



**Local Plan 2031 Part 2**  
Publication Version  
Representation Form

Ref:

(For official  
use only)

Name of the Local Plan to which this representation relates:

Vale of White Horse  
Local Plan 2031 Part 2

Please return by 5pm on Wednesday 22 November 2017 to: Planning Policy, Vale of White Horse District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email [planning.policy@whitehorsedc.gov.uk](mailto:planning.policy@whitehorsedc.gov.uk)

This form has two parts:

**Part A** – Personal Details

**Part B** – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

## Part A

### 1. Personal Details\*

\*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Title

First Name

Last Name

Job Title (where relevant)

Organisation representing (where relevant)

Address Line 1

Address Line 2

Address Line 3

Postal Town

Post Code

Telephone Number

Email Address

### 2. Agent's Details (if applicable)

**Sharing your details:** please see page 3

## Part B – Please use a separate sheet for each representation

Name or organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

8a

Policies Map

4. Do you consider the Local Plan is: *(Please tick as appropriate)*

4. (1) Legally compliant

Yes

No

4. (2) Sound

Yes

No

4. (3) Compiles with the Duty to Cooperate

Yes

No

5. Please provide details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. 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 Cooperate, please also use this box to set out your comments.

All comments contained in this form are distilled from the enclosed letter.

The choice of allocating a further major housing site in the village of East Hanney, which until recently was largely within Flood Zone 2, fails the core principles of the Sequential Test.

It also does not reflect recent appeal outcomes and risks allocating a site which will not deliver anything like the quantum of housing that justified the allocation in the first place.

The site will, once all constraints are explored and assessed, fail to deliver the number of housing expected of it. Road Noise, POS requirements, Flooding, Green Infrastructure and other demands of the land will render the site as a housing deficit during the local plan.

To compensate for the small Net Developable Area, the applicants will need to create a high-density scheme on the edge of the village which is in an exposed aspect close to transport links. As such, and noting the views of Inspectors at nearby Appeals, Planning Officers are less likely to support applications which seek to exercise the full allocation. Accordingly, promoters may be (upon analysis) deterred from bringing forward plans.

The allocation of this site is therefore considered to be fundamentally flawed from a Policy, Legislative and practical sense.

It's removal is therefore recommended

Please refer to separate covering letter which articulates the other issues with the site.

(Continue on page 4 /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at 5 above. (NB Please note that any non-compliance with the duty to cooperate 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.

Removal of the draft allocation in favour of intensifying the Dalton Barracks allocation. Core Policy 8b states that the Barracks Site is a 288 Hectare part-brownfield site that is out of the FZ. The site also relates better to Oxford in Spatial Terms.

(Continue on page 4 /expand box if necessary)

**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.**

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

**No**, I do not wish to participate at the oral examination

**Yes**, I wish to participate at the oral examination

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

The Parish Council consider the proposed allocation so ajar with prevailing policy and lacking understanding of the particular site that some cross examination of the LPA's rationale is necessary. Several Inspectors have drawn firm conclusions as regards the importance of not "overwhelming" the village and these views remain a binding material consideration on plan making and decision taking.

**Please note the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the examination.**

Signature:

████████████████████

Date: Nov 18<sup>th</sup> 2017

### Sharing your personal details

Please be aware that, due to the process of having an Independent Examination, a name and means of contact is required for your representation to be considered. Respondent details and representations will be forwarded to the Inspector carrying out the examination of the Local Plan after the Publicity Period has ended. This data will be managed by a Programme Officer who acts as the point of contact between the council and the Inspector and respondents and the Inspector.

**Representations cannot be treated as confidential and will be published on our website alongside your name.** If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online, however the original representations are available for public viewing at our council office by prior appointment. All representations and related documents will be held by Vale of White Horse District Council for a period of 6 months after the Local Plan is adopted.

**Would you like to hear from us in the future?**

I would like to be kept informed about the progress of the Local Plan

I would like to be added to the database to receive general planning updates

Please do not contact me again

**Further comment:** Please use this space to provide further comment on the relevant questions in this form. **You must state which question your comment relates to.**

Please find attached a fuller representation

**Alternative formats of this form are available on request.** Please contact our customer service team on 01235 422600 (Text phone users add 18001 before you dial) or email [planning.policy@whitehorsedc.gov.uk](mailto:planning.policy@whitehorsedc.gov.uk)

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## Chartered Town Planning

Local Plan Representations

Planning Applications

Site Appraisals

Appeals

East Hanney Parish Council

East Hanney

Wantage, Oxon

Attn David Kirk Councillor, Stewart Scott Councillor and Guy Langton Clerk to the Council

### Representation to VoWH LP Part 2 Consultation Response

19th November 2017

Dear Andrew Maxted,

This letter is an objection to the decision to allocate East Hanney for Major development in the forthcoming Part 2 local plan on land to the West of the A338 for 80 units.

This report assesses this decision against national policy and recent appeal decisions terms of the following areas;

- 1) East Hanney's as a sustainable location for housing growth in spatial terms.
- 2) An assessment of the proposed allocation in terms of significant constraints
- 3) The incompatibility of the site with the emerging Neighbourhood Plan

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## East Hanney as a location for housing growth

The Vale have confirmed through the consultation for Part 2 of the Local Plan that EHPC's "target" housing number is 130 units, a figure that the Parish has already exceeded, some 223 new dwellings having been approved by the District Council within the Local Plan Period at the date of this objection.

It has been established through a somewhat tortuous process that East Hanney is not a suitable location for a large level of new houses. Specifically that a number of large-scale appeals have been dismissed in the Parish. Whilst it could be tempting to dismiss these outcomes as being site/development specific there are a number of important matters to draw to the attention of officers. Appeals at Steventon Road (P15V1846O) and Summertown (P15V1616FUL) were both dismissed by Secretary of State. Firstly, that each appeal was undertaken in the context of a housing land supply deficit which does not exist at the moment. This point is important; if the village was not considered favourable when the "tilted balance" was applied, what has since changed to draw a different conclusion?

Inspectors at both appeals took care to consider the spatial merits of the Village, it is therefore necessary to draw on their recent conclusions.

In Paragraph 38 of the Inspectors Report, the Inspector concludes that "*The scale of the proposals would overwhelm the modest scale of East Hanney*". Whilst it is understood that the Inspector is discussing a specific set of proposals, the proposals are also of a quantum (200) which were considered to be sufficient to "overwhelm" the village. To date 211 dwellings have already been approved in the Parish. A further 80 units would undoubtedly make the same harmful impact the Inspector sought to resist, even when Paragraph 14 was engaged.

The Inspector also noted at Paragraph 25 that "*The established grain of development generally has lower density on the edges of the village where it adjoins the countryside.*". Density is a strong indicator of the character of a development. Locations on the edges of villages should generally be more verdant to allow structural open space to intersperse with development. Accordingly where a site is partially constrained (for whatever reason) the remainder of the site must be developed to a higher density. It is this issue that is discussed later.

Meanwhile in the Steventon Road appeal the Inspector assigns much weight to "*protect[ing] the character of the Countryside and that of villages...to ensure they are not harmed by large scale development such as this*" (paragraph 37). Given that the allocation of 80 units in this village is in stark conflict with Policy H11 (of the 2011 Plan) and Core Policy 3 of the 2032 Plan it is difficult to see the rationale behind further larger scale development in this village.

In spatial terms the village is not well served by local facilities such as employment, retail and cultural or medical facilities. As such many day-to-day journeys will need to be made into and out of the Parish. The

expansion of housing numbers at Dalton Barracks, for example, will make for a sounder spatial choice due to its relationship with Abingdon.

**The proposed allocated site.**

The following passage has been lifted from the emerging NP which has undertaken an assessment of the various potential sites as part of the process of preparing a possible village boundary.



Assessment Criteria	Notes
Physical Constraints	Flood Plain. Noise from the nearby main road.
Village Morphology	The site would extend the village envelope in a linear fashion (elongating it) and place development pressure on adjacent land.
Heritage Constraints	Conservation Area nearby.
Landscape Impact	The site is exposed and linear in nature, the A338 is one of the main ways the village is accessed/viewed making this a more sensitive site.
Amenity Potential	Fair amenity potential due to the scale of the site. New amenity space could be provided within the site however this is eroded by the poor relationship of the site to the rest of the village.

Rural Character	Development of the site would not be compatible with the rural character and landscape, since new exposed housing would be erected on a key vista into the village. The urbanisation of this site would adversely effect character.
Ecology	Not assessed.
Other	Light pollution into the wider landscape. It is noted that land to the west of the A338 is part of the Consultation for the Part 2 Local Plan. A number of factors weight against this site including flooding and surface water issues. This site should not be progressed as the sequential test expects alternatives to be explored at the plan making stage.

The emerging Neighbourhood Plan will be precluding this site from development.

Setting aside morphology momentarily (this is discussed later) the prime planning constraint of the site is that of Flooding from Rivers. The wider area is part of a network of tributaries, watercourses and rivers that eventually form the Thames.

Indeed, the Planning Authority safeguard land elsewhere in the Parish for a new Thames Water reservoir (Core Policy 14a) as part of the Part Two Plan. This reinforces the concerns of the Parish who see a dichotomy between the choice to use land for the collection and storage of rainwater yet whilst within the same document, ignoring the recent Flood Zone 2 status of much the Site.

Reference to the Vale Strategic Flood Risk Assessment supports the view that the site is part of Flood Zone Two and as such is required to adhere to the principles set out in the Sequential Test as per Paragraph 7-020-20140306 of the PPG which is aimed at the Plan Making process. It states;

*“the Sequential Test should be applied to the whole local planning authority area to increase the possibilities of accommodating development which is not exposed to flood risk...”*

Accordingly, it is difficult to see how the Site can be seen as suitable since there are many other sites available in the District which are in Flood Zone One entirely. An exceptions test cannot be passed since there are ample other sites suitable for growth that do not flood.

A search on the Environment Agency website (as of November 10<sup>th</sup> 2017) shows that *part* of the site is in Flood Zone 2. This appears to have recently changed (without reference to superseded data) since it is known that the site frequently floods. Frequent flooding is a hallmark of a site being part of a functioning

flood plain and as such it's development would exacerbate flooding elsewhere in the flood plain by virtue of reducing the flood plain's area.

Given that nothing has fundamentally changed about the site for many years, any detailed Flood Risk Assessment undertaken on the site would struggle to locate a mechanism to remove surface water short of raising the slab level.

The Parish have provided the LPA with evidence of the site as being part of a Flood Plain, but to date this does not appear to have influenced the decision making process as regards strategic allocations.

Both Inspectors at the recent appeals assigned much weight to relationship of the development to the remainder of the village. In this instance, the site is not functionally part of the village and only has loose and sporadic development along one side. Accordingly development of the site at even modest density levels would lead to a considerable change in character of the wider area. The relationship of the site to the A338 would also lead one to experience an entirely different vista into the village (and by extension a difference experience of the village as a whole) were it to be developed.

## Conflict with the Emerging Neighbourhood Plan

The conflict between the proposed allocation for 80 units and democracy goes to the heart of why Government decided to create a new tier of planning at a time when the general trend was toward deregulation. .

The fundamental approach behind recent planning reforms became enshrined in the Localism Act. The political buzz word at the time was the notion of “*The Big Society*”. David Cameron described it using these words:

*“the Big Society...is such a powerful idea. You can call it liberalism. You can call it empowerment. You can call it freedom. You can call it responsibility. I call it the Big Society.”* (2010)

( SOURCE ;<http://www.number10.gov.uk/news/speeches-and-transcripts/2010/07/big-societyspeech-53572>)

Neighbourhood Planning is, put simply, the idea that local people shape and have a say in their local area. This is a relatively new concept in planning, as up until the Localism Act the only formal way to engage in the planning process was via the Regulation 18 and 19 events and by responding to individual planning applications as they arose.

East Hanney have an emerging Neighbourhood Plan and are close to formally submitting it to VoWH for comments and feedback. To prejudice this process by allocating a(nother) site in the Parish would erode faith in the process and appear to the public (and other Parish Councils) as an example of an Authority prepare to countermand the process described by Government as;

*“...a new, community-led, level of planning. Our aim is for an effective and transparent system which inspires communities to get involved, gives communities confidence that their views will have real influence, and delivers the growth the country needs”* (Source; Page 10, CLG Consultation Document on NP Regs)

Vale of White Horse are committed to working with communities to bring forward Made Up Plans, however the decision to allocate further housing in a village already set to grow by around 60% and before the community have spoken is undemocratic and represents a poor choice.

The Plain English Guide (2011) was equally upbeat about the weight assigned to the process;

*“Neighbourhood planning will allow communities... to come together through a local parish council or neighbourhood forum and say where they think new houses, businesses and shops should go...”. (page 30).*

Whilst the rhetoric of speeches and plain English guides are not Policy, the Framework is, and Paragraph 155 of the NPPF sends a clear message to Plan Makers;

*“Local Plans... reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.”*

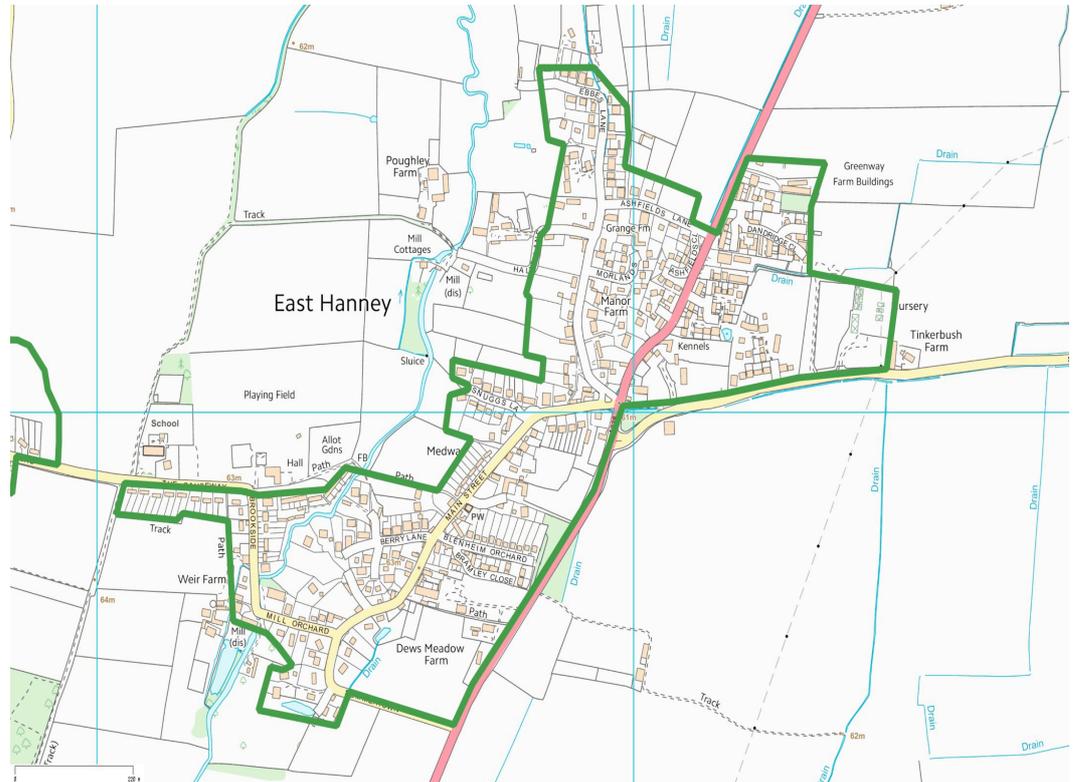
Paragraph 185 also makes a salient point “*LPA’s should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation.*” (emphasis added). In the case of EHPC, this is precisely the case. At 80 units, the proposed allocation is the 2<sup>nd</sup> smallest by volume (second only to the approved site in the east of East Hanney) and overall makes little contribution to delivering homes when compared to Dalton Barracks (for example). To this end the site is far from decisively being a “strategic” allocation, which further supports the conflict between the allocation and Paragraph 185 (above). It is the firm view of EHPC that the site should be removed altogether from the Plan in favour of intensifying Brownfield locations.

East Hanney has received a number of large-scale major applications of which a number have failed. The headline figure for housing growth has now been identified for the village and the speculative applications approved to date have now exceeded this number; there is no need for more housing in this Parish. It is important here to distinguish between two often confused concepts; Need and Demand.

The Parish are not anti-development and have included a number of policies in their Neighbourhood Plan that seek to shape and inform further development needs inside the village boundary in terms of smaller scale infill and backland development.

The decision to create a boundary to the village in the emerging NP is also informed by the views of recent appeal Inspectors who have grave concerns that the expansion of village in sensitive edge of village locations in the Parish will result in irreparable damage to the character of the settlement. Therefore logically new housing should generally be smaller scale and should *consolidate* the Village rather than *expand* it.

The following diagram reflects the draft NP boundary as is likely to be taken forward to public consultation;



## Overall conclusions

It is hoped that the factors discussed above demonstrate that an allocation on the Site is not justified based on recent appeal outcomes, national policy, emerging Neighbourhood Plan policy and the physical constraints of the site itself as well as the village's ability to absorb further housing over and above that which has already been approved.

Any planning application that were to come forward on the proposed Site would be dogged with technical and policy objections, not least the proposed Village Boundary, and will be unlikely to deliver the quantum of housing that brought-about the allocation in the first instance.

Given that the allocation at Ashfields Lane raises many issues and does not spatially relate well to Oxford City, the addition of this small quantum to the Dalton Barracks (200+ Hectare) site is seen as a more sensible, practical and overall more suitable option. .

Mark Doodes MRTPI

