Belt are:

"to prevent neighbouring towns merging into one another; and
to assist in safeguarding the countryside from encroachment"

The Kirkham review (ref 51) of the Green Belt was based around these purposes.

The Kirkham review (Phase 2 and Phase 3 reports) advised changes to the Green Belt including this area to the South of Kennington (area 13).

It is my opinion that the Kirkham review's recommendations are in direct contravention of the NPPF purposes of the Green Belt because Area 13 (South of Kennington) has essential characteristics of Green Belt for the following reasons:

1. Area 13 assists in safeguarding the countryside from encroachment as is tacitly acknowledged in the Kirkham review (Phase 3 page 7):
   "The land within Area 13 is elevated in the centre and therefore care needs to be taken that any new built form does not have an adverse impact on the open character of the adjacent Green Belt.
2. Area 13 is an important part of the countryside given its elevated central region and position overlooking scenic views of the river Thames.
3. The Kirkham review states of area 13 "generally part of the wider landscape essential in preventing perception of merging with Radley" demonstrating the building on area 13 will hasten the merging of Kennington and Radley.
4. The Kirkham review states "Parts of this edge do not have the essential characteristics of the Green Belt". This is an erroneous conclusion as area 13 contributes to preventing to merging of Kennington and Radley, as well as safeguarding the countryside from encroachment.

The local plan states that "Include appropriate landscape mitigation measures within the design to minimise the visual impact of the development on the Green Belt" under its landscape considerations (page 13 Appendices).

This is grossly inadequate and inadvertently an open acknowledgement that area 13 serves a vital role in safeguarding the countryside from encroachment. As without landscaping any development of area 13 will have a significant visual impact on the Green Belt.

Hence as things stand without landscaping area 13 clearly meets the essential criteria of being Green Belt. The Kirkham review was therefore erroneous as it cannot judge in a futuristic post-hoc manner that with significant landscaping area 13 no longer meets these criteria. This is irrelevant as without landscaping area 13 still serves a vital purpose of the Green Belt as defined by the NPPF and should continue to serve its vital purpose as Green Belt land. As things stand the local plan is unsound as the evidence used in the form of the Kirkham review is unjustified and as a result the plan is not in compliance with national policy (NPPF).

Of note the local plan mentions Flood risk:

"Investigate the flooding potential of the stream which passes through the site and propose appropriate mitigation measures (if necessary)."

The local plan acknowledges that the elevated central part of area 13 will have to be lowered and in doing it is likely that the flood risk will be significantly increased given the close proximity of the land to local rivers/streams. There is no mention in the local plan that the flood risk has been considered in the context of the significantly landscaping that would have to be done. At the very least the flood risk must be considered in the context of significantly lowering the land, as this may well prevent development of the land. National guidance makes it clear flood risk assessments are essential.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Area 13 should remain as Green Belt and should not be developed. The local plan cannot be sound without removing the plans to develop area 13 and ensure it remains classified as Green Belt land. Given that area 13 serves a vital purpose of Green Belt land as defined by the NPPF, developing this land would constitute significant harm to the Green Belt and cannot be justified under the current circumstances.

NPPF guidance states:

"Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period."

The development of area 13 and the landscaping that would inevitably need to be undertaken would have a significant negative impact on the visual impact of the Green Belt in the short and long term. The development of area 13 would also reduce the capability of the Green Belt enduring in this area, the natural altitude and visual impact of area 13 would be lost, making further erosion of the Green Belt in this area more likely. For these additional reasons the local plan can only be sound if area 13 remains as Green Belt land.

There is no mention in the local plan that the flood risk has been considered in the context of the significantly landscaping that would have to be done as acknowledged by both the Kirkham review and the local plan:

"The land within Area 13 is elevated in the centre and therefore care needs to be taken that any new built form does not have an adverse impact on the open character of the adjacent Green Belt. "

At the very least the flood risk must be considered in the context of significantly lowering the land, as this may well lead to the finding that the land is at a considerable risk of flooding and make it extremely foolish/dangerous to develop this land.

There is also no mention in the local plan about providing extra primary care facilities to cope with the increase in population of Kennington. Kennington's GP surgery is already hugely over stretched and needs extra investment to be able to cope with this increased demand for services.

Please note *your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

no	**No**, I do not wish to participate at the oral examination		**Yes**, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary: □

Please note *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

Signature: [redacted] Date: 28/11/2014