



Examination in Public Statement Stage 1 - Matters and Questions

In respect of:
Matter 1 Duty to Co-operate and other legal requirements

On behalf of:
The Gow Family



1.0 Introduction

- 1.1. McLoughlin Planning is instructed by The Gow Family (hereafter referred to as the respondents) to make written representations to the Vale of White Horse Local Plan Examination in respect of its land and development interests in the village of Appleton.
- 1.2. This document sets out the respondents' position in respect of the Stage 1 questions posed by the Inspector for Matter 1, Questions 1.2 and 1.3 only.

Question 1.2

Are the likely environmental, social and economic effects of the plan adequately and accurately addressed in the Habitats Regulations Assessment and the Sustainability Appraisal (SA)?

- 1.3. The respondents consider that the SA does not adequately and accurately address the environmental, social and economic effects of the Plan, in respect to the development of non-strategic development sites in green belt locations. This is a considerable omission in the SA process in that Policy CP4 of the Plan sets out that there is a requirement for "up to 1000" homes to be delivered through non-strategic allocations secured (*inter alia*) through LPP2.
- 1.4. need for the SA to consider the likely impacts of non-strategic green belt development. This is because the development of housing sites in the green belt can only be secured via the land being released from the green belt, through the development plan process. Matters relating to housing land supply are not considered sufficient to present "very special circumstances" to allow green belt sites to be developed outside of a local plan review. Most recent evidence of this is the Ministerial decision on Harpenden Road, St Albans decision (PINS reference 2180486 and 2201728).
- 1.5. Paragraph 3.3. of the SA makes it clear that the scope of the SA is that it assumes the Plan is implemented "as written" and that there are no specific consideration of the risks associated with a two-part local plan approach. This highlights a weakness with the SA in terms of how it deals with non-strategic development sites in the green belt, when the Local Plan makes it clear in Policy CP13 that there is a need to release land from the green belt. The SA considers policy CP13 as having a "minor positive", but there is no indication as to which settlements will benefit from this policy, or how the housing will be provided, given that Policy CP4's 1,000 dwelling allowance will be reduced depending on planning applications on sites elsewhere in the District (Policy CP4 footnote b). The respondents take the view that CP13 combined with loss of housing from CP4 means that whilst a "minor benefit" could be



achieved, this is at risk if the 1,000 units are achieved on other sites, outside of the green belt, thus removing the need for housing sites to be released in the green belt. This could lead to “minor negative” effect in that the villages in the green belt are unable to develop and expand in order to meet other policy objectives, notably paragraph 55 of the Framework.

Does the SA test the plan against all reasonable alternatives in terms of the overall requirement for land for housing and employment (see also Matters 2 and 4) and its broad spatial distribution (see also Matter 3)

- 1.6. The respondents have no comments to make about the reasonable alternatives assessed for the overall requirement for land for housing and employment purposes, save for the fact that the Plan’s housing target is supported as a starting point.
- 1.7. However, in terms of reasonable alternatives and the broad spatial distribution of housing, the respondents wish to make the following observations about the SA.
- 1.8. The SA is hampered by the fact that decisions have been made with the Local Plan process to split it into two parts, Part 1 being a strategic allocations document and Part 2 (to be produced at some point following adoption of Part 1) dealing with non-strategic options.
- 1.9. This split does not allow the SA to properly consider the positive and negative impacts associated with green field green belt housing sites adjacent to villages and the ability of the plan to realistically deliver housing in those locations until such time as Part 2 is adopted. In considering reasonable alternatives, the SA should have looked at green belt village development in more detail to better understand the positive impacts arising from the release of green belt land for housing, against the objective of keeping the green belt open and the risks of not releasing land at green belt villages.
- 1.10. As an example in Sub Area strategies Abingdon on Thames and Oxford Fringe p63 Core policy 13: The SA fails to consider the impact of not allowing for development in Green Belt areas. For example larger villages such as Botley, Cumnor, Wootton and Kennington benefit from being on bus routes which service the community throughout the day. Farmoor is fortunate to be on the bus route which links Oxford with Eynsham, Witney and Carterton and Radley is fortunate to be located on a bus route linking Oxford with Abingdon such that both these smaller villages have regular bus service every 15 to 20 minutes throughout the day. Radley also has a train service.
- 1.11. Appleton (with about 400 houses) by contrast is just off the main A420 arterial highway and because of the lack of development over the past 30 years, as such the



bus service has become very much more restricted over the years such that Besselsleigh a small hamlet of less than 25 houses being on A420 actually has a far better bus service than Appleton with a regular daily service with buses twice an hour.

- 1.12. By way of example, the respondent's land interests in the village of Appleton relate to a parcel of land which has been identified by the Green Belt Review (CD NAT03 page 3, site 7). There is nothing in the SA which considers the release of such land or others in identified settlements of a non-strategic nature.

Is it appropriate for the plan to include only strategic policies and site allocations and for detailed planning policies and non-site strategic allocations to be devolved to a Part 2 Local Plan document? Is there a clear justification for this and does it accord with national policy?

- 1.13. The respondents consider that it is inappropriate for the Plan to devolve the question of non-strategic planning policies and site allocations to a Part 2 document for the reasons set out below.
- 1.14. Notwithstanding the contents of the LDS, the presence of a two part Local Plan presents an unnecessary administrative burden on the Council, more akin to the requirements under PPS12, where there was a clear differential between providing strategic and non-strategic sites. Guidance paragraph 157 (bullet points 4 and 5) make it clear what the "crucial" responsibilities of the Local Plan are.
- 1.15. In respect of the strategic/non-strategic site issue, there is nothing the NPPF which prevents the Plan from allocating all the housing sites required for development, irrespective of size. Furthermore, it does not assign a threshold between what is strategic and what is non-strategic.
- 1.16. The need to make allocations in the Plan is underlined by the 5th bulletpoint, as it specifically requires sites to be allocated for development.
- 1.17. In terms of PPG guidance, paragraph 002 makes it clear that there is a need to show what is going to happen, where, when and how. By failing to allocate all the sites required in Part 1, there is uncertainty about 1,000 units of housing land supply in the District. This is important in respect of the release of green belt non-strategic housing sites in the District. The Local Plan and the Green Belt Review have a clear expectation that non-strategic sites will be released from the green belt, adjacent to green belt villages. Otherwise, Policy CP13 would not have been drafted in the way it was. The Review makes a series of recommendations for releases to take place. This satisfies the "what" test and in some part the "where" test in paragraph 002. However, as the Plan does not make any prescriptive allowance for the release of green belt sites, it is not possible for the Plan to pass the "when and how" test. As



set out in other responses, Part 2's housing requirement will be controlled by the residual housing requirement in Policy CP4. For example, if between the adoption of the Plan and the publication of Part 2, all of CP4's housing has been accounted for through the consenting of non-strategic sites elsewhere, then there is no housing requirement to justify the release of non-strategic sites from the green belt. This means that such sites are not only unfairly prejudiced by the Plan making process but the communities will continue to stagnate. This in turn means that green belt villages cannot expand and fulfil their roles as anticipated by paragraph 55 of the Framework.

- 1.18. Against this backdrop, there is no obvious justification in the submitted LDS or Plan, which supports the Council's approach in this respect. Therefore, the approach taken by the Council, whilst endorsed in the LDS, is not justified by evidence. The Plan's approach in this respect is no longer considered to be consistent with national policy in respect of the allocation of land. If the Inspector agrees with the respondents' position then it is possible for further site allocations to be made through the modifications process.



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