



MATTER 5: Proposed Revision of Green Belt Boundaries (and Policy CP13)

Weds 3 February 2016

Vale of White Horse Local Plan 2031: Part 2 - Examination

HEARING STATEMENT on behalf of Arnold White Estates Ltd

Project reference	GP 006	Date	11 December 2015
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Appendices

GPL M5/

1. Oxford Growth Board Report 17 November 2015

1.0 INTRODUCTION

- 1.1 This is a Hearing **Statement** submitted to the Inspector holding the Stage 2 Examination of the Vale of White Horse **Local Plan (LP)** 2031 in February 2016. It is submitted by Gardner Planning Ltd (**GPL**) on behalf of Arnold White Estates Ltd (**AWEL**) which is a development promoter with land interests in The Vale of White Horse (**VWH**) District. GPL/AWEL made a detailed response to the Local Plan Publication Version in December 2014, and participated in the Part 1 examination.
- 1.2 This Statement responds to the Inspector's initial questions in order to inform the Examination and as a starting point to the round-table hearing session. The text is within the 3,000-word limit although the quotations, front page and references may make it a little longer.

2.0 Background

- 2.1 In common with many areas and Local Plans there is a large urban area (Oxford) surrounded by Districts (including VWH District) which is recognised as a Housing Market Area (**HMA**). Oxford needs cannot be met within its boundary and these unmet housing needs should be absorbed by the surrounding Districts through the mechanism of the Duty to Cooperate (**DTC**), which the National Planning Policy Framework (**the Framework**) requires as a replacement for regional/local planning of pre-2011/2012. The housing numbers were dealt with in Matter 4.
- 2.2 The Matter 4 VWH Statement states as follows

4.3.6 The identified Objectively Assessed Need for housing for Oxford City is between 24,000 and 32,000, the Oxford City Strategic Housing Land Availability Assessment (SHLAA) identifies capacity for around 10,000 homes, thus leaving an unmet need in the range of 14,000 to 22,000¹.

4.3.9 If it is assumed that each district accommodates up to one quarter of the unmet need² we might conclude that the range of Oxford City unmet housing need

¹ EIP Library Ref: HOU09 - HDH Planning & Development Ltd (2014). Strategic Housing Land Availability Assessment (SHLAA)

² The actual level of unmet need to be accommodated within each district will be determined through the Duty-to-Cooperate process being driven by the Oxfordshire Growth Board.

for the Vale to accommodate would be unlikely to be less than 2,000 and very unlikely to be more than 5,500.

2.3 VWH Cabinet 7.8.15³ agreed to take a mid-point of 3,000 homes (para 13) and to examine the ability of the three sub-areas to accommodate extra growth.

2.4 The Oxford Growth Board met on 17 November 2015 and received a report⁴ which includes

- a working assumption is that Oxford's unmet housing need is 15,000 homes
- the LUC Green Belt Study will be published shortly
- all studies will be completed by April 2016.

2.5 In the August Cabinet Report Sub-area 2 (South East Vale) had the stated disadvantages of

Unclear how development in this sub-area could contribute to unmet need in the medium term (some areas of sub-area relatively distant from Oxford/ A34 at or over capacity/ market capacity issues/ there would be a need for new and additional infrastructure to the currently identified package).

2.6 Sub-Area 3 (Western Vale) had a similar stated disadvantage:

Unclear how development in this sub-area could contribute to unmet need – relatively distant from Oxford, would not support sustainable access to Oxford/ services and facilities in sub-area are not sufficient to accommodate a significant increase in growth. Lack of spatial options to deliver unmet need due to the nature of the sub area and significant amount of growth already allocated at Faringdon, the main settlement.

2.7 This leaves Sub-Area 1 (Abingdon and Oxford Fringe) with the stated advantage (emphasis added):

Good opportunities exist to address unmet need in this sub-area in accordance with existing spatial strategy at all levels within identified range.

This sub-area borders the south and west of the administrative area of Oxford City and contains a large area of Green Belt designated land. It contains the market

³ Exam doc COR02

⁴ Attached as Appendix GPL M5 1

*town of Abingdon-on-Thames, the district's largest and most sustainable settlement, along with the Local Service Centre of Botley, located close to the western edge of Oxford City. It also contains a number of **the Vale's most sustainable larger villages** including Cumnor, Kingston Bagpuize with Southmoor, **Radley** and Wootton. There are already excellent public transport links to Oxford, **with a railway station located at Radley and proposed new park and ride facilities. Growth options could include a number small scale sites already identified as suitable for proposed release from the Green Belt** and/ or potential allocation of additional strategic urban extensions at sustainable settlements that are outside the Green Belt designation.*

- 2.8 This would seem to justify the position taken by VWH Cabinet in August⁵ to make provision for some 3,000 extra homes, and the favourite location to be the Abingdon and Oxford Fringe sub-area.

3.0 QUESTIONS 5.1, 5.2

Do the exceptional circumstances, as required by the NPPF (paragraphs 79-86), exist to justify the plan's proposed revision of the boundaries of the Green Belt, having particular regard to:

- (a) Housing Allocation sites 1, 2, 3 and 4?*
- (b) The land between sites 1 and 2, to the east of the A34?*
- (c) The land to be removed from the Green Belt but not allocated for any particular use?*

The Framework (paras 79 - 86)

- 3.1 Paras 79 - 82 set the national scene and repeat GB policy, now of some vintage.
- 3.2 **Para 83** states that Local Plan reviews can alter Green Belt (**GB**) boundaries in exceptional circumstances, but that GB boundaries are intended to be permanent and extend beyond the plan period.

Comment: the exceptional circumstances are

- that Government policy is currently, and repeatedly, to support a substantial increase in housing supply e.g. *"to boost significantly the supply of housing"*⁶

⁵ Exam doc COR02

⁶ Framework para 47

- Oxford must grow if it is to maintain its international position of educational, cultural and economic pre-eminence; it is surrounded by GB but it cannot accommodate its own needs within its administrative boundary so must find space around it, and close by;
- if GB boundaries were permanent (in perpetuity) then cities and towns like Oxford surrounded by GB would fail to meet their housing needs so would decline over time.

3.3 In order to meet the increasing national need for housing, settlements like Oxford would go into decline if not allowed to grow into the GB if necessary. The alternative would be to establish new settlements in parts of the country without GB, which is unrealistic. The 'new town' movement of the 1960s is unlikely to be repeated. In any event the location for new towns was often in the GB. This may not be the place to debate it (we have to operate within current policy) but it is becoming increasingly clear that the GB concept of the 1950s is no longer realistic.

3.4 **Para 84** states that in reviewing GB boundaries a 'sequential test' is suggested: urban areas inside the GB; settlements inset within the GB; settlements beyond the GB.

Comment: Oxford is unable to meet all its housing needs; areas beyond the GB are too remote to satisfy Oxford's needs; so the middle category (settlements within the GB) can provide the housing capacity. This is what the Plan proposes for sites 1 - 4, and should be extended to sites proposed for removal from the GB in category 5.1.(c).

3.5 **Para 85 point 1** states that GB boundaries should be consistent with the LP strategy 'for meeting requirements for sustainable development'.

Comment: as above - GB boundaries have to be changed in order to make provision for sustainable housing need.

3.6 **85 pt 2:** not to take out of the GB that land which must be kept 'permanently' open.

Comment: this introduces a welcome qualitative criterion which is often absent from a 'policy driven' GB. The GB never has been about the protection of quality countryside, but just space. The promoters of various sites proposed for exclusion from the GB will, no doubt, demonstrate that good quality landscape will not be harmed.

- 3.7 **85 pt 3 and 4:** identify areas of 'safeguarded land' taken out of the GB to meet 'longer term needs stretching well beyond the plan period' and make clear 'such land is not allocated for development' or granted planning permission in advance of another LP review.

Comment: this 'halfway house' approach cannot apply to the areas shown to be excluded from the GB but not allocated for development in the Abingdon and Oxford Fringe area (c) - there is a need for development of those sites to contribute to the '3,000 home' contribution to Oxford's unmet needs within the plan period.

- 3.8 **Questions 5.1 (c)** asks why some **sites are removed from the GB but not allocated for development**. This is a mystery and not well explained in Stage 1 by VWHDC. However, in one exchange the VWHDC Officer said that such sites had capacity for assisting in meeting Oxford's unmet need. VWHDC produced document HEAR 03 which mapped all sites to be removed from the GB including those allocated for development on the proposals map and in policy CP4.
- 3.9 The CP4 sites shown on the HEAR03 map are sites Q, R, U, V, W and X. The remainder are the sites proposed for removal from the GB but without allocation for development. They have a capacity of some 1,900 homes (which will be demonstrated in Matter 8) which could assist in making provision for Oxford's unmet need. The allocated sites have a capacity of 1,990 homes⁷ and are already included in the Plan's total for 'VWH only needs'.
- 3.10 The GB 'excluded but not allocated' sites cannot reasonably be withheld from immediate development because of the acute Oxford position. If the LP has identified these sites as

⁷ Policy CP4

not fulfilling a GB function, then it follows that their development will not adversely affect the GB.

- 3.11 **85 pt 5:** that altered GB boundaries will not need alteration again at the end of the plan period.

Comment: this is a very hard test - it requires LPs to not only plan for the plan period but for the period after that. Some pragmatism is surely needed.

- 3.12 **85 pt 6:** GB boundaries should follow recognisable and permanent physical features.

Comment: sites 1 and 2 (north of Abingdon) have indistinct boundaries and lie outside of the Abingdon northern bypass (a clear boundary) so failing the test of Framework para 85 pt6.

- 3.13 **Para 86:** GB should wash over villages which have an open character contributing to the GB, but if needing protection from development for other reasons then other means should be used (self-explanatory).

- 3.14 **Question 5.1 (a)** asks do these tests apply to sites 1 - 4 (north of Abingdon and north-west of Radley. This Statement submits that they do, but these sites (allocated for development) do not go far enough in meeting Oxford's unmet housing needs.

Questions 5.2 and 5.1 (b)

Is it soundly based for Housing Allocation site 2 to include an area of land designated as Green Belt?

(b) The [unallocated but removed] land between sites 1 and 2, to the east of the A34?

- 3.15 These concerns are about what may be anomalies in the zoning of the sites 1 and 2 north of Abingdon, to which I add 'why are there two site 1s and two site 2s, and how is this reflected in Policy CP4? Perhaps VWHDC will explain. We return to this in Matter 8 in terms of delivery.

4.0 Matter 5.3

Does the plan adequately identify the revisions to the Green Belt? boundary that it proposes?

- 4.1 There is some confusion about the area north of Abingdon, mentioned above. Otherwise the Proposals Map is reasonably clear but could be assisted by a plan similar to that in HEAR03. The Plan would also benefit from some commentary on the appropriateness and delivery of all these sites.

5.0 Matter 5.4

Is policy CP13 soundly based?

- 5.1 Policy CP13 seems to be a mixture of identifying which existing settlements are excluded from the Green Belt, together with extensions which are proposed to be removed from the GB, of which only some are allocated for development.
- 5.2 It then goes on to effectively repeat the exceptions to the general presumption against inappropriate development contained in the Framework para 89, adapted for local circumstances.
- 5.3 The point about two classes of site removed from the GB has already been addressed above. As these areas are no longer in the GB then the restrictions on development no longer apply.



Matter 5 AWEL Statement

Appendices

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1. Oxford Growth Board Report 17 November 2015

Post SHMA Strategic Work Programme Update

Purpose of the Report

1. To provide the Growth Board (the Board) with an update on the Post-SHMA Strategic Work Programme (the Programme).

Background

2. The Board, at its meeting on 30 July, endorsed a revised version of the Programme, designed to consider the implications of the Oxfordshire Strategic Housing Market Assessment and associated issues of unmet housing need in Oxford, in line with the Duty to Co-operate.
3. This report updates the Board with progress against this revised Programme. A Programme summary is attached as an Appendix.

Assessment of the unmet need of Oxford City

4. The first key project within the Programme was to agree the figure for unmet need in Oxford City. This was done by asking the critical friend to critique the Oxford SHLAA, the Cundall report commissioned by South, Vale and Cherwell, the Oxford response to this and any other relevant information
5. Following consideration of the report all authorities agreed a working assumption of 15,000 homes for Oxford City's unmet need. All authorities agree to work towards this in good faith, based on the previously agreed process which includes the review of the Oxford City's Local Plan.
6. The Board should note that the working assumption of 15,000 is a working figure to be used by the Programme as a benchmark for assessing the spatial options for growth and is not an agreed figure for the true amount of unmet need.

Confidentiality Agreement

7. All council partners on the Board have now signed a Memorandum of Understanding to respect the confidential nature of information and opinion shared within the Programme. The MOU includes agreement on a common and shared approach to FOI requests coordinated through the lead authority.

Communications protocol

8. All council partners on the Board have signed a communications protocol that sets out how the partners will collectively manage communication of the Programme as it progresses.

Green Belt Study

9. The partners appointed a consultant, Land Use Consultants (LUC) to undertake a study that will provides supporting information for future Local Plan reviews of the Green Belt if required.
10. The study does this by examining the performance of identified land parcels agreed by the districts against the five statutory tests of green belt suitability, a necessary precursor to any potential formal review.
11. At the Board meeting on 30th July the timetable for completion of this project was estimated to be the end of September. However delays have been experienced and the final report was not received until 13th November.
12. The next stage will be to publish the report and then examine whether the information in the study informs any potential spatial growth options as part of the testing of those options.

Strategic Options Development and Assessment

13. Following a check and challenge sessions on 30th October, a list of potential areas of search has now been drawn up by the partners. This is a long list of all possible areas of search that will be subject to a number of tests to examine their potential suitability for consideration as growth options.
14. The next stage of the project will be carried out by consultants appointed to carry out the spatial options testing. It is anticipated that they will present findings to the partners for check and challenge in the new year and completion of the project in March 2016.

Infrastructure Assessment

15. A draft brief for the appointment of consultants to carry out the infrastructure assessment has now been agreed by partners. The appointment process will follow with a timetable for a consultant to be in place by the end of the year and work to be completed by the end of April 2016.
16. Officers have also commenced detailed discussions with key stakeholders such and the Environment Agency and power suppliers about the need for assessment of the implications for the various growth options as they emerge

Growth Board 19 November 2015

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and this consideration will form key components of the infrastructure assessment.

Conclusions

17. The revised Programme attached as an appendix to this report demonstrates the progress made to date but also recognises the slippage.
18. Officers believe however that the fact that the partnership now has a clear working position on the level of unmet need for Oxford, together with a realistic deadline for the assessment of the strategic options for growth and their infrastructure requirements and implications, means that significant progress has been made with the Programme since officers last reported to the Board.
19. Officers acknowledge that the Programme has experienced slippage but remind the Board that the original timetable was always considered highly ambitious. Officers now believe that the revised timetable is realistic, albeit continuing to be challenging and have committed to ensuring that any opportunity to foreshorten the Programme to reduce the slippage will be taken.

Recommendations

20. Officers ask the Board to note both progress of the Programme to date and the fact that it will not be achieved without the full continued commitment of all partners to the Programme, and to reaffirm that commitment.