

## Comment

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| Comment by         | Dr Guy Matthews  |
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**Q1 Do you consider the Local Plan is Legally Compliant?** No

**Q2 Do you consider the Local Plan is Sound (positively prepared, effective and Justified)** No

**If your comment(s) relate to a specific site within a core policy please select this from the drop down list.** N/A

If you think your comment relates to the DtC, this is about how we have worked with the Duty to Cooperate bodies (such as neighbouring planning authorities)

**Q3 Do you consider the Local Plan complies with the Duty to Co-operate?** No

**Q4 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.**

Left hand map: Land packets in Cumnor removed from Green Belt protection by Local Plan Part I Right hand picture: View across land packet 24 ? typifies Green Belt quality in all these packets. The Vale of the White Horse District Council commissioned a review of the Green Belt Boundaries by Kirkham Landscape Planning and Terra Firma Consultancy. There was no local consultation involved in preparing this review which is central to the Local Plan. The Cumnor Parish Council which could have helped identify more acceptable developable areas was not consulted so the term ?Local Plan? is misleading if taken to imply involvement of local people in its development. The clear motivation for the Green Belt review was to identify sites which could help meet its un-met housing need by allowing existing settlements to expand into what is currently Green Belt. Originally, Green Belt Boundaries were drawn tightly around settlements such as Cumnor village, where I live, in order to prevent such expansion. The reason being that such expansion would damage the distinctive character of the settlement and the openness of the surrounding Green Belt areas and lead to a merging with nearby urban conurbations and settlements. In and around Cumnor village ?land parcels? 4, 5, 6 and 24 were proposed for removal from the Green Belt. The evidence base which accompanied the Vale?s draft Local Plan includes its own comments on the Green Belt Review which it had commissioned . The Vale?s own judgement of the proposed removal of land parcels 4 and 5 from Green Belt protection was as follows: ?These sites are located in the Cumnor Conservation Area. The Cumnor Conservation Area Character Appraisal specifically refers to them as important to the character of the Conservation Area. On this basis, these sites would not be supported for development and therefore removing them from the Green Belt would serve no purpose.? [Extract from page 7 ?Vale of the White Horse comments on the Green Belt Review? [http://www.whitehorsedc.gov.uk/sites/default/files/2014\\_02\\_20%20council%20comments%20on%20CB%20final.pdf](http://www.whitehorsedc.gov.uk/sites/default/files/2014_02_20%20council%20comments%20on%20CB%20final.pdf) ] In the Vale?s consultation process on the draft Local Plan many residents and our local MP Nicola Blackwood expressed support for the Vale?s stated position on land parcels 4 and 5 and expressed the view that the same arguments (and many others) also applied to land parcels 6 and 24. More objections to the proposed Green Belt boundary changes in and around Cumnor village were received by the Vale than in all other areas combined. The revised Local Plan Part I which is being submitted to the Government for approval appears at first sight to have responded to these concerns on page 63 as follows: ?Core Policy 13: The Oxford Green Belt The Oxford Green Belt area in the Vale, as amended following local Green Belt Review, will continue to be protected to maintain its openness and permanence. Development will be permitted in the following settlements, which are inset to the Green Belt (as shown on the Adopted Policies Map), where the proposed development is within the existing built area of the village and in accordance with Core Policies 3 and 4: ? Appleton ? Botley ? Cumnor ? Farmoor ? Kennington ? Radley and ? Wootton Proposals for inappropriate development will not be approved except in very special circumstances\*.? The map on page 50 strongly suggests that Cumnor remains protected by the Green Belt as before. The clerk of Cumnor Parish Council therefore sought clarification of this point from Ben Davis (Planning Policy, Vale of the White Horse District Council). He replied on 17th Nov as follows: ?The Council has followed the recommendations set out in the Green Belt Review that all land parcels assessed within Cumnor Parish should be released from the Green Belt.? In other words, the Vale has decided to reverse its own published opinion that removing Green Belt protection from land parcels 4 and 5 would ?serve no purpose?. No argument for ?exceptional circumstances? to justify this change of judgement is given. Equally, it is clear that because the Local Plan Part I Policy for Cumnor is that any development should be ?within the existing built area of the village? the other changes to Green Belt boundaries around Cumnor village cannot be justified either i.e. land parcels 24 (see photograph) and 6 which are shown by the Vale?s own landscape capacity study to be high quality Green Belt contributing to the setting of the conservation area should also not be removed from the Green Belt since this serve no purpose given the revised Local Plan policies towards Cumnor. The recent information leaflet issued to the public by the Vale entitled ?The Future of the Vale? regarding the changes following the consultation is highly misleading by what it does not say: Green Belt and Area of Outstanding Natural Beauty ? You told us that this was an area of real concern to you. We have taken into account recent changes in guidance and listened to the feedback from organisations like Natural England and the Campaign for the Protection of Rural England and have adjusted the number of sites and the total number of houses being allocated in these areas. What the leaflet does not say is that it is ignoring the feedback from local people and CPRE as well as its own published comment that some of the boundary changes ?serve no purpose? but is still accepting them all in full for reasons which are completely unspecified. This means that while removal or adjustment of some of the housing sites in the Green Belt is to be welcomed, Green Belt protection for all these areas is still being removed which clearly means that sooner or later the land will be developed?no other purpose exists for such boundary changes unless the land is already urbanised or low quality. In the case of Cumnor the quality of the land, its contribution

to the openness of the Green Belt and its relation to the conservation area in what is a distinctive village setting, as evidenced by the Vales' own landscape capacity study, mean that it seems impossible justify these changes based on NPPF rules. Recent Government guidance from Nick Boles reinforces the fact that this interpretation is correct and that 'exceptional circumstances' are required to justify such important and permanent loss of protection and therefore that Green Belt boundary changes which 'serve no purpose' should be disallowed by the Inspector. Summary 4.(1) Legal Compliance: I am not a lawyer but I would be surprised if the Vale Local Plan were compliant with the law given its failure to properly consult with or inform local people or with its duty to work within NPPF guidelines and heed Government policy. If they are able to get away with what they are doing within the technicality of the law then this does not say much for the quality of the legal framework around local planning. 4.(2) Soundness: The Vale Local plan is clearly unsound with respect to its policy on the Green Belt which seems to be to make boundary changes even where they 'serve no purpose' (Vale's own judgement of two of the proposed changes around Cumnor). Indeed none of the boundary changes around Cumnor serve any purpose as far as anyone can see other than future development which is inconsistent with NPPF policy and the otherwise acceptable policies for Cumnor outlined in the Local Plan 'development in existing built areas only'. 4.(3) Compliance with duty to co-operate: The Vale has ignored recent central government clarifications of the NPPF with regard to Green Belt boundary changes. It has failed to consult local people or their representatives in preparing the draft Local Plan or in reviewing the Green Belt boundaries and has failed to respond to representations by large numbers of people regarding Green Belt boundary changes and has failed to comply with recent clarifications of Government policy by the relevant Ministers regarding how the NPPF should be interpreted with regard to Green Belt policy. It has also distributed public information which is misleading both in the map it contains which strongly suggests that the Green Belt is unchanged apart from the specific development sites and in its use of words which fail to mention that Green Belt protection will still be removed in all the areas indicated in the original draft local plan. Approving Green Belt boundary changes around Cumnor which 'serve no purpose' with so little transparency suggests to some that there is a shadow plan for development of Cumnor which does not respect the specific policies laid out in the public version of the 2031 Local Plan.

**Q5 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 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.**

It should be unambiguously stated in the Local Plan that consistent with the Local Plan policy for Cumnor, no Green Belt boundary changes will be made in or around the village. More specifically it should also say that land packets 4,5,6 and 24 identified in the Green Belt Review will remain within the Green Belt. These changes could be made on page 63 but one would have to check that the rest of the document is also consistent with this.

**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.**

**Q6 If your representation is seeking a modification, Yes - I wish to participate at the oral examination do you consider it necessary to participate at the oral part of the 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.

**Q7 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

The Vale's lack of due process has undermined people's faith in local democracy and in the effectiveness or veracity of Government policy towards the Green Belt. It is important that some of us local people are present to see whether justice is done or not. Permanence was meant to be a key feature of the Green Belt and why it is so popular with the public? once gone it will never come back. Something as critical as this should be taken much more seriously than appears to be the case so far. I would like to witness the rigour of approach that has been so lacking to date so that my faith in Government and due process can be restored.