

Your ref: n/a
Our ref: RL/28168
DD: 01908 541609
E: robert.love@bidwells.co.uk
Date: 20th November 2017

Vale of White Horse District Council
Planning Policy
135 Eastern Avenue
Milton Park
Abingdon
OX14 4SB

Dear Sir / Madam,

**Representation to Local Plan 2031 Part 2 (Publication Version, October 2017)
On Behalf of Redrow Homes South Midlands**

Thank you for the invitation to comment on the consultation to the Publication Version of the Local Plan 2031 Part 2 (“Publication Version”) that runs from 11th October until 22nd November 2017. I write on behalf of Bidwells’ client, Redrow Homes South Midlands in response to the consultation.

This representation to the Publication Version is set out in two parts. Firstly, we briefly consider matters in relation to the relevant core housing policies in the context of my client’s site. Secondly, we consider detailed matters in relation to development policies covered in the Publication Version.

Core Policies

Core Policy 4a: Meeting our Housing Needs

Core Policy 4: Meeting our Housing Needs contained within the adopted Local Plan Part 1 sets out the strategy for meeting the housing target for the Vale of White Horse (“the Vale”) including details of strategic allocations necessary to meet this target, alongside a policy framework. The housing target for the Vale is at least 22,760 homes to be delivered in the plan period between 2011 and 2031.

It is noted that Core Policy 4a identifies that there is an agreed quantum of unmet housing need for Oxford City of 2,200 dwellings to be addressed within the Vale. This is to be delivered through either strategic or additional sites within the Abingdon-on-Thames and Oxford Fringe Sub-Area. The table under Core Policy 4a identifies a total of 3,061 known commitments for the Vale’s Housing Supply (April 2017 to March 2031), as well as 12,495 dwellings under Local Plan Part 1 allocations and 3,420 dwellings as Local Plan Part 2 allocations.

My client’s site at Hobbyhorse Lane, Sutton Courtenay sits within an allocation in the adopted Local Plan Part 1 for 220 dwellings. My client’s site at Hobbyhorse Lane can deliver up to 200 dwellings.

The Council published their Five-Year Housing Land Supply Statement 2017/18 – 2021/22 in April 2017. At Appendix 1: Housing Trajectory, the Statement recognises the delivery of 180 dwellings from my client’s site (Site Ref: 96, East of Sutton Courtenay, Planning Ref: P15/V2353/O) to contribute towards the Vale’s

five-year housing land supply from 2017/18 to 2021/22 and the residual 20 dwellings to be delivered in 2022/23.

We therefore consider that delivery of residential development at my client's site is fundamental to ensuring that the Council are able to meet their housing need in accordance with the adopted Local Plan Part 1 and the Local Plan Part 2. The site represents an achievable, suitable and deliverable site to support the supply of housing and maintain a rolling 5-year supply of suitable housing sites throughout the plan period.

We note that the Local Plan Part 2 does not seek to review the strategic site allocations in the Local Plan Part 1.

Development Policies

Development Policy 1: Self and Custom-Build

We object to Development Policy 1 because there is insufficient evidence on the need to support the policy and there is no explanation as to the policy justification.

It is noted that Development Policy 1 states that the Council will support the provision of plots for sale to self and custom builders on major development sites. Self and custom-build plots may contribute towards affordable housing provision and will need to comply with Core Policy 24: Affordable Housing in the Local Plan Part 1. We note that Core Policy 24 does not refer to self and custom-build plots. Furthermore, the Housing White Paper (Fixing our Broken Housing Market, February 2017) does not specify that self and custom-build plots can contribute towards affordable housing provision. Therefore, we request further clarification in terms of how they are to be delivered and implemented as affordable housing provision.

It is also noted that Development Policy 1 states that the Council will include conditions requiring self and custom-build housing to be completed within 3 years of a self or custom build purchasing a plot. We consider that implementing a requirement for a custom build purchasing a plot will be difficult to monitor and goes beyond the remit of development plan policy. Furthermore, the definition of "purchasing" is too ambiguous and unclear.

We also consider that there may be practical issues in completing self or custom-build plots within 3 years of a planning permission on large development sites, particularly whereby a planning application for a self and custom build plot requires access to an adopted highway, which may not be adopted under a wider development site surrounding the self and custom build plots are completed.

We also consider that implementing a timeframe of 3 years is too significant and could lead to plots being left undeveloped for a long period of time. It would therefore be more appropriate to implement a shorter period of time.

In summary, the policy is inconsistent with paragraph 17 of the NPPF as it does not support a practical framework whereby decisions on planning applications can be made with predictability and efficiency. It is unclear from the policy when self and custom-build plots are able to not able to contribute towards affordable housing provision. This is unclear to both an applicant or a decision-maker.

Development Policy 2: Space Standards

It is noted that Development Policy 2 requires proposals for new residential development to meet space standard requirements as set out under the policy except where it can be demonstrated they would be unviable. This includes the following:

- Proposals for new build one and two bedroom market homes, and all affordable housing to ensure they are in accordance with the DCLG's Technical Housing Standards – Nationally Described Space Standard Level 1 as set out in Appendix I.
- Proposals for major residential development to ensure 15% of market dwellings and all affordable housing are constructed to the Category 2 standard as set out in the Building Regulations Approved Document M Part 2.
- For sites of 100 units or more, 5% of affordable housing should be built to Category 3 standard and an allowance of 2% of market housing to be delivered to Category 3 standards if there is demonstrable need.

We consider that it is vital that a mix of housing is provided to ensure social diversity and mobility. Proposed residential development must meet the current requirements as well as ensuring the aspirations for the housing market area are met.

We consider that the reference to the above standards, including DCLG's Technical Housing Standards and Part M of the Building Regulations is too prescriptive. It is not necessary to require adherence to Building Regulations within a development plan policy and therefore this reference should be omitted.

Should the policy remain, we consider that the policy must be sufficiently flexible to adapt to changing circumstances and take account of changing market conditions over time as required by paragraph 14 and paragraph 50 of the NPPF. Regarding the specific levels proposed to M4(2) and M4(3) within the policy, we consider that it is too rigid to specify percentages of dwellings to meet Building Regulations M4(2) and M4(3).

We consider that proposed residential and associated development of my client's site at Hobbyhorse Lane is suitable to provide a mix of housing size, types and tenures in order to help meet the Vale's mix of market and affordable housing needs.

Development Policy 16: Access

It is noted that Development Policy 16 requires all proposals for new development to be of a high quality design in accordance with Core Policy 37: Design and Local Distinctiveness (in the adopted Local Plan Part 1). In addition, proposals for new development will need to provide evidence to demonstrate that:

- i. adequate provision will be made for loading, unloading, circulation, servicing and vehicle turning, and
- ii. acceptable off-site improvements to the highways infrastructure (including traffic management measures), cycleways, public rights of way and the public transport network can be secured where these are not adequate to service the development.

As Core Policy 37 already forms part of the Local Plan 2031 Part 1, we consider that it is not necessary to repeat this policy under Development Policy 16 and therefore is not required.

Core Policy 7: Providing Supporting Infrastructure and Services, Core Policy 33: Promoting Sustainable Transport and Accessibility and Core Policy 35: Promoting Public Transport, Cycling and Walking in the adopted Local Plan Part 1 already form part of development plan policy.

Core Policy 7 requires all new development to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal. We consider that requiring proposals for new development to make adequate provision as set out under limb 'i' of Development Policy 16 is too prescriptive. We consider that limb 'i' is already sufficiently covered under Core Policy 7 and therefore is not required.

Core Policy 33 sets out criteria that the Council and Oxfordshire County Council (OCC) will seek to deliver in relation to promoting sustainable transport and accessibility and Core Policy 35 sets out criteria the Council and OCC will seek to deliver in relation to promoting public transport, cycling and walking. We consider that the objectives under limb 'ii' of Development Policy 16 are sufficiently covered by Core Policies 7, 33 and 35 and therefore is not required.

Paragraph 153 of the NPPF states that any additional development plan documents should only used where clearly justified. In view of the above findings, the whole of Development Policy 16 is already covered by existing development plan policy. Therefore, we consider that the policy should be omitted from the Publication Version.

We consider that proposed residential and associated development of my client's site at Hobbyhorse Lane is already compliant with Core Policies 7, 33 and 35.

Development Policy 17: Transport Assessments and Travel Plans

It is noted that Development Policy 17 requires proposals for major development to be supported by a Transport Assessment or Statement and Travel Plan in accordance with OCC's guidance, including their Walking and Cycling Design Standards, and the latest National Planning Practice Guidance. Development Policy 17 sets out further detailed requirements for Transport Assessments and Travel Plans including opportunities to support the take up of electric and/or low emission vehicles in line with Development Policy 27 of the Publication Version. Furthermore, Development Policy 17 requires Transport Assessments and Travel Plans to demonstrate consistency with Core Policy 37 of the Local Plan Part 1.

Limb 'vi' of Core Policy 35 in the adopted Local Plan Part 1 requires proposals for major development to be supported by Transport Assessment and Travel Plans. We therefore consider that this requirement is already covered by development plan policy for sites identified in the Local Plan Part 1 and therefore is not required.

We also consider that reference to electric and/or low emission vehicles is too prescriptive. Transport Assessments or Statements and Travel Plans will be prepared in accordance with OCC's guidance and national planning policy guidance. Therefore, it is not necessary to require adherence to consider opportunities to support electric and/or low emission vehicles within a development plan policy and therefore this reference should be omitted. In addition to this, Core Policy 37 already forms part of development plan policy and so is not required either.

In view of the above findings, the whole of Development Policy 17 is either covered by local and national planning policy guidance or already covered by existing development plan policy and therefore should be omitted from the Publication Version.

Development Policy 20: Public Art

It is noted that Development Policy 20 states that all proposals for major development, or sites larger than 0.5ha, will be required to include provision of public art that makes a significant contribution towards the appearance of the scheme or the character of the area, or which benefits the local community. Applicants will be required to set out details of the provision of public art, including its location and design in accordance with the Council's Design Guide SPD.

As guidance in relation to provision of public art is already provided as part of the Design Guide SPD, we consider that it is not necessary to require adherence to Public Art within a development plan policy and therefore this reference should be omitted. Furthermore, we consider that the Council have not established within the plan or supporting evidence as to how public art as a planning obligation would assist in

mitigating the impact of unacceptable development to make it acceptable in planning terms, in accordance with the National Planning Practice Guidance.

We also object to the use of the term “*significant*” in the policy as this is too subjective and not justified.

Development Policy 26: Air Quality

It is noted that Development Policy 26 requires development proposals that are either likely to have an impact on local air quality or be within close proximity to existing or potential Air Quality Management Areas (AQMAs) to demonstrate measures/mitigation that are incorporated into the design to minimise any impacts associated with air quality.

We consider that it is unreasonable to require development proposals within close proximity to existing or potential AQMAs to demonstrate measures/mitigation in the design of the development. In certain circumstances, there will be no measures or mitigation methods available to an applicant to be able to incorporate into the design of a proposal. Furthermore, any reasonable measures or mitigation is likely to be related to control of a source and therefore is not under the control of an applicant. We therefore suggest that requiring proposals in close proximity to existing or potential AQMAs to demonstrate measures/mitigation in the design of development should be omitted from the policy.

Development Policy 28: Waste Collection and Recycling

It is noted that Development Policy 28 states that all development proposals will be expected to be consistent with the Council’s Waste and Planning Guidance and sets out detailed requirements for development proposals.

As guidance in relation to waste collection and recycling is already provided as part of the Council’s Waste and Planning Guidance, we consider that it is not necessary to require adherence to waste collection and recycling within a development plan policy and therefore this reference should be omitted.

Development Policy 30: Watercourses

It is noted that Development Policy 30 states that plans for development adjacent to or encompassing a watercourse should include a minimum 10m buffer zone along both sides of the corridor of land and water favourable to the enhancement of biodiversity. Furthermore, the policy states that development which is located within 20m of a watercourse will require a construction management plan to be agreed with the Council.

We consider that the minimum 10m buffer zone and the 20m threshold identified under the policy is too onerous. Development proposals should be considered on a case by case basis as the appropriate buffer or threshold is likely to vary depending on the proposal or site context. These will need to be agreed with the appropriate authority. It is not necessary to require adherence to these distances within a development plan policy and therefore this reference should be omitted.

Development Policy 33: Open Space

It is noted that Development Policy 33 requires proposals for major residential development to provide or contribute towards safe, attractive and accessible open space in accordance with the open space standards as set out in Appendix K (evidenced by the 2016 Open Spaces Report), including children’s play and youth provision; public open space (15% of the residential area); and allotments.

We consider that good quality open space enhances development and should be provided in close proximity to those who will be using the facilities. Whilst it is useful for the Council to provide guidance on the amount and typology of open space required, there will be circumstance whereby developments would not be of sufficient size to provide meaningful quantities of the typologies set out under Development Policy 33. Furthermore, off-site provision for open space through financial contributions can be made where a site is constrained or there is an identified local need to support existing provision or facilities. Each site should be considered independently in terms of the level of meaningful contribution to can make to open space. The level of contribution should be based on a demonstrable need depending on the aspirations of the local community and the level of existing provision.

Development Policy 34: Leisure and Sport Facilities

It is noted new housing developments will be required to provide or contribute towards indoor and outdoor leisure and sports facilities in accordance with the local standards as set out in Appendix K.

We consider that Development Policy 34 should take on a similar approach to Development Policy 33 as discussed above. Each site should be considered independently in terms of the level of meaningful contribution to can make to leisure and sport facilities. The level of contribution should be based on a demonstrable need depending on the aspirations of the local community and the level of existing provision.

Conclusion

My client welcomes this opportunity to comment on the Local Plan 2031 Part 2 (Publication Version). As it stands, the plan is not sound and hence there are a number of changes required to the plan including a number of Development Policies as identified above.

My client's site at Hobbyhorse Lane represents an achievable, suitable and deliverable site to support the Council's adopted growth strategy and support the supply of housing for the Vale.

Should you have any queries in respect of my client's representation, please do not hesitate to contact me. My contact details are included in the letterhead. Alternative, I look forward to receiving your written confirmation of my client's representation to the Local Plan 2031 Part 2 (Publication Version) and I look forward to receiving notification of all future planning policy consultations.

Yours faithfully

Robert Love
Senior Planner, Planning



Local Plan 2031 Part 2
Publication Version
Representation Form

Ref:

(For official
use only)

Name of the Local Plan to which this representation relates:

Vale of White Horse
Local Plan 2031 Part 2

Please return by 5pm on Wednesday 22 November 2017 to: Planning Policy, Vale of White Horse District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email planning.policy@whitehorsedc.gov.uk

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.

Title

First Name

Last Name

Job Title (where relevant)

Organisation representing
(where relevant)

Address Line 1

Address Line 2

Address Line 3

Postal Town

Post Code

Telephone Number

Email Address

2. Agent's Details (if applicable)

Mr

Robert

Love

Senior Planner

Bidwells

John Ormond House

899 Silbury Boulevard

Milton Keynes

MK9 3XJ

01908 541609

robert.love@bidwells.co.uk

Sharing your details: please see page 3

Part B – Please use a separate sheet for each representation

Name or organisation: Redrow Homes South Midlands

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

Paragraph

Policy

Policies Map

Please see submitted covering letter accompanying this representation

4. Do you consider the Local Plan is: *(Please tick as appropriate)*

4. (1) Legally compliant

Yes

No

4. (2) Sound

Yes

No

4. (3) Complies with the Duty to Cooperate

Yes

No

5. Please provide details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. 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 Cooperate, please also use this box to set out your comments.

Please see submitted covering letter accompanying this representation.

(Continue on page 4 /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at 5 above. (NB Please note that any non-compliance with the duty to cooperate 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.

Please see submitted covering letter accompanying this representation.

(Continue on page 4 /expand box if necessary)

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, 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:

We wish to participate at the oral part of the examination. As it stands, the plan is not sound and hence there are a number of changes required to the plan including a number of Development Policies as identified in the covering letter. My client's site at Hobbyhorse Lane represents an achievable, suitable and deliverable site to support the Council's adopted growth strategy and support the supply of housing for the Vale.

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

Signature:

Date: **20th November 2017**

Sharing your personal details

Please be aware that, due to the process of having an Independent Examination, a name and means of contact is required for your representation to be considered. Respondent details and representations will be forwarded to the Inspector carrying out the examination of the Local Plan after the Publicity Period has ended. This data will be managed by a Programme Officer who acts as the point of contact between the council and the Inspector and respondents and the Inspector.

Representations cannot be treated as confidential and will be published on our website alongside your name. If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online, however the original representations are available for public viewing at our council office by prior appointment. All representations and related documents will be held by Vale of White Horse District Council for a period of 6 months after the Local Plan is adopted.

Would you like to hear from us in the future?

I would like to be kept informed about the progress of the Local Plan

I would like to be added to the database to receive general planning updates

Please do not contact me again

Further comment: Please use this space to provide further comment on the relevant questions in this form. **You must state which question your comment relates to.**

Please see submitted representation accompanying this representation.

Alternative formats of this form are available on request. Please contact our customer service team on 01235 422600 (Text phone users add 18001 before you dial) or email planning.policy@whitehorsedc.gov.uk

Please return this form by 5pm on Wednesday 22 November 2017 to: Planning Policy, Vale of White Horse District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email planning.policy@whitehorsedc.gov.uk