



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

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

Mr

First Name

Alan

Last Name

Divall

Job Title (where relevant)

Planning Partner

Organisation representing

JA Pye (Oxford) Ltd

(where relevant)

Address Line 1

The Malthouse

Address Line 2

60 East St Helen Street

Address Line 3

Postal Town

Abingdon

Post Code

OX14 5EB

Telephone Number

01235 523139

Email Address

a.divall@westwaddy-adp.co.uk

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

2.49 –
2.65

Policy

8a & 8b

Policies Map

Figure 2.3

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) Complies 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.

Our client considers that those elements of the plan that relate to the allocation of Dalton Barracks for 1,200 dwellings are unsound.

Dalton Barrack's allocation was not considered within VWHDC Local Plan Part 1 (LPP1) or by the Oxfordshire Growth Board to meet Oxford's unmet housing need, as set out in para. 2.55 of the LPP2, due to availability constraints. The site has now, under Core Policy 8a, been allocated to provide 1,200 dwellings within the Abingdon-on-Thames and Oxford Fringe Sub Area. The aforementioned points of soundness stated above are discussed in more detail below.

At the time of consultation on the Preferred Options LPP2 (PO-LPP2) document, no specific dates were known for the release of the site, save that it was to be no later than 2029. It was stated as para. 2.39 of the PO-LPP2 that,

“Dialogue between the Defence Infrastructure Organisation (DIO) and the District Council has identified an opportunity to release the site sooner than 2029.”

The Regulation 19 LPP2 now published still reflects the above, but further sets out that,

“The Council is satisfied that 1,200 homes can be delivered on the site within the plan period up to 2031... Around half of the growth envisaged within the plan period can be delivered onsite even before the military units are re-located. However, it is anticipated that the military units will be re-located no later than 2026.”

No evidence has been provided at the current time to support these statements. Para. 2.54 sets out that up to half of the development can be started before Nos. 3 and 4 Regiments Royal Logistics Corps (currently on site) have relocated. It is contended that there is no evidence to suggest this aspirational goal is achievable, and that all 1,200 dwellings can be delivered within the plan period.

There are only two firm dates set by this policy. These are that the site will be released no later than 2029, and that the current occupiers of the site will be moved no later than 2026. Furthermore, there is currently very limited information as to how the site will be disposed of and made available for development. Even if the site is made available by 2026, given likelihood for remediation due to the sites historic military use and the delivery timescales of infrastructure, it is severely optimistic that the draft allocation can be delivered within the plan period. The site will not contribute to meeting Oxford's unmet needs within the Plan period.

It is held that the evidence supporting the deliverability of Dalton Barracks is not adequate. Without sufficient evidence, the complete delivery of this allocation is considered to be unrealistic, and that the allocation of Dalton Barracks is therefore, not in accordance with para. 154 of the NPPF, which requires plans to *“be aspirational but realistic.”* This appears to be confirmed within the Sustainability Appraisal (SA) of the Vale of White Horse District Local Plan Part 2 (March 2017) which states further work was still needed to confirm that the site is deliverable.

Based on the approach put forward by the Council, it is considered that the site is unlikely to deliver the proposed quantum of dwellings within the plan period. Oxford's unmet housing need is acute and dwellings should be delivered in a timely manner within the plan period to address the matter. Therefore, it is our client's position that the plan as it is currently proposed is not effective or justified in providing sufficient evidence to indicate that the proposed quantum of development can be delivered within the plan period.

Given the uncertainty over when the Dalton Barracks site will become available, it is considered that other suitable sites should also be allocated in the vicinity on which there are no timetable constraints and which can be brought forward at an early stage. Furthermore, a specific purpose of allocating the Dalton Barracks site is to contribute towards meeting Oxford's unmet housing need. The shortage of housing in Oxford is highlighted by a recent assessment by Lloyds Bank which found Oxford to be the UK's least affordable city, with the average house price of £385,372 now 10.7 times the average annual

gross earnings in the city of £36,033. (www.theguardian.com 27.2.17). There is therefore an urgent need to target Oxford's unmet need at the earliest opportunity.

Policy 8b of the Plan also sets out no firm calculation of the numbers of dwellings that are considered to be deliverable on areas of the site currently occupied by buildings and structures and how many dwellings are expected to be delivered on areas of the site that are former runways and not occupied by permanent structures. Without this information it is not possible to understand how the site is phased as and when areas are released operationally by the DIO. This also raises considerable questions over the extent to which the more open areas of the site (the former runways) will be developed and therefore the impact upon the openness of the Green Belt is not fully known.

(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.

For the reasons set out above, Core Policy 8b should be amended to reduce the overall number of dwellings proposed at Dalton Barracks and to demonstrate a realistic number of dwellings that can be accommodated at the site within the Plan period taking into consideration the disposal of the site by the MOD. Dwellings should only come forward on the site on areas that contain existing buildings. Open areas of the airfield should not be developed thus reducing the overall number of units that can be accommodated at the site without harming the openness of the Green Belt. Alternative, sustainable sites that can be provided in locations to meet Oxford's unmet need should be allocated to make up for this shortfall. Our client's land at Honey Bottom Lane, as identified on the attached plan (L02), should be allocated for the development of up to 120 dwellings within Local Plan Part 2.

(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:

Participation at the examination will provide our client with the opportunity to expand upon the points raised above having seen the Local Planning Authorities evidence that will be presented to the Examination by way of its Hearing Statements.

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:

22.11.17

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.**

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

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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

Mr

First Name

Alan

Last Name

Divall

Job Title (where relevant)

Planning Partner

Organisation representing

JA Pye (Oxford) Ltd

(where relevant)

Address Line 1

The Malthouse

Address Line 2

60 East St Helen Street

Address Line 3

Postal Town

Abingdon

Post Code

OX14 5EB

Telephone Number

01235 523139

Email Address

a.divall@westwaddy-adp.co.uk

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 2.66 – 2.75

Policy

13a

Policies Map

Figure 2.3

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.

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The Council is proposing to modify the Oxford Green Belt by taking out the Dalton Barracks site from the Green Belt. Our client considers that this is not sound for the following reasons:

The Council consider that the release of the site from the Green Belt is acceptable owing to its Previously Developed status. At para. 2.56 the Local Plan Part 2 LPP2 states that the fact that much of the site is previously developed land (PDL) contributes to the “major change in circumstances” justifying the release of the site. However, despite being PDL, significant areas of the airfield are still very open and contributes significantly to the purposes of including land within the Green Belt. Case law exists that sets out that, “The openness of the Green Belt has a spatial aspect as well as a visual aspect, and the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result of the location of a new or materially larger building there. But, as observed above, it does not follow that openness of the Green Belt has no visual dimension.”¹ Giving this due consideration, it is contended that despite the site being defined as PDL within LPP2, the allocation would result in significant impact on the visual and spatial openness of the Green Belt.

¹ Turner v Secretary of State for Communities and Local Government & Anor [2016] EWCA Civ 466 (18 May 2016)

The SA (March 2017) informing the LPP2 sets out that the Dalton Barracks allocation has the capacity to increase to in excess of 3,000 dwellings in the long term. This leads to the question whether the area proposed for release from the Green Belt can accommodate 3,000+ dwellings. If the site can, it must follow that the Council are proposing to release more than sufficient land from the Green Belt than is required to meet the identified housing need. This appears to contradict the Inspector's finding for the LPP1, and furthermore, appears to pre-determine a site allocation to address a housing need beyond the plan period which is as yet unknown. The Council therefore appear to be willing to release land from the Green Belt that is not required for this Plan period and this in itself does not meet the tests of demonstrating very special circumstances for the release of Green Belt land.

To support the release of Dalton Barracks from the Green Belt, the Council has previously commissioned a Green Belt Study by Hankinson Duckett Associates. One of the areas reviewed by this study is Parcel 7 which includes the land promoted by J A Pye (Oxford) Ltd at Honeybottom Lane as marked on the attached plan (LO2), but also a wider area on the southern side of Wootton.

With regard to Parcel 7, paragraph 6.3.6 in Section 6 on the 'Contribution of Each Parcel Towards the Special Circumstances for Removal from the Green Belt,' acknowledges that: *'the parcel is generally well contained by hedgerows and trees with few available open views.'*

Following this assessment, paragraph 7.28 in Section 7 which assesses potential development parcels, states that: *'The parcel also contributes to the local separation between Abingdon and Wootton, particularly in the south eastern corner.'* The accompanying plan HDA 5 also identifies the Honeybottom Lane site as comprising part of a *'critical separation between settlements,'* which in this case relates to Wootton and Whitecross. This assessment is not considered to be an objective review of the contribution of the Honeybottom Lane site to the separation of settlements as it is screened on both its frontages to Honeybottom Lane and Lamborough Hill by tall hedgerows. The site is therefore very well contained and does not make a substantial contribution to the openness of the Green Belt. It also has only a 100 metre frontage to Lamborough Hill and so its development would not make a significant impact on the coalescence of settlements.

In this respect the Hankinson Duckett Associates Assessment is inconsistent. In its appraisal of Parcel 2, which comprises several fields located between Dalton Barracks and the Wootton Road, it states in paragraph 6.3.1 that: *'Parcel 2 is well contained and views from publicly accessible view points are restricted to occasional glimpses from Wootton Road (B4017), through occasional gaps in the boundary hedgerow (e.g. at field gates),'* and concludes that *'The Parcel has capacity to accept development in landscape and visual terms.'* This overlooks the fact that Parcel 2 has a 500 metre frontage onto the western side of Wootton Road and forms the gap between the proposed development site at Dalton Barracks and Whitecross. It therefore forms a critical part of the separation between Shippon/the proposed Garden Village and the settlements of Wootton/Whitecross.

Both sites thus are at present well screened from the adjoining road and relatively well contained but the assessments are substantially different. In addition, in relation to Parcel 2 there is already development on the east side of Wootton Road, but not on the west side. In order to make a meaningful relationship with the existing settlement pattern it would therefore be necessary to remove the existing tall hedgerow fronting Wootton Road and have development fronting onto the road. This would remove all of the current screening and together with the development of the adjoining Dalton Barracks site, which in turn is contiguous with the existing village of Shippon, would result in Shippon/the proposed Garden Village and Whitecross all forming one settlement. There would therefore be a conflict with proposed policy 28 on 'Settlement Character and Gaps', which states that '*Development proposals that would result in the physical joining or the unacceptable narrowing of a countryside gap between two separate settlements will not be permitted.*' With the creation of a large new settlement coalescing with existing neighbouring settlements, there would also be substantial urbanizing of this part of the Oxford Green Belt. This would create urban sprawl; merge neighbouring settlements and also result in encroachment into the countryside and thereby conflict with 3 of the five purposes of Green Belts.

By contrast the development of the Honeybottom Lane site could take place without these detrimental impacts. As it only has a frontage of 100 metres to Lamborough Hill and there is no development on the opposite side of the road, the site could be developed while retaining the existing hedgerow screening. This together with the wide green verge on the junction of Lamborough Hill and Honeybottom Lane would result in no significant narrowing of the gap between Wootton and Whitecross. The development would not, however, be isolated due to the adjoining existing residential properties in The Old Pound to the north and along Honeybottom Lane to the west.

It is considered that the Honeybottom Lane site does not make a significant contribution to the purposes of including land in the Green Belt as:

1. Its designation is not necessary to check the unrestricted sprawl of Oxford as it is separated by open landscapes and the site is already adjoined on two sides by residential development;
2. The site does not make a significant contribution towards prevent neighbouring towns from merging into one another, as it represents a relatively small site that is already adjoined on two sides by existing development;
3. The site does not make an important contribution in safeguarding the countryside from encroachment as it is already adjoined by residential development on two sides and on the other two it is adjoined by Honeybottom Lane and Lamborough Hill;
4. The site does not make any contribution to preserving the setting and special character of historic Oxford as it is located well away from the city;
5. The site does not assist in urban regeneration, by encouraging the recycling of derelict and other urban land because, because as Table 4 of the Vale of White Horse/Kirkham Landscape Planning Ltd Phase 1 & 2 Green Belt Review notes, '*opportunities for use of derelict or urban*

land are small in scale in Wootton, and indeed are throughout the Vale as most previously used sites have already been redeveloped.

It is therefore concluded that the site at Honeybottom Lane could be removed from the Green Belt without a significant impact on its purposes.

Given the uncertainty of the timetable for development of the Dalton Barracks Comprehensive Development Framework (as set out within our client's objections to policy 8b), there is a big question mark over the deliverability of the 1,200 dwellings proposed for this site. For this reason, given that the Honeybottom Lane site does not make a significant contribution of the Green Belt and could immediately be released and developed it is considered that it should be released from the Green Belt. Leaving the Honeybottom Lane site in the Green Belt also contradicts the principles of Green Belt review set out in paragraph 83 of the National Planning Policy Framework which states that: *'Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.'* Paragraph 85 further states that *'when defining boundaries, local planning authorities should... not include land which it is unnecessary to keep permanently open.'*

The site at Honeybottom Lane is in a good position to help contribute towards the identified housing needs. It is located in close proximity to the proposed development at Dalton Barracks and was covered by the same Green Belt Study carried out by Hankinson Duckett Associates that looked at the Dalton Barracks site and surrounding land. The Council must therefore have considered that potentially it was suitable land for release from the Green Belt as part of the new settlement. It is located in close proximity to the services in the centre of Wootton including the shops and village hall. It would also benefit from its close proximity to the proposed Garden Village to be created at the Dalton Barracks site, which will include *'a mixed use community incorporating on – site services and facilities, including new schools, a local centre, providing local opportunities for employment and ensuring excellent public transport, cycle way and footpath connections to Oxford and Abingdon on Thames.'* Figure 2.4 in the Local Plan Part 2 specifically identifies one of the proposed transport improvements as including improved bus services along the B4017 which connects Wootton and Oxford and Abingdon, and adjoins the site. A 80 hectare country park is also to be created on the Dalton Barracks site. The Honeybottom Lane site at Wootton is already in a sustainable location for development and with the improvements to local services and facilities which will arise from the proposed Garden Village at the Dalton Barracks site will become an even more sustainable location for development in the future.

(Continue on page 4 /expand box if necessary)

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For the reasons set out above, Core Policy 13a should be amended to reduce the overall number of dwellings proposed at Dalton Barracks. Dwellings should only come forward on the site on areas that contain existing buildings. Open areas of the airfield should not be developed thus reducing the overall number of units that can be accommodated at the site without harming the openness of the Green Belt. Alternative, sustainable sites that can be provided in locations to meet Oxford's unmet need should be allocated to make up for this shortfall. Our client's land at Honey Bottom Lane should be allocated for the development of up to 120 dwellings within Core Policy 13a.

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