



**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	Clive	
Last Name	Ricks	
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1	48 Appleton Road	
Line 2	Cumnor	
Line 3	Oxford	
Line 4		
Post Code	OX2 9QH	
Telephone Number		
E-mail Address (where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation : Clive Ricks

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

Paragraph

Policy

1

Proposals Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

No

X

4.(2) Sound (Positively Prepared, Effective and Justified)

Yes

No

X

4 (3) Complies with the Duty to co-operate

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.

These comments refer to Core Policy 1 and others that relate to it, in particular, Core Policies 4, 8, 13, 15 and 20.

Unsoundness and unsustainability of Oxfordshire SHMA

- The Oxfordshire Strategic Housing Market Assessment (SHMA) suggests that the Vale of White Horse needs enough new housing, within just 16 years, to produce a nearly 40% growth in every settlement in the Vale.
- The SHMA document itself states that it is an assessment and does not set targets – so who has come up with these palpably exaggerated numbers?
- The SHMA projections have not been subject to scrutiny but a report into the figures by a respected expert, Alan Wenban-Smith M.A. MRTPI MSC, states that every step of the methodology employed by the report's authors GL Hearn is "subject to serious criticism". (GL Hearn claim, on their website, that they "act for many of the leading developers").
- There can be no presumption of 'sustainable development' based on the exceptionally high forecasts of housing need proposed in the Oxfordshire Strategic Housing Market Assessment, which is in itself unsound and unsustainable. The Local Plan policies are therefore unjustified and will be ineffective in achieving their desired outcomes.
- The Plan states that '*the housing target reflects the Objectively Assessed Need for the Vale of White Horse District as identified by the up-to-date Strategic Housing Market Assessment (SHMA) for Oxfordshire.*' This statement is invalid as the SHMA figures are clearly inflated and unsustainable, and do not in any way constitute an objective assessment of the housing needs of the Vale.
- I fully support the arguments presented by Professor Wenban-Smith showing why the SHMA figures should properly be regarded as inflated and unsustainable.

- The SHMA relies on the Oxfordshire Strategic Economic Plan (SEP), to provide the economic base line and the associated adjustment for planned jobs growth on which its predictions are based. The SEP has not been subject to public consultation or any independent scrutiny, and is therefore not an appropriate basis on which to make policy decisions.
- In a recent assessment of the Leicestershire SHMA, the Planning Inspector questioned the adoption of “*aspirational employment growth*” figures put forward by the Local Enterprise Partnership and stated “*how essential it is that evidence such as SHMAs must be rigorously tested in order to establish that it is robust*”. The figures used for the Oxfordshire SHMA have not been subjected to any such a test and cannot, therefore, be regarded as sound or reliable.

SHMA failure to meet the sustainability requirements of the NPPF

- NPPF requires that development planning promotes sustainable development, and specifies that this entails the pursuit of economic, social and environmental gains “*jointly and simultaneously*”. By pre-empting such joint consideration the SHMA contravenes NPPF, and makes trade-offs between economic, social and environmental aims that should receive democratic consideration in the local planning process.
- The Vale of White Horse District Council produced a Housing Update based directly and uncritically on the SHMA figures, before the full SHMA Report itself had been published. In so doing, it failed to meet the requirement of the NPPF for the social, economic and environmental elements of sustainable development to be considered together.
- National policy allows for adjustment of official household projections for local data and market signals, but the SHMA is effectively a wholesale replacement. It is essential that plans are realistic but the Plan neither justifies the figures used nor explains how any shortfall would be addressed.
- The SHMA is heavily influenced by the Oxfordshire SEP, produced by an un-elected group. Because this has not been subject to any public consultation, the growth targets have been effectively excluded from the local planning process, and there has been no opportunity to assess the economic, social and environmental aims as required by the NPPF.
- The risk of irreparable harm from over-allocation cannot be overstated. Builders’ preferences for greenfield sites will put inappropriate pressure on the Vale of White Horse and will fail to encourage urban investment and regeneration. This will be seriously damaging to the area as an attractive business location and as a place to live; the impact on communities such as Cumnor will be irreversible.
- The emphasis on new build means that the vast majority of new households cannot afford to buy or rent new houses at market prices. More thought should be given to changing current housing market and industry structures to provide genuine solutions to those in need of affordable housing.
- Because of the way the housing industry acquires land it has become dependent on rising house prices, and cannot viably build for sale except on the basis that price rises continue.

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.

The SHMA figures should be reassessed and only taken into account alongside the figures derived from published government household projections. The strategic risks of acceptance of the SHMA are very high; allocation of housing land in the Local Plan is essentially irrevocable and immediate, and acceptance would therefore pre-empt the local planning process.

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?

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

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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 have been active in the local community regarding the Local Plan and feel it is important that individuals should be allowed to represent the views of the public, many of whom feel disenfranchised by the complexity of this consultation process.

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:

19 December 2014

Part B – Please use a separate sheet for each representation

Name or Organisation : Clive Ricks

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"/>
4.(2) Sound (Positively Prepared, Effective and Justified)	Yes	<input type="text"/>	No	<input checked="" type="text" value="X"/>
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.

These comments refer to Core policy 4: Spatial Strategy and related core policies 7 (Infrastructure), 8, 15, and 20 (sub-area spatial strategies).

Infrastructure constraints

- The SHMA does not set housing targets, rather it provides an assessment of the future need for housing. Government guidance and advice is explicit that the SHMA itself must not apply constraints to the overall assessment of need, such as environmental constraints or issues related to congestion and local infrastructure. These are very relevant issues in considering how much development can be sustainably accommodated and where new development should be located.
- There is a serious shortfall in existing infrastructure. Roads such as the A34 are frequently at a standstill at peak times; the projected additional number of journeys necessitated by the additional housing will mean gridlock. To quote from the Oxfordshire Local Economic Partnership's SEP itself:
"Oxfordshire currently suffers from capacity issues exacerbated by in-commuting. These in turn create constraints to economic productivity and growth in the county. The A34 and A40, in the heart of Oxfordshire, suffer from poor journey times that will prove a significant constraint as the economy grows. The delays caused by congestion are a cost borne by businesses and can lead to less productive employees."
- There is a complete lack of consideration in the Plan about the provision of adequate medical support; many medical practices are currently running at full capacity and would not be able to cope with significant increases in patient numbers.
- Likewise, most local schools are over-subscribed and already face an increase in pupil numbers even before the proposed additional housing. Schools have neither the funds

nor the space to expand.

- The Vale appears to place too much faith in the Community Infrastructure Levy (CIL); the money raised will inevitably follow development whereas proper infrastructure needs to be in place before large scale developments begin.
- Had the Vale chosen to test the SHMA to ensure it was robust; it would have allowed an assessment of the interaction of economic, social and environmental considerations envisaged by the NPPF. It would also have provided an opportunity to test the overall level of housing provision to be planned for, taking account of environmental constraints and issues raised above concerning transport, school places, health provision and other necessary local infrastructure in considering how much development can be sustainably accommodated.
- Moreover, given the Government's repeated emphasis on the need to protect existing Green Belts and AONBs, the Vale could and should have used the prior review of the SHMA to reduce its housing target so as to avoid any incursion into these protected areas.

Impracticability

- The target construction figure looks inflated when set against the number of homes a year actually completed in the three years 2011-2014 (despite the easing of planning constraints introduced during the period by the implementation of the NPPF). Although developers will secure the newly identified development sites with planning consent for construction, they will not complete houses if they cannot find purchasers for them.
- The Vale accepts that it cannot make up the backlog of the five-year housing supply within the time span, so it has subscribed to an economic plan that generates an implausible need for even greater construction. The Vale's apparent strategy of adopting an over-ambitious plan, in order not to be regarded as in default throughout the planning period when they fall short of their own, self-imposed target is barely credible.

Unsustainability

- The National Planning Policy Framework identifies three requirements for sustainable development – economic, social, and environmental
- The NPPF requires plans to identify and coordinate development requirements, including the provision of infrastructure. The Plan identifies infrastructure requirements in its nominated sites, but offers inadequate assurance that they will be carried out in a timely and coordinated way. Indeed, at a recent Vale public meeting on the Housing Supply Update, it was seemingly acknowledged that infrastructure would follow, rather than accompany, development and that there was a likelihood that this would lead to a reduction in the level of services.
- The Plan does not consider improvements to the A420. Oxfordshire County Council will not be finalising its A420 transport strategy until after the end of the Vale Local Plan consultation period (19 December) and so all the critical issues affecting Cumnor and the smaller nearby villages (i.e. infrastructure and housing numbers) will remain uncertain for months to come.
- The NPPF requires plans to contribute to protecting and enhancing the natural, built and historic environment. However, the current Plan proposes building a significant number of houses on Green Belt land (many on sites where they will permanently impact on the character of existing country villages) and major encroachment into the North Wessex Downs Area of Outstanding Natural Beauty (AONB). It also proposes to remove eighteen other areas from the Green Belt that 'may be considered for development as part of preparing the Vale Local Plan Part 2' (Housing Delivery Update, February 2014, para.4.23). This demonstrates a complete disregard for the environmental requirements of the NPPF and recent Government guidance.

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Sites within Green Belt and AONB should be removed from the Local Plan and the eighteen sites earmarked for removal from the Green Belt should have their status preserved.

Sites should not be included in the Plan unless the Vale is able to demonstrate that the infrastructure can be dealt with before any new build is completed.

The Vale should critically review the figures emerging from the SHMA to avoid the unsound aspects highlighted above, and to prepare an appropriately revised plan.

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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Signature:

[Redacted Signature]

Date:

19 December 2014

Part B – Please use a separate sheet for each representation

Name or Organisation :Clive Ricks

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

Paragraph Policy **13** Proposals Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound (Positively Prepared, Effective and Justified)	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
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Please mark as appropriate.

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These comments refer the Vale District Council's Core Policy 13: The Oxford Green Belt

Green Belt Policy and Review

- The Plan is inconsistent with planning guidance and government policies on the protection of Green Belts.
- Paragraph 79 of the National Planning Policy Framework sets out Government policy on Green Belts:
"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."
- The Government's position on Green Belt policy is very clear. The fundamental aim remains to prevent urban sprawl by keeping land permanently open. Boundaries of Green Belts should only be changed in "exceptional circumstances", and unmet housing need is not an exceptional circumstance to justify taking land out of the Green Belt.
- The extensive guidance provided by the Government that supports this conclusion is set out by CPRE in its submission.
- In the Plan the Vale proposes to remove eighteen sites from the Green Belt. The proposal is against Government's aims, and would be unnecessary if the SHMA housing figure had been tested properly and reduced in the light of social and environmental considerations.
- The Council – and the Sustainability Assessment (SA) commissioned to underpin it –

both fail to take proper account of the footnote to paragraph 14 of the NPPF on which the Government Guidance is based. The SA asserts in paragraph 11.8. 6 that the housing target was adopted because it meets the 'objectively assessed housing need in full, in accordance with national policy' without acknowledging the potential restrictions to that policy cited above. It fails to consider whether the Council should have tested the SHMA number against those restrictions. The sustainability assessment therefore wrongly accepts the inroads into the Green Belt as sanctioned by the NPPF, when patently they are not.

- The plan is therefore unsound and unsustainable and should be annulled.
- It is generally agreed that a review of the Green Belt should normally involve the five affected Councils but that the review should be open to public scrutiny. Any review should take account of Government legislation and guidance on the Green Belt

Cumnor Village

- Five sites are scheduled for removal from the Green Belt. It has proved impossible, given the presumption of the permanence of the Green Belt, to determine why these areas were selected for removal from the Green Belt, unless for development.
- In Cumnor, where the immediate threat of a development of houses has been withdrawn, the Vale still proposes to go ahead and remove the areas from the Green Belt. This would enable the Vale to sanction building in the current green belt as a two stage process: first remove the areas from the green belt and then approve the developments.
- Area 3. This is not within the existing built area of Cumnor village and consequently does not confirm to Core Policy 13 (Local Plan page 63). Any development on this site would significantly change the view of the Green Belt when travelling west on the A420.
- Area 4. This is a contiguous part of the current Green Belt and its open vista is a major contributor to the views available of the Cumnor Conservation Area. It could not be developed in any way without jeopardising the purpose for which both the Green Belt and the Conservation Area were set up.
- Area 5. This is a green area that reaches into the heart of the village and contributes greatly to the village nature of old Cumnor, which is the essential feature that the Conservation Area is designed to protect. The ground to the west is a sports field and recreation area owned by Cumnor Parish Council.
- In its response to the recent Green Belt review the Vale stated that it was opposed to removing areas 4 and 5 from the Green Belt as they lay within the Cumnor Conservation Area and "removing them from the Green Belt would serve no purpose". The subsequent change of view on these areas has not been explained or justified.
- Area 6 was the area originally identified as being suitable for inclusion in the Vale's proposed building programme. The idea was subsequently dropped although most of the Area is scheduled to be removed from the Green Belt. The land involved is high quality agricultural land which includes a field with a Saxon pattern of ridges and furrows bordered by an ancient hedgerow. This parcel of land is of considerable heritage interest, located as it is close to the centre of Cumnor. Attached is a report from a Planning Consultant explaining fully the reasons why this Area is inappropriate for housing development.
- Area 24 is at the very centre of the Village and largely consists of the existing cricket ground and the grounds of Cumnor Place. Cumnor Place is said to contain the remains of the largest unexcavated Elizabethan garden in England. The proposal to remove them from the Green Belt clearly arose because the proposal at Area 6, if approved, would have isolated this area of Green Belt. It would be wanton vandalism to destroy this as part of a housing development.

Failure of the Consultation Procedure

- These changes were not properly consulted upon; the consultation procedure followed by the Vale was inadequate both in terms of the time and the manner in which it was conducted. The time allocated did not allow the Parish Council sufficient time to consult with residents and it was only able to respond by holding an Extraordinary Council meeting.
- The contents of the leaflet supplied by the Vale were profoundly unsatisfactory. It set out the Vale's case for building houses but failed to cover any of the surrounding

- issues nor did it mention that the Vale was consulting on a wider range of sites.
- The leaflet did not make any explicit reference to the advice that the Vale had sought and received, nor did it state that the Vale was simultaneously seeking comments on its additional proposals to remove areas other than the Strategic sites from the Green Belt. No mention of the extended consultation was made at the meetings which the Vale called to launch the Strategic Housing Consultation process.
 - The complexity and layers of obfuscation surrounding this Representation Form make it extremely difficult for people to respond (e.g. Cumnor does not appear on the drop-down menu!)

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