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Vale of White Horse Local Plan 2031 - Part 1 - Examination

RESPONSE ON MATTER 6:

Proposed Housing Sites in the North Wessex Downs Area of Outstanding Natural Beauty

***(Matter 6.2 now covered in Matter 9 - Strategy for South East Vale
Sub-Area)***

SUMMARY

The plan is unsound because:

The Council is wrong to seek to accommodate the SHMA in full, and the then unquantified overspill of the SHMA from Oxford, as it was wrong, with its fellow Councils, to accept an obligation to fulfil the SHMA before it had been written.

To do so is inappropriate in a District which is 40% AONB and Green Belt, and in which the undesignated countryside is also largely of high environmental and economic value.

The SHMA itself accepts that housing need may not be capable of being met in full, as its authors are statutorily prevented from considering even obvious constraints, like the AONB and Green Belt.

If the Council increased the density of development elsewhere in the District to accommodate the housing it has allocated to the AONB, or showed that the harm from doing so would be unacceptable, they would be secure from challenge by opportunistic developers.

6.1 Having regard to the exceptional circumstances and public interest tests set out in para 116 of the NPPF, are the Strategic Housing Allocations (sites 12 and 13) proposed in the AONB soundly based?

CPRE considers the Plan unsound as it does not comply with national policy that specifically seeks the conservation and enhancement of nationally protected landscapes such as the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

Policy supports the reduction of housing targets to the extent that they could not be met without impinging on AONBs. If the Vale SHMA cannot be met in full without incursion into the North Wessex Downs AONB, then the Vale is under no compulsion to meet it, and would have a ready defence at appeal. The Council should reduce its overall housing target so as to avoid any incursion into this protected area.

We would like to take this opportunity to reiterate our original response to CP44 of the Vale Local Plan, December 2014:

'We support the view of the North Wessex Downs AONB Management Board and the Save Chilton Village submission that the Vale have neglected their legal responsibilities under the NPPF, paragraphs 115 and 116, the CROW Act 2000, Section 85, and the North Wessex Downs AONB's statutory Management Plan 2009-2014, and that the proposal for building 1,400 houses at the two sites in the AONB by the Harwell Science site should be struck from the Plan and the Inspector instruct the Council to withdraw this proposal for encroaching on the AONB.'

Modification: The sites proposed for house building in the AONB should be withdrawn and the total Plan reduced accordingly.

We further request the removal of the North Wessex Downs AONB entirely from the Science Vale 'Ring fence' in order to protect it from future speculative development should the Science Vale fall behind in delivery of its housing targets.'

6.1(a) What is the need for the housing development, including in terms of national considerations?

We believe there is no local 'need' for this housing development in this location.

CPRE supports the view expressed by the North Wessex Downs AONB Management Board in its Plan representations, December 2014:

'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.'

Whilst we understand the pressures on housing delivery within the Vale District we do not understand the need for such a substantial housing allocation at Harwell Campus. The Vale should review its proposal for housing for a population of 3,220 people on greenfield Grade 2 agricultural land in the open countryside at Harwell Campus in this nationally protected landscape that does not relate to an existing settlement and which will result in real long lasting harm to the character and qualities of the AONB.

Harwell Campus is also a specific area that the AONB have highlighted as being an open landscape with particular vulnerability to large scale development.

If a reasonable level of housing is required to meet the local needs of Harwell Campus, there is considerable scope within the existing Campus boundary, without the need to expand it outward into the open landscape of the nationally protected AONB.

In the Vale's response to the Inspector on building in the AONB, the Council recognises that the local need at the Harwell Campus is essentially for staff 'often funded on a fixed-term basis', and by nature 'a transient workforce', with specific housing needs.

Para 5.2.11 states: 'Harwell Campus is an internationally significant centre for research and innovation. It therefore has a high proportion of both international and academic staff, who will work on site for fixed periods of time, and who have a need for accommodation that can be easily accessed and that is affordable. Scientific research is often funded on a fixed-term basis and will be carried out by post-graduate or post-doctoral researchers. This combination leads to a transient workforce who do not have unlimited funding for accommodation.'

Para 5.2.12 states: 'the type of accommodation needed at Harwell Campus is different to a standard housing estate.'

We believe Harwell Campus has enough 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 to meet local 'need' 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 Plan (paragraphs 5.61 to 5.64) does not justify the size of the proposed housing allocations into the AONB. The appropriate tests of Paragraphs 115 and 116 of the NPPF have not been met.

CPRE supports the view expressed by the North Wessex Downs AONB Management Board in its Plan representations, December 2014:

'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.'

In summary - CPRE believe some housing for local 'need' could be accommodated within the existing Harwell Campus boundary without the need for substantial loss of green field sites outside Harwell Campus on Grade 2 agricultural land.

Alternative sites should be found outside of the AONB to meet any strategic housing need.

6.1(b) What is the likely impact of permitting, or refusing, the housing development on the local economy?

Refusal would have no negative impact as there is no existing community - the Harwell Campus is simply an employment site, not an existing community with schools, services and existing facilities - and if the housing development is permitted, it is likely to require far more development to support it.

CPRE supports the view expressed by the North Wessex Downs AONB Management Board in its Plan representations, December 2014:

‘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.’

As there is no existing settlement at Harwell Campus itself, we believe 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.

We believe this proposal is not intended to meet local need, but is part of a specific long term strategic aim of the Council to expand Harwell Campus out into the AONB as a “new town”. The Council previously acknowledged that this initial allocation of 1,400 homes will pave the way for a future reserve site for an additional 2,000 homes.

By placing the AONB within a proposed “Housing Supply Ring Fence Area” we believe the Council’s future intentions are to expand Harwell Campus for even more housing.

6.1(c) Is there scope for providing for the housing development outside of the AONB?

It is possible there is scope for providing for the proposed housing development outside of the AONB, but we believe the Vale hasn’t engaged properly with the issue of alternative sites.

The Vale itself admits that ‘the unique housing requirement for Harwell Campus could be provided offsite’ (para 5.2.20, Vale Council, ‘Alterations to Green Belt Boundaries and Proposed Housing Development in the North Wessex Downs AONB’, August 2015), but chooses instead to see the ‘clear advantages for onsite provision’.

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.

The submitted Plan has failed to follow correct procedures and apply the policy tests for deciding on housing land releases in AONBs. These have been confirmed by the High Court in the Mevagissey decision.

In the Mevagissey High Court decision, Mr Justice Hickinbottom acknowledged the "pressing need" for more affordable housing in Mevagissey, but said it was not clear that the planning committee had correctly applied planning policies designed to protect areas of outstanding natural beauty.

The Judge said the committee gave no indication that it had given "great weight" to preserving the area's scenic beauty and it was also far from clear that councillors had "engaged with the issue of alternative sites".

The Judge concluded: "The reasons did not evidence that the committee members had properly understood or applied the relevant policies...the committee members appear not to have considered alternative sites at all."

We believe that even if the Vale were able to demonstrate that there was no scope for providing for the housing development outside of the AONB, this is not an excuse for putting it within the AONB - the SHMA makes it clear that the proposed housing figures should be balanced against environmental and social constraints, such as AONBs - as such, the housing numbers should be reduced accordingly.

Choices have been made in the preparation of the Plan which apply pressure for housing land supply within the AONB; CPRE believe the Plan should have been developed in such a way which avoided conflict with national AONB policy. The North Wessex Downs designated area covers 23.4% of the District. We believe there is no inherent need to search for strategic housing sites with the AONB.

Arguing that the 'size of the housing target for the Science Vale locality' (see below) is a justification for building in the AONB misses the point - the housing numbers in the SHMA are not 'targets', they are merely proposed housing figures, part of the 'evidence base' upon which to determine the Vale's overall housing need.

In the Vale's response to the Inspector, it states (para 5.2.17):

'Given the size of the housing target for the Science Vale locality and the limited number of alternative site options available, and because there are some market capacity issues, particularly at Didcot, there are no more appropriate, sustainable and deliverable options for locating the housing proposed at Harwell Campus. Therefore seeking to relocate the housing would significantly jeopardise the Oxfordshire Strategic Economic Plan and the wider Government Economic Plan to deliver innovation-led growth at such an important site.'

In summary - CPRE believes the Council is in error to seek to develop AONB land, notwithstanding that it may fall short of its self-imposed housing targets if it does not do so. In practise we believe that housing targets could be met, or more nearly met, without use of AONB, although this is not the core of our argument.

6.1(d) What is the likely effect of the development on the environment, landscape and recreational opportunities having regard to the potential for moderation?

The proposed development is by any standards a very large one - indeed the North Wessex Downs AONB claim it may be the largest greenfield housing allocation within

any protected landscape, AONB or National Park, in the UK (Circulation Letter, December 2014) - and as such is a threat of national importance to the integrity of AONB protection.

We are aware that Natural England has also expressed their fundamental concern over the Vale's proposals at Harwell Campus.

The Council is under a legal duty under Section 85 of the CROW Act 2000 to conserve and enhance the character and qualities of the AONB and accordingly afford it "great weight" in any decision. The Council is also a member of the AONB Partnership and has approved the statutory Management Plan for the AONB.

The Sustainability Appraisal (SA) states at para 45:

'Two sites (17 - East Harwell Oxford Campus and 19 - North West Harwell Oxford Campus) would lead to significant negative effects. This is due to the increase of noise and light pollution in the AONB in combination with employment growth at Harwell Oxford Campus.'

However, the SA fails to get to grips with the importance of the CROW Act 2000 and NPPF policy (in particular paragraphs 115 and the exercise required at paragraph 116) in relation to AONBs as a nationally protected landscape. The appraisal fails to ask whether the proposal is compatible with AONB policy, instead it makes a judgement about the generality of 'landscape versus housing & employment growth' across the Vale. The finding of an absence of significant environmental effects is because no attempt was made to examine impacts on the AONB specifically. It should be noted that the starting point for considering "major development" in AONBs, which this development clearly is, according to paragraph 116 of the NPPF is that it should be "refused."

In summary - CPRE believes the scale of this proposal would result in a severely damaging effect on the AONB, environment, the landscape and recreational opportunities, incapable of moderation.

6.2 (now covered under Matter 9)

Would the alternatively proposed housing site at Harwell Campus:

(i) accord with the exceptional circumstances and public interest tests?

(ii) more appropriately meet housing needs?

The Harwell Campus Partnership is suggesting alternative proposals for housing development on the northern side of the campus, on Enterprise Zone designated land.

The Partnership is proposing the Vale delete from its Plan the East of Harwell Campus site for 850 dwellings, and instead increase the number of dwellings proposed for the North West of Harwell Campus site from 550 to 1,400.

The Partnership's alternative proposal is for 1,400 dwellings across 6 parcels of land to the north and west of the Harwell campus (see Plan KK1 in the Statement on behalf of the Harwell Campus Partnership, regarding Matter 3, August 2015).

The Statement on behalf of the Harwell Campus Partnership, regarding Matter 3, August 2015, outlines the area identified:

12. 'Based on the master planning work done to date, the Partnership has identified 46.74 hectares of the Campus (out of a total 292 hectares for the campus as a whole) that is suitable and available for residential development, just over 60% of which is previously developed and all of which, save for the green field element of the North of Harwell allocation, is already earmarked for development in the adopted Vale Local Plan 2011. This land comprises 6 distinct parcels of land A - F. These parcels are identified on Plan KK1 and described in Figure 1 below [Figure 1: 'Areas Suitable for Residential Development' in the Statement on behalf of the Harwell Campus Partnership, regarding Matter 3, August 2015]. They fall partly within the EZ at Harwell, partly within the area highlighted under saved Policy E7 in the adopted Local Plan 2011 relating to development at Harwell Campus and wholly within the ring-fenced area for Harwell proposed under Core Policy 5 in the new Plan.'

In the Statement on behalf of the Harwell Campus Partnership, regarding Matter 2, August 2015, the economic argument is outlined:

21. 'The Partnership's position is that the Plan's assumption that approximately 23,000 jobs will be delivered between 2011 and 2031 is soundly based and supported by robust evidence *but that this number of jobs can be accommodated on significantly less than the 219 hectares of land referred to in Policy CP6.*' (emphasis added)

26. 'In addition, further long-term employment land will become available at the Harwell Campus as land within the 'licensed site' is progressively decommissioned.'

In summary, Para 27 states: 'the Harwell Campus can meet its Local Plan jobs target and can also accommodate the additional 850 homes (over and above the proposed North-West of Harwell allocation for 550 homes).'

In the Statement on behalf of the Harwell Campus Partnership, regarding Matter 3, August 2015, the environmental and social arguments are also outlined:

4. 'The Harwell Campus is central to the future growth and success of Science Vale. The Campus is identified as a focus for employment (Core Policy 6) and housing growth (Core Policy 4). *However, to be justified and effective and to meet in full the Government's three dimensions to sustainable development,*

the Local Plan should maximise the potential for integration between job growth and housing but in a way that minimises the impact on the environment.' (Emphasis added)

6. 'In the context of the development plan, fully integrated employment and housing allocations at the Harwell Campus are the only way of meeting in full the Council's objectives of ensuring that:

- Sufficient homes are provided to help meet the future labour supply requirements of the local economy;
- Making full use of brownfield land;
- The housing allocation that is intended to support growth at the Harwell Campus is tailored to meet the Campus's specific needs; and
- The necessary growth is delivered as sustainably as possible, ensuring there are enough jobs and new facilities provided alongside new homes *whilst also minimising any harmful impacts.'* (Emphasis added)

However, the Council 'do not consider this proposal to be either a reasonable or realistic alternative'.

In the Vale's response to the Inspector, it states (para 5.2.18):

'The Council is aware that a proposal has been made to locate housing within the existing Harwell Campus site on Enterprise Zone designated land. The Council do not consider this proposal to be either a reasonable or realistic alternative; the Enterprise Zone has been designated for a specific purpose, to support innovation led growth, and forms part of the Government's Economic Strategy. The use of Enterprise Zone land for housing would lead to significant harm to the Oxfordshire Strategic Economic Plan, the Government's Economic Strategy and the ability of the Oxfordshire Local Enterprise Partnership to generate EZ Business Rate income, which is essential for delivering critical infrastructure.'

However, it is evident that even if the Council were to agree to locate all of the proposed housing (1,400) within the existing Harwell Campus site, this wouldn't mean the site to the East of Harwell Campus would be protected from development. The Partnership makes it abundantly clear in para 9 in the Statement on behalf of the Harwell Campus Partnership, regarding Matter 3, August 2015 (see below), that it would only be a matter of time before the site to the East of Harwell Campus would be identified for employment purposes, since 'the land to the east also occupies a strategic location as the obvious long-term candidate for the expansion of the campus':

'...the land to the east also occupies a strategic location as the obvious long-term candidate for the expansion of the campus and, particularly, as the expansion land for nationally important 'big science'. Such important potential should not be prejudiced by more footloose residential development - particularly when the land is available actually within the Campus. The land to the north and northwest of the Campus has been recognised as suitable for housing development in the emerging Local Plan but, due to its topography and tree cover it is not well suited to large scale employment uses.'

The Partnership's arguments about the economic, social and environmental benefits of locating the proposed housing within the Harwell Campus site therefore ring rather hollow when read in conjunction with its clear expansionist plans.

In summary - while it may be that the Partnership's proposal to site all of the proposed housing (1,400) within the Campus site is preferable to siting some of

it (850) on the site East of Harwell, it would still impact unacceptably on the AONB, through both its size and density.

If all the housing were to be accommodated within the Campus site an undertaking to protect the site east of the Campus from future expansion would be essential.

END