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North Wessex Downs Area of Outstanding Natural Beauty

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10<sup>th</sup> December 2014

Dear Sir/Madam,

**Vale of White Horse Local Plan Part One (2031) – November 2014 Consultation.**

**Representations by The North Wessex Downs Area of Outstanding Natural Beauty.**

**Objection to the allocation of dwellings to the North West of Harwell Campus (550 dwellings) and East of Harwell Campus (850 dwellings) and the inclusion of the North Wessex Downs AONB within the Core Policy 5 Housing Supply Ring Fence Area.**

The North Wessex Downs AONB Unit responded to the initial consultation in April 2014 and included a detailed objection, appendices and a Landscape and Visual Impact Assessment by WH Landscape Consultancy.

On the basis that the proposed “major development” of housing is still proposed into the nationally protected North Wessex Downs AONB, despite our previous objection and supporting information, then the AONB Unit maintain their **objection** to the Plan. The AONB Unit consider the Plan is not sound as it does not comply with national guidance and law that specifically seeks the conservation and enhancement of nationally protected landscapes.

To our knowledge, these specific housing allocations and the implications of the Housing Supply Ring Fence Area are unprecedented in scale and numbers when considered against the level of provision nationally within any of the family of protected landscapes including all AONBs and National Parks that are equally protected by the CRoW Act 2000.

The AONB Unit do not intend to repeat at length what has already been stated in our April 2014 response, as these comments remain valid to the current situation. We will however summarise our comments below and make a final appeal to the Council to reconsider their course of action. If the Council do choose to proceed to submit the Plan as it is currently shown to the Secretary of State then the AONB Unit will

make detailed submissions to the Hearings process objecting to the proposed level of housing into this AONB.

Our further comments are therefore as follows:

### **Core Policy .1. – Unsound.**

This policy refers to Paragraph 14 of the NPPF but has not listed or understood the implications of Footnote.9. specifically in reference to the restrictions that apply to AONBs:

*“9 For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, **an Area of Outstanding Natural Beauty**, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.” (highlighting added).*

For the avoidance of doubt the Government published changes to the National Planning Practice Guidance (6.10.2014) stating:

*“The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs **unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.** Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, **an Area of Outstanding Natural Beauty**, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion.” (highlighting added).*

### **Core Policy 1 - Proposed Modifications**

Remove the East of Harwell Campus (850 dwellings) and North West of Harwell Campus (550 dwellings) housing allocations from within the North Wessex Downs AONB. Remove the proposed Housing Supply Ring Fence area (Core Policy 5) from applying to the North Wessex Downs AONB.

### **Core Policy 3 Settlement Hierarchy – Unsound.**

The North Wessex Downs AONB Unit maintain their objection to the consideration of Harwell Campus as a “larger village” as it is not a settlement nor is 1400 homes an appropriate number of new dwellings for a “larger village” where there is no existing settlement. This would create a new population of at least 3220 people on two greenfield sites outside and away from any existing settlement boundary. The lack of any existing immediate community would lead to the development being unbalanced in social profile. It may attract a level of interest from those employed at Harwell Campus but equally it may attract interest simply from those who have the ability to drive elsewhere to work. It would essentially be a “dormitory” housing estate.

It would not meet “local needs” in the context of the NPPF but would represent a strategic housing allocation within a nationally protected landscape, on Grade 2 agricultural land in an unsustainable location for new housing. The requirements of Paragraphs 17, 115 or 116 of the NPPF would not be met.

### **Core Policy 3 - Proposed Modifications**

Remove the East of Harwell Campus (850 dwellings) and North West of Harwell Campus (550 dwellings) housing allocations from within the North Wessex Downs AONB. Remove the related proposed Housing Supply Ring Fence area (Core Policy 5) from applying to the North Wessex Downs AONB.

### **Core Policy 4 Meeting Our Housing Needs – Unsound**

This Policy proposes the two allocations at Harwell Campus.

### **Core Policy 4 – Proposed Modifications**

Remove the East of Harwell Campus (850 dwellings) and North West of Harwell Campus (550 dwellings) housing allocations from within the North Wessex Downs AONB. Remove the related proposed Housing Supply Ring Fence area (Core Policy 5) from applying to the North Wessex Downs AONB.

### **Core Policy 5 – Housing Supply Ring Fence – Unsound**

The proposed Housing Supply Ring Fence Area has made no appreciation of the fact that it lies within the nationally protected AONB. There will therefore be obvious constraints in achieving the strategic levels of housing growth as proposed at Harwell Campus on new greenfield sites within an AONB.

### **Core Policy 5 – Proposed Modifications**

Remove the East of Harwell Campus (850 dwellings) and North West of Harwell Campus (550 dwellings) housing allocations from within the North Wessex Downs AONB. Remove the related proposed Housing Supply Ring Fence area (Core Policy 5) from applying to the North Wessex Downs AONB.

### **Core Policy 15 – Sub Area Strategies South East Vale.**

This Policy repeats the inclusion of the proposed allocations into the AONB and inclusion within the Housing Supply Ring Fence Area. The supporting paragraphs 5.61 to 5.64 do not justify the size of the proposed housing allocations into the AONB for the reasons given above and for the reasons given in April 2014. The appropriate tests of Paragraphs 115 and 116 of the NPPF have not been met.

The tests of Paragraph 116 of the NPPF, in particular refers to the exceptional circumstances of the development not to the exceptional circumstances of the location.

In other words housing provision is the matter under consideration not Harwell Campus. Housing can of course be located outside the AONB and other alternatives do exist to avoid the need for these proposed allocations within the AONB. The NPPF at paragraph 17 states:

*“Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework”*

And

*“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.*

Even some housing could be accommodated within the existing Harwell Campus boundary without the need for substantial loss of greenfield sites outside Harwell Campus on Grade 2 agricultural land.

The AONB Unit will therefore demonstrate at the Hearings if required that:

- The exceptional circumstances tests of paragraph 116 of the NPPF have not been met.
- The conservation and enhancement of the AONB is in the national public interest.
- There is no need for this development in this location. Harwell Campus has sufficient space within its existing campus area to function properly as an employment area without the need to surround it in housing sites.
- There are also options to meet strategic housing need elsewhere outside the designated area and meet “local needs” in some other way within the existing campus boundary;
- As there is no existing settlement at Harwell Campus itself then there is no need to provide for space for a settlement to grow. This proposal represents the creation of new housing estates within a nationally protected landscape.
- The proposal will result in a detrimental effect on the environment, the landscape and recreational opportunities and these cannot be moderated. This proposal will harm the recognised special qualities of the AONB in conflict with the adopted Management Plan objectives.
- The Landscape Study produced by Hankinson Duckett Associates (July 2014) for the Vale of White Horse does not consider the options for AONB avoidance and does not refer to Paragraph 116 of the NPPF. The report acknowledges (para.1.1.1) that *“This report assesses the relative capacity of parcels of land surrounding Harwell Campus to accommodate future development”*. The report does not consider the options to meet need elsewhere either outside the AONB or indeed the capacity for development within the existing campus boundary (see *Mevagissey High Court decision our Appendix.3. as submitted in April 2014 representations*).

#### **Core Policy 15 – Proposed Modifications.**

Remove the East of Harwell Campus (850 dwellings) and North West of Harwell Campus (550 dwellings) housing allocations from within the North Wessex Downs AONB. Remove the related proposed Housing Supply Ring Fence area (Core Policy 5) from applying to the North Wessex Downs AONB.

#### **Core Policy 44 – Landscape**

Core Policy 44 does not make sufficient cross reference to the statutory North Wessex Downs AONB Management Plan and the implications of Paragraphs 115 and 116 of the NPPF in respect of development within the AONB. There is also a contradiction in the Local Plan through recognising the existence of the AONB but then failing to act upon the purposes of its designation through other Policies within the Local Plan.

## **Core Policy 44 – Proposed Modifications.**

The following paragraph was agreed by Swindon Borough Council and the Local Plan Inspector as a proposed modification. This should be included in Core Policy 44:

***“The North Wessex Downs Area of Outstanding Natural Beauty (AONB) is a nationally recognised area of landscape protection. Proposals within the Borough which are within and / or about abuts the North Wessex Downs AONB must accord with relevant criteria set out in the AONB Management Plan and paragraph 115 and 116 of the NPPF. Proposals outside the AONB should not adversely affect its setting.”***

## **Appendix A Site Development Templates**

Reference to the allocations to the East of Harwell Campus and North West of Harwell Campus should be removed.

## **Appendix A – Proposed Modifications.**

Remove the East of Harwell Campus (850 dwellings) and North West of Harwell Campus (550 dwellings) housing allocations from within the North Wessex Downs AONB. Remove the related proposed Housing Supply Ring Fence area (Core Policy 5) from applying to the North Wessex Downs AONB.

On the basis of the continued unsoundness of this Plan with national policy in respect of the conservation and enhancement of AONBs, the Council are specifically requested to remove the proposed strategic levels of housing proposed into the AONB at Harwell Campus, before submitting the Plan to the Secretary of State.

Yours faithfully

Andrew Lord

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Planning Advisor