

Planning Policy
Vale of White Horse District Council
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BY POST AND EMAIL

23752/A3/GF/sw

17th December 2014

Dear Sir or Madam,

**VALE OF WHITE HORSE LOCAL PLAN PART ONE: STRATEGIC SITES AND POLICIES
PUBLICATION DRAFT CONSULTATION
RESPONSE BY THE KLER GROUP**

Introduction

We are instructed by the Kler Group to submit representations to the Vale of White Horse Local Plan Part One: Strategic Sites and Policies Publication Draft. We welcome the opportunity to submit comments on the content of the Plan and the Council's proposed strategy for guiding development in the District up to 2031.

The Kler Group are promoting Land West of Woodway Road, Blewbury (Location Plan enclosed) for residential development. Blewbury is identified in the emerging Local Plan's settlement hierarchy as a Larger Village located with the South East Vale Sub-Area. Blewbury offers a range of services and facilities to its residents and regular bus services provide access to Didcot and its higher order services and facilities, as well as Didcot Parkway. Didcot Parkway provides access to a range of locations including London. It is therefore considered to be a sustainable settlement, where new residential development can be accommodated to meet local housing needs and help maintain its vitality and the sustainability of its local services.

The Site at Woodway Road is located immediately adjacent to the settlement boundary of Blewbury and within walking distance of its local facilities and public transport offer. The Site is therefore considered to offer potential to accommodate sustainable development in accordance with both the National Planning Policy Framework (NPPF) and the emerging Local Plan.

It is noted that the purpose of this consultation is to assess the Plan against its legal compliance and soundness.

In order to be considered legally compliant, a Plan must meet a number of criteria, including:

- Meeting the legal requirements of the Duty to Cooperate (Section 33A of the 2004 Planning and Compulsory Purchase Act); and
- Having regard to the NPPF.

Paragraph 182 of the NPPF outlines that Local Plans are required to be 'sound' and that an



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assessment of this should be based on the following criteria:

- Positively prepared – meeting objectively assessed development requirements, including those of neighbouring authorities;
- Justified – the most appropriate strategy when considered against the alternatives;
- Effective – deliverable and based on effective joint working; and
- Consistent with national policy.

Our main focus within these representations is on how the proposed housing target outlined within the Plan will be distributed spatially.

Core Policy 4: Meeting our Housing Needs

Spatial Strategy for the District

The emerging Local Plan splits the District into three Sub-Areas: the Abingdon on Thames and Oxford Fringe Sub-Area; the Western Vale Sub-Area; South East Vale Sub-Area. Core Policy 4 outlines an intention to provide at least 20,560 homes across the District during the period 2011-2031. 10,320 of these dwellings will be provided within the South East Vale Sub-Area.

The Kler Group agrees that providing the majority of the District's new homes within the South East Vale Sub-Area is the most appropriate strategy for the Local Plan.

The South East Vale Sub-Area includes a number of significant existing centres of employment, including several sites located within the regionally important Science Vale area. These include Harwell Campus and Milton Park, which were designated as an Enterprise Zone in 2011 and benefit from simplified planning measures to attract new businesses and employment opportunities to the area.

As detailed in Section 5 of the emerging Local Plan, the Science Vale is a key growth area within the Oxfordshire Strategic Economic Plan (OSEP) and is the focus of significant investment. In addition, the Science Vale forms part of Oxfordshire City Deal, announced in January 2014, which includes provision for further developing the simplified planning measures in the area; as well as plans for investment in the national and local road network to improve access to the Science Vale.

It is apparent from the emerging Plan and its Evidence Base that the South East Vale Sub-Area, including the Science Vale area, is the key economic and employment location within the District. There are also clear plans to grow business and employment opportunities in this area further during the Plan Period, including through the Oxfordshire City Deal. Paragraph 5.48 of the emerging Local Plan highlights that 70% of the District's projected new jobs during the Plan Period will be located in the South East Vale Sub-Area.

Paragraph 14 of the National Planning Policy Framework (NPPF) states that the presumption in favour of sustainable development should be seen as a 'golden thread' running through both plan making and decision taking. In addition, one of the 12 Core Principles of the NPPF is to proactively drive and support sustainable economic development to deliver the homes and businesses that the Country needs.

Paragraph 30 of the NPPF outlines that when preparing Local Plans, a pattern of development which supports the use of sustainable modes of transport should be supported. Paragraph 34 goes on to state that where development will create significant movement, it should be located where the need to travel will be minimised.

Given the extensive existing employment opportunities within the South East Vale Sub-Area and the plans for further growth, as well as the NPPF's emphasis on minimising the need for travel, it is considered appropriate that the emerging Plan also allocates 75% of the District's strategic housing growth within the South East Vale Sub-Area.

The emerging Plan proposes to allocate 10,320 dwellings within the South East Vale Sub-Area. This will assist in ensuring sustainable patterns of development which minimise the need to travel (particularly to employment opportunities) in accordance with the NPPF. This approach is supported.

Balanced against the alternatives of allocating most of the District's housing growth away from its largest employment areas, this is considered to be the most appropriate strategy and is therefore justified under Paragraph 182 of the NPPF's test of soundness.

Given the strong National Policy approach to minimising the need for travel and ensuring sustainable patterns of development through Plan making, it is considered that the approach for allocating most of the District's strategic housing growth in the South East Vale Sub-Area where most of the District's existing and emerging employment opportunities are located, is consistent with national policy and is therefore both sound and legally compliant.

Distribution of Development within the South East Vale Sub-Area

Please note that comments under this Section relate to both Core Policy 4 and Core Policy 15 of the emerging Local Plan.

As informed by the settlement hierarchy under emerging Core Policy 3, strategic housing allocations within the South East Vale Sub-Area are proposed at the area's Market Town (Wantage); the Local Service Centre (Grove); and the Larger Villages, but excluding Blewbury and East Hendred. No strategic housing allocations are identified in Smaller Villages within the South East Vale Sub-Area.

Core Policy 4 identifies a presumption in favour of sustainable development within the built up area of Market Towns, Local Service Centres and Larger Villages. It also allows for development outside of settlement boundaries where allocated by the Local Plan Part One, an adopted Neighbourhood Plan, or future parts of the Local Plan. However, development must be adjacent, or well related to the existing built area of the settlement, or meet exceptional circumstances set out in other policies of the Plan.

The Kler Group agrees with the general distribution of strategic allocations within the South East Vale Sub-Area and the provision for further sites to come forward as part of Neighbourhood Plans or Part Two of the Local Plan, but **objects** to the lack of support for future housing growth within Blewbury.

It is recognised within Core Policy 15 that land for an additional 220 dwellings needs to be identified within the South East Vale Sub-Area through the Local Plan Part Two. As the Local Plan Part One seeks to set out the spatial growth strategy for the District during the Plan Period, it is considered that it should be more explicit in how this additional housing requirement will be met.

As currently drafted, Core Policies 4 and 15 may be misleading in that, by not identifying where the additional 220 dwellings should be met, it could be suggested that there is not a need for additional housing growth to be located within Blewbury and East Hendred.

It is considered that Core Policy 4 and / or Core Policy 15 should broadly identify where the remaining housing requirement for the South East Vale Sub-Area should be located. It is considered that this additional housing need should be directed to the most sustainable settlements in accordance with the settlement hierarchy at Core Policy 3, excluding those settlements which already have strategic allocations identified within the Local Plan Part One, in order to ensure that the distribution of growth at other identified sustainable settlements is not constrained. In accordance with this approach, Blewbury should therefore be identified as a location to absorb some of this additional housing need through the Local Plan Part 2.

Paragraphs 28 and 55 of the NPPF states that economic growth in rural areas should be supported through taking a positive approach to sustainable new development and that new housing should be located where it will enhance or maintain the vitality of rural communities.

Figure 4.1 of the emerging Local Plan outlines three 'key strands' through which the sustainable growth of the District will be delivered. One of the strands is '*promoting thriving rural villages and rural communities whilst safeguarding the countryside and village character*'. This will be achieved through a number of measures including '*focussing development within the rural areas to the Larger Villages thus helping to maintain their vitality and the sustainability of local services*'. This general approach is supported, in accordance with Paragraphs 28 and 55 of the NPPF.

Furthermore, it is acknowledged in the 2011 Census Overview for West Oxfordshire that Blewbury has the highest proportion of residents over the age of 60 (and therefore less likely to be economically active) in the whole of the Vale of White Horse District, and significantly above the national average. As such, by not acknowledging the need for future housing growth within Blewbury, the emerging Local Plan does not seek to address this imbalance by providing additional homes for families and younger people who are more likely to be economically active, and thereby positively contributing towards the promotion of thriving rural communities and the sustainability of local services. This approach is particularly surprising given that the Sub-Area is the focus for the District's existing and proposed employment growth. As such, this is considered to be an unsustainable approach and does not seek to ensure the continued vitality and sustainability of the settlement of Blewbury and its services, in accordance with the 'key strands' for the sustainable growth of the District outlined within the emerging Plan.

Given the requirements of Paragraphs 28 and 55 of the NPPF and Figure 4.1 of the emerging Local Plan, it is not considered that the emerging Plan assists in addressing the imbalance in the economically inactive population of Blewbury. Furthermore, by supporting the sustainable growth of other Larger Villages within the South East Vale Sub-Area, it is considered that the vitality and sustainability of Blewbury's local services may decline as other comparable settlements continue to grow and Blewbury is left behind. This is not a sustainable approach and is not considered to be justified when considered against the alternative of addressing the population imbalance of Blewbury and ensuring the vitality of its services by acknowledging the need for its sustainable growth. This approach is not in accordance with the NPPF, or indeed the strategy of the emerging Local Plan itself. As such, it is not considered that this approach is sound or legally compliant. In order to address this, Core Policies 4 and 15 need to be more explicit by acknowledging the need for growth within Blewbury and that it will be addressed through the Local Plan Part Two.

Over half of the South East Vale Sub-Area is located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), including the settlement of Blewbury. As the whole of Blewbury and the surrounding area is located within the AONB, any growth of the settlement, in accordance with the emerging Local Plan's development strategy, will also need to be located within the AONB.

Whilst the NPPF affords weight to the protection of the landscape of AONBs, it does not preclude development within them. The Sustainability Appraisal which forms part of the Evidence Base for the Local Plan Part One identifies at Paragraph 12.3.13 that, in order to supply a mix of housing sites through the Local Plan and to maintain a five year housing land supply, it has been necessary to consider sites located within the AONB. It goes on to state at Paragraph 13.2.3 that the Landscape Value for all parcels of land located within the AONB have been assessed as Medium / High. However, when considering Core Policy 4, the Sustainability Appraisal identifies the need to provide sufficient suitable homes to meet the District's housing needs as a 'major positive effect'. This is in accordance with bullet point one of Paragraph 116 of the NPPF, where the need for development and its impact on the local economy is considered to be an exceptional circumstance in the public interest to allow development in the AONB.

It is noted that two strategic allocations for a total of 1,400 dwellings are identified at Harwell Campus, which is also a Larger Village within the AONB in the South East Vale Sub-Area. The emerging Plan therefore acknowledges that whilst the AONB is a constraint, it does not preclude development within the AONB, in accordance with the NPPF and as such, this should not be a reason to prevent the sustainable growth of the settlement of Blewbury in principle.

It is therefore considered that the exceptional circumstances in the public interest to allow residential development in the AONB at Blewbury, in accordance with Paragraph 116 of the NPPF, are as follows:

1. To help meet the District's housing needs in accordance with the emerging spatial strategy and settlement hierarchy. This is recognised as being a major positive effect within the District Council's Sustainability Appraisal.
2. The contribution towards the vitality and sustainability of Blewbury's local services.
3. The assistance in addressing Blewbury's population imbalance to help to create a more sustainable, inclusive and mixed community, in accordance with Paragraph 50 of the NPPF.

Given the above, we would strongly encourage the District Council to reconsider Core Policy 4 to be more explicit regarding the general locations within which the additional 220 dwellings should be allocated through the Local Plan Part Two and / or Neighbourhood Plans. This should include provision within the settlement of Blewbury, for the reasons stated above.

Land West of Woodway Road, Blewbury should be considered as a suitable site to meet the housing needs of Blewbury through the Local Plan Part Two and / or Neighbourhood Plans. This is a sustainable Site, located adjacent to the settlement boundary, in accordance with the requirements of emerging Core Policy 4. It was assessed through the District Council's February 2014 Strategic Housing (ref: BLEW05) and was considered to be suitable in principle for residential development. The assessment considers that the Site is well related to the existing settlement. It also confirms it has a safe and suitable access, with a convenient secondary pedestrian access onto Pilgrims Way. The assessment concludes that the Site is suitable in principle of the development of up to 149 dwellings and that it is achievable and deliverable.

In order to further demonstrate the suitability of the Site at Land West of Woodway Road for residential development, a comprehensive Landscape and Visual Impact Assessment (LVIA) has been prepared. The LVIA concludes that the Site does not comprise the special qualities described in the North Wessex Downs AONB Management Plan. As the Site is situated within settlement fringe, it is therefore neither remote nor tranquil. The development of the Site would not result in any changes to the scarp and would not impact on the sense of openness or tranquillity from the elevated plateaus to the south of the Site, due to the fact that the Site is perceived within a relatively contained visual envelope. As such, it is considered that the sensitive development of the Site would be acceptable in landscape and visual terms and would not have an adverse impact on the special qualities of the AONB.

We can also confirm on behalf of the Kler Group that the Site is available for development.

Core Policy 15: Spatial Strategy for South East Vale Sub-Area

As detailed above under 'Distribution of Development within the South East Vale Sub-Area', the Kler Group supports the general approach to allowing the sustainable growth of Larger Villages within the South East Vale Sub-Area. However, the Kler Group **objects** to the lack of acknowledgement of the need to direct growth to other Larger Villages in the Sub-Area where strategic allocations are not proposed to achieve the aspirations of the spatial strategy, including the future housing needs of Blewbury. For similar reasons to Core Policy 4, Core Policy 15 is not considered to be either sound or legally compliant. It is considered that Core Policy 15 should be reviewed to be more explicit in identifying broad locations for the additional 220 dwellings to be allocated within the Local Plan Part Two. These allocations should be made in accordance with the settlement hierarchy, excluding those settlements with strategic allocations. As such, the Policy should include provision for some of this additional housing need to be located within Blewbury.

Core Policy 44: Landscape

Core Policy 44 considers new development within the AONB. The wording of this policy will have significant implications for settlements which are wholly located within the AONB, such as Blewbury. It is therefore important that the Policy both protects the AONB, but also allows sufficient flexibility for the local housing and other needs of these settlements to be met.

The Policy states that high priority will be afforded to the conservation and enhancement of the natural beauty of the AONB, but Proposals that support the economy and social well being of

communities located in the AONB, including affordable housing schemes, will be encouraged provided they do not conflict with the aims of conservation and enhancement.

Paragraph 116 of the NPPF requires proposals for major development to demonstrate exceptional circumstances which are in the public interest. These include demonstrating a need for the development and considering the impact on the local economy if it is refused. Significantly, the NPPF does not preclude new development in the AONB.

Core Policy 44 of the emerging Local Plan is considered to be broadly consistent with the NPPF in that, as it affords weight to the conservation and enhancement of the AONB, it does not preclude new development within it. The Policy also outlines circumstances where development within the AONB would be appropriate, such as proposals which support the economy and social well being of communities located in the AONB, similar to the exceptional circumstance in the public interest outlined at Paragraph 116 of the NPPF. However, it is considered that in this respect, Core Policy 44 is more restrictive than the NPPF as it only refers specifically to the acceptability of affordable housing schemes. Paragraph 116 of the NPPF does not make this distinction and refers more generally to development which can demonstrate exceptional circumstances in the public interest. Indeed, the District Council's Sustainability Appraisal refers to the major positive effects of meeting the District's housing needs in justifying the proposed strategic allocations elsewhere within the South East Vale Sub Area, which are also located within the AONB and are not limited to the provision of affordable housing. As such, the Kler Group **objects** as it is not considered that Core Policy 44 is either sound or legally compliant.

By including the provision of market housing to meet identified local needs within the Policy, it will therefore be consistent with the findings of the Sustainability Appraisal which underpins the emerging Local Plan.

In order to ensure compliance with the exceptional circumstances in the public interest identified in the NPPF, the wording of Core Policy 44 should be revised to also refer to market housing to meet local needs.

Summary

The Kler Group wish to submit comments in relation to Core Policies 4, 15 and 44 of the emerging Vale of White Horse District Council Local Plan Part One: Strategic Sites and Policies Publication Draft Consultation.

In respect of emerging Core Policies 4 and 15, the Kler Group supports the general development strategy of locating the majority of the District's housing growth within the South East Vale Sub-Area, given the significant economic and employment opportunities which exist and is planned for the area; as well as the allowance for the additional growth of Larger Villages to be brought forward through Neighbourhood Plans and future Local Plan documents. However, the Kler Group wishes to object to the lack of acknowledgement within the Policies that would help support the future housing needs of the Larger Village of Blewbury.

There is an identified need for land for an additional 220 dwellings to be allocated through the Local Plan Part Two. Given that The Local Plan Part One sets the spatial growth strategy for the District during the Plan Period, it is considered that Core Policy 4 and / or Core Policy 15 should be more explicit regarding the general location of this housing growth to ensure that the additional need is brought forward in the most sustainable locations with housing need, that are not being addressed through strategic allocations in this Plan.

Blewbury is one of two Larger Villages located within the South East Vale Sub-Area which does not have a strategic housing allocation. Given the significant employment opportunities both existing and proposed within the Sub-Area, the unsustainable population imbalance which exists within Blewbury, and the requirements of the NPPF, as well as those of the emerging Plan itself at Figure 4.1, it is considered that Blewbury should be required to accommodate some of this additional housing need through the Local Plan Part Two. This approach will help promote the village as a

thriving community and ensure that the vitality and sustainability of its local services will be supported.

In respect of emerging Core Policy 44, the Kler Group considers that additional flexibility is required to ensure that the Policy also acknowledges the positive contribution that market housing can make to the economic and social well being of communities located within the AONB, as detailed within our comments above.

We consider that reference should also be made within the Policy to market housing which meets local needs. This approach would be in accordance with the NPPF, and will also reflect the need to allocate housing sites within the AONB, as identified in the supporting Sustainability Appraisal.

Recommendations

Prior to the Submission of the Plan, we would strongly encourage the District Council to reconsider Core Policies 4 and 15. These policies should be more explicit about how the additional 220 dwellings should be distributed within the remaining parts of the South East Vale Sub-Area to ensure the objectives of the spatial strategy are met in the most sustainable locations, to help guide future allocations in the Local Plan Part Two or Neighbourhood Plans as appropriate. This should include provision at the Larger Village of Blewbury, for the reasons stated above.

We would also strongly encourage the District Council to revise the wording of Core Policy 44 in respect of development located within the AONB to ensure that it is in full accordance with the sentiments of the NPPF.

We trust that you will take our comments into consideration and look forward to receiving notification that the submission of the Plan has been deferred pending further work. Should you wish to discuss any of the above or have any questions please do not hesitate to contact me.

Yours faithfully,



GEMMA FIELD
Senior Planner

Encs

cc Bill Kler – Kler Group