



**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	Dr	
First Name	Caroline	
Last Name	Potter	
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1	6 Seacourt Road	
Line 2	Botley	
Line 3	Oxford	
Line 4		
Post Code	OX2 9LD	
Telephone Number		
E-mail Address (where relevant)		

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.

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

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

 Yes

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:

I am co-chair of West Way Community Concern (WWCC), a community organisation representing approximately 1,000 residents of Botley (a suburb of Oxford that falls within the administrative boundary of Vale of White Horse District Council).

WWCC has submitted an organisational objection to aspects of the Vale of White Horse Local Plan Part 1 (publication stage), which I fully endorse. Having been involved with the organisation for more than 18 months, I have taken part in all Council-run meetings with community representatives since July 2013. I am well aware of the background of proposed Local Plan policies, particularly those relating to Botley (e.g. Core Policy 11 for 'Botley central area'). I have given presentations at public meetings on the evidence base underpinning such policies, particularly the Vale of White Horse Retail and Town Centre Study by NLP, and I have drafted previous representations on the draft Local Plan on behalf of WWCC. I have also asked public questions regarding the evolution of the proposed site boundary for Core Policy 11 at the Vale of White Horse Scrutiny Committee in September 2014 and a Full Council meeting in October 2014; to date I have received no clear answers to my questions, in spite of being promised these in writing.

The objections relating to Local Plan policies for the Botley area are intimately tied to a deeply unpopular planning application for its redevelopment, which was recently unanimously refused by VOWH Planning Committee members. These objections have a detailed history, which I feel I would better be able to convey to the Planning Inspector in person at the oral examination.

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:

Date:

18th Dec 2014

Part B – 1

Name or Organisation : Dr Caroline Potter

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

Paragraph Policy Proposals Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text" value="No"/>
4.(2) Sound (Positively Prepared, Effective and Justified)	Yes	<input type="text"/>	No	<input type="text"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

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.

Not Legally compliant:

The aims of the VOWH Statement of Community Involvement have not been effectively carried out with respect to the development of Core Policy 11:

- No exhibition events on the Local Plan were held in Botley, in spite of it being the fourth largest centre of the district and the subject of a specific Core Policy for retail-led redevelopment.
- The only Questionnaires undertaken to inform the development of Core Policy 11, administered in Feb-April 2012, presented a much smaller development area for consultation. Less than a year later (Feb 2013) a much larger site boundary for development in Core Policy 11 was presented (figure 5.3), yet no public consultation was ever undertaken on this significant expansion of the site to include separately owned, non-retail areas (e.g. the church vicarage and 65 units of age-restricted housing).
- When community members including myself attempted to raise public questions about this expanded development site at meetings of the Vale of White Horse Scrutiny Committee and Full Council, answers given were evasive, did not address the specific question as to the rationale for expanding the site boundary, and were never put in writing in spite of Cabinet members and planning policy officers being directed to do so by the Scrutiny Committee Chairman.
- Core Policy 11 has undergone almost no revision since its previous incarnation as Core Policy 8 in the 2013 draft Local Plan Part One, in spite of fundamental objections regarding the changed scale and function of the Botley shopping centre that is supported by this policy. Thus while public consultation was claimed to be carried out, in fact it had no meaningful impact on the substance of the policy.

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.

Regarding specific amendments to Core Policy 11 and its supporting text (paras 5.28 to 5.31), I support that proposed by West Way Community Concern in its organisational representation.

My concerns outlined in Part B could be addressed through modification of Figure 5.3: Botley central area. The boundaries of this figure need redrawing to reflect prior policy developments (to be Justified), public consultation on redevelopment of Botley (to be Legally Compliant), and objectively assessed needs for future retail development (to be Positively Prepared, Justified and Effective).

At present Figure 5.3 reflects the exact boundaries of a recent planning application, without any justification as to why the development area was expanded significantly and without public knowledge in less than one year (between the Vale's consultation on Botley redevelopment in February 2012 and the release of the draft Local Plan Part One in February 2013).

'Botley central area' as defined by Figure 5.3 currently includes the West Way Shopping Centre, three adjacent office blocks, Seacourt Hall (community hall), Botley Baptist Church, Elms Parade independent shops, the vicarage of St Peter and St Paul Church, Field House (age-restricted accommodation), and Vale House (general market flats).

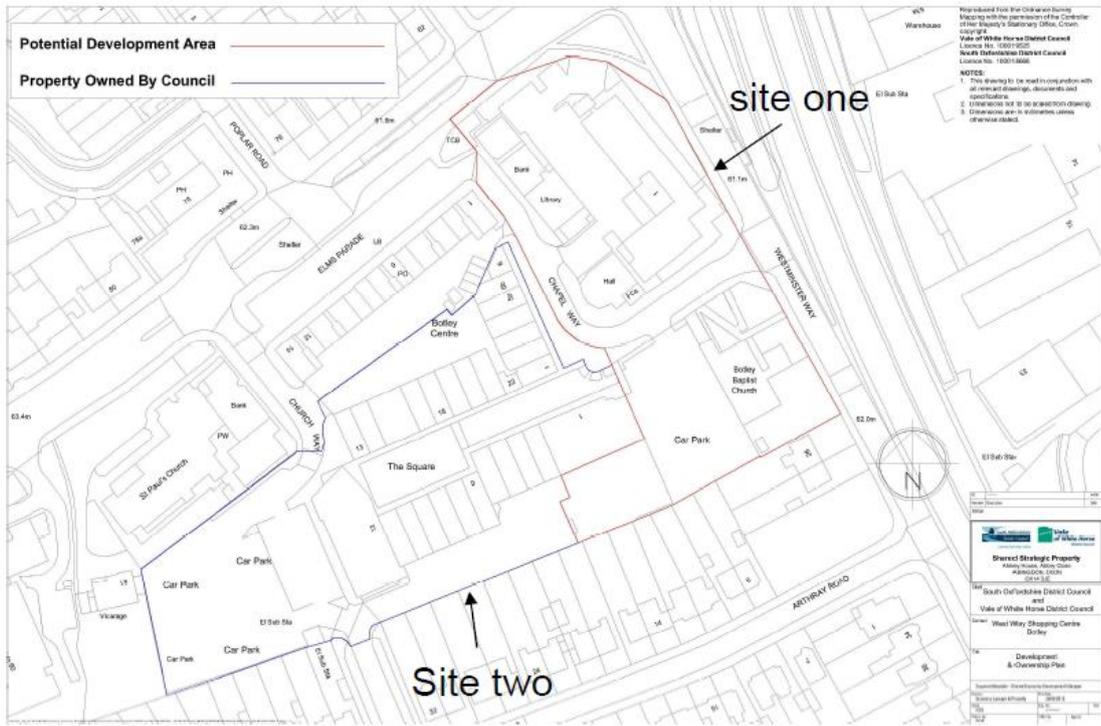
The first four of these sites (West Way shopping centre, offices, Seacourt Hall, Baptist Church) are subject to contracts for redevelopment and currently serve retail, business and community functions. They could thus legitimately be considered the 'Botley central area' that is the subject of Core Policy 11.

The 1930s Elms Parade serves a retail and community function, but in contrast to the 1960s West Way centre it has been well maintained over the years and is a valued local heritage asset. There is no clear reason why it should be included in the development area, as paragraph 5.28 clearly emphasizes that it is the West Way centre, rather than Elms Parade, that is 'in need of refurbishment'. If Elms Parade is included in the Botley development area, then section vi. of Core Policy 11 should be modified to overtly prioritise sympathetic, in-character development that retains Elms Parade as a local heritage asset.

No justification is given for the inclusion of the vicarage or Field/Vale House in the supporting text, nor in any other documents that have been offered in support of the emerging Local Plan. These do not serve a retail or business function but rather are fit-for-purpose residential dwellings, and their owners have not expressed a strong desire to be included in a retail-led development. These areas should not therefore fall within the boundaries of 'Botley central area' to which these policies for redevelopment refer.

Taking the above into account, the most appropriate boundaries for Botley central area in relation to Core Policy 11 (figure 5.3) would be *either*:

- 1) those presented by the Vale of White Horse for public consultation in February 2012 (i.e. the combination of 'site one' and 'site two' as shown below):**

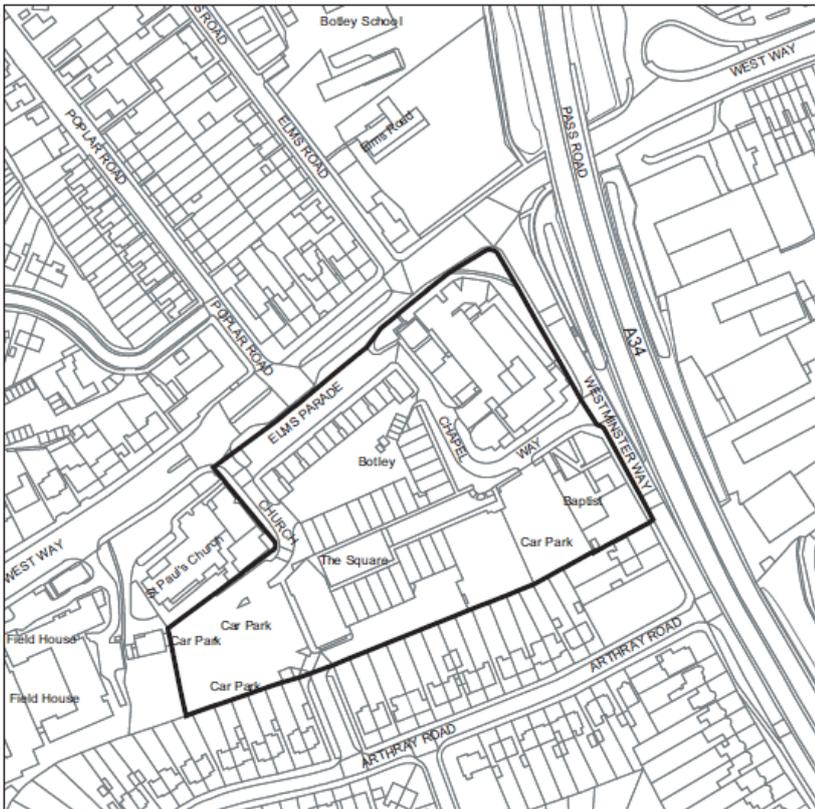


Or alternatively,

- 2) a return to the site boundary outlined in the 2009 Core Strategy preferred options (below), with specific protections afforded for the non-designated heritage asset of Elms Parade:

Botley - Comprehensive Development and Environmental Improvement Area

Appendix 5b



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.

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

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

 Yes

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:

As above, the objections to Core Policy 11, and specifically to the site boundary outlined in Figure 5.3, have a detailed history that I could better convey at the oral examination.

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Part B – 1

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Does not comply with Duty to co-operate:

Oxford City Council (OCC), the neighbouring authority, objected to Core Policy 8 for Botley Central area in the 2013 draft Local Plan Part One on the basis of the inappropriate scale of development and negative impact on Oxford retail (located less than a mile from the Botley centre). In that objection OCC suggested a meeting with Vale of White Horse to discuss the issue under the Duty to co-operate, but it appears that VOWH did not ever engage with OCC in this regard. This lack of co-operation is evident in the fact that OCC submitted two formal objections to the specific planning application for 'Botley District Centre' that emerged in 2014; this planning application attempted to make use of the full development site outlined in Core Policy 11 (figure 5.3) but was unanimously refused on the basis of inappropriate scale, to which OCC and more than 1,000 residents had continued to object.

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.

N/A

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Not Positively Prepared:

The objectively assessed needs for Botley central area in terms of retail floor space are outlined in the NLP Retail and Town Centre Study. These objectively assessed needs are very modest: 75 sq m and 444 sq m of additional retail floor space required for convenience and comparison goods, respectively, for the full Local Plan period. These modest needs could easily be met by moderate intensification of the existing shopping centre. The NLP study makes no reference to a need for expanding the Botley central area beyond its present boundaries, and neither does the supporting text for Core Policy 11 (paras 5.28 to 5.31) make any reference to the need or justification for the significantly expanded site boundary.

Not Justified:

As above, objections as to the scale and change in function of Botley central area supported by Core Policy 11, with its negative implications for traffic generation in a heavily congested area, were made by residents and key organisational stakeholders in the 2013 draft Local Plan Part One consultation (see: <https://consult.southandvale.gov.uk/portal/vale/planning/pol/lpp1/lpp1?pointId=d1116599e2136#section-d1116599e2136>). However, the issue was not addressed in preparing the published Local Plan Part One, and Core Policy 11 remains effectively unchanged in terms of the key policy language and supporting figure defining the expanded development site.

Also as above, the scaling-up and change of function of Botley central area in comparison to the vision outlined in the 2009 Vale of White Horse Core Strategy Preferred Options does not seem to be based on any evidence base; certainly, the NLP Retail and Town Centre Study does not support it. Rather, it appears only to support the aspirations of a specific developer that entered into contract with the Vale of White Horse Cabinet in late 2012. Freedom of Information requests regarding the changed site

boundary for Botley central area revealed direct communications from the developer's agent to senior planning policy officers at VOWH in January 2013, through which a map identical to Local Plan Figure 5.3 was provided 'showing the extent of the development opportunity' and with the agent's encouragement to policy officers to 'have regard to the above [map and key components of the proposed development] within your emerging Local Plan work'. These communications occurred just one month before the draft Local Plan Part One consultation in February 2013, suggesting that Core Policy 11 and the accompanying figure 5.3 did not arise through careful and long-term consideration of the evidence base.

Not Effective:

A test case for the deliverability of Core Policy 11 recently occurred, in that the specific planning application based on its parameters was determined by the Vale of White Horse Planning Committee on 3rd December 2014. The planning application received objections from Oxfordshire County Council as local highways authority on the basis of unacceptable traffic generation and parking spill-over; the local MP objected on the basis of inappropriate scale and harmful traffic generation amongst other concerns; Oxford City Council upheld its objection on the basis of inappropriate scale and negative impact on the retail offer and viability of in-progress developments within Oxford City; and nearly 1,500 individual objections were lodged, largely on the grounds of inappropriate scale and the local infrastructure's inability to cope with such an oversized development. The planning application was unanimously refused. This is strong evidence that the implicit aim of Core Policy 11, i.e. a step-change in Botley's function from a local service centre to a large-scale 'district centre' serving a much wider catchment area, is not viable or deliverable.

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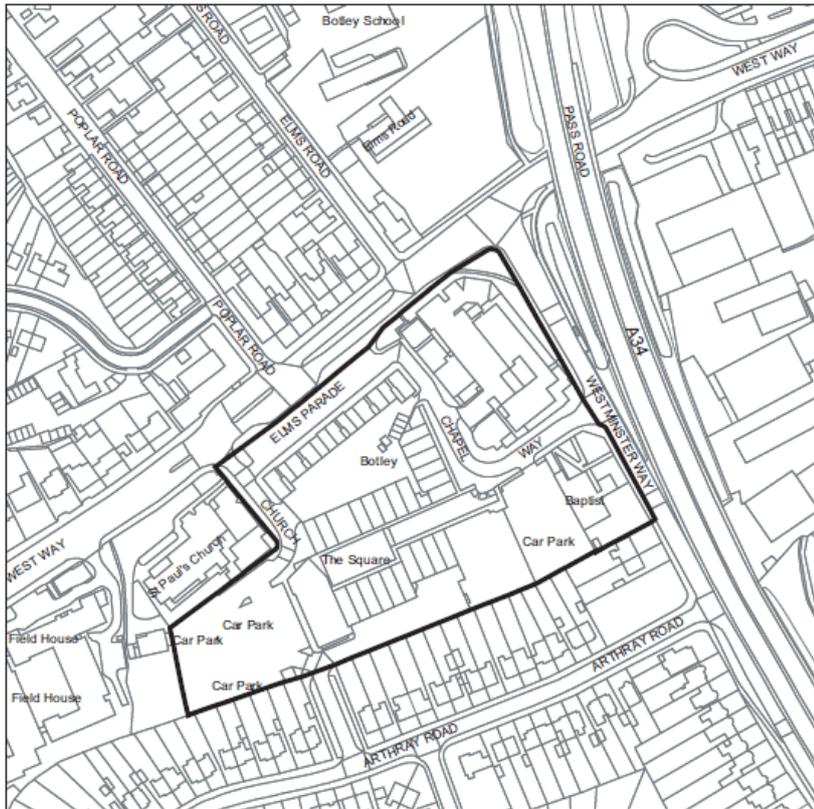


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