



# Vale of White Horse Local Plan Part 2 Examination Statement

Matter 4: Abingdon and Oxford Fringe Sub Area

On behalf of: Lagan Homes Limited and Mr and Mrs Kauert

Date: June 2018



# 1 Introduction

1.1 This statement is submitted by Edgars Limited (Edgars) on behalf of Lagan Homes Limited and Mr and Mrs Kauert who have development interests at East Hanney. It addresses the following matters and questions as raised by the Local Plan Inspector in relation to Matter 4: Abingdon and Oxford Fringe Sub Area as relevant to Edgar's previous representations:

- Matter 4.1: Housing Allocations Listed in Policy 8a, and
- Matter 4.5: Upper Thames Strategic Storage Reservoir.

## 2 Matter 4.1 Housing Allocations Listed in Policy 8a

**Matter 4.1: Other than Dalton Barracks (Matter 5), are the housing allocations listed in Policy 8a the most appropriate when considered against reasonable alternatives in the light of site constraints, infrastructure requirements and potential impacts? Are the estimates of site capacity justified? Are the expected timescales for development realistic? Are the site development template requirements – both general and site specific – justified, consistent with national policy and would they be effective?**

### (a) North of East Hanney

#### (b) North East of East Hanney

- 2.1 Edgars consider that Core Policy 8a is not appropriate when considered against reasonable alternatives in the light of site constraints, infrastructure requirements and potential impacts and is, therefore, not justified. The Council has not appropriately considered reasonable alternatives and the site selection process is, therefore, inherently flawed.
- 2.2 Edgars object to the omission of Land South of the Causeway and Land East of the A338 from the Council's site selection process.
- 2.3 In particular, Edgars object to the 50 dwelling threshold used to identify reasonable alternatives. There is no substantive evidence or justification to support this as an absolute threshold for site selection. It is noted that National Planning Guidance advocates assessing all sites and broad locations capable of delivering 5 or more dwellings (Paragraph: 010 Reference ID: 3-010-20140306).
- 2.4 It is noted that the use of the 50 dwelling Site Selection threshold specifically resulted in the exclusion of Land at the Causeway which is under the control of Mr and Mrs Kauert. Land at the Causeway has been considered in detail through the planning application process (Ref P16/V0364/O). The application was recommended for approval by the planning officers with no technical issues and found to be available, suitable and deliverable with a capacity of 24 dwellings. The application was refused by the Planning Committee and an appeal lodged. The appeal was dismissed but only due to conflict with the recently adopted LPP1 locational housing delivery policies. The Inspector did not identify any technical reason why the site is not suitable for development and did not consider that the development of the site would have a harmful effect on the character and appearance of the area – the Planning Committee's sole refusal reason. As such, the site should be regarded as suitable, available and deliverable for development.
- 2.5 The Council's HELAA assessment correctly identifies the planning application submission P16/V0364/O but then incorrectly concludes that the site is not available for development. Rather than assessing the site as part of a larger site (identified as suitable and developable) as the Council did, the HELAA should have assessed the smaller planning application site and concluded that it is suitable, available and achievable. Edgars consider, therefore, that the planning application site should be assessed as part of the Stage 4 site selection process.
- 2.6 Following scrutiny as part of the planning application and appeal process, the Land South of the Causeway is a demonstrably suitable, deliverable and sustainable location for development. It has been found that a scheme of 24 dwellings would not have any significant harm, including on the Local Wildlife Site, Conservation Area,



and in terms of flooding. The planning application and appeal concluded that the site has no significant constraints, development on the site would have no significant adverse impacts and the site is in very close proximity to key services and shops and will promote walking and cycling.

- 2.7 The Council were accordingly aware of this and as such that the site represents a reasonable and sustainable alternative. The site should have been included within the site selection process despite falling below the 50 dwelling threshold.
- 2.8 Edgars consider that having identified East Hanney as a sustainable location for further housing allocations the Council should have reviewed the remaining Stage 4 sites and considered all other reasonable alternatives including Land South of the Causeway. The failure to consider Land South of the Causeway has resulted in an unjustified site selection process which has not assessed reasonable alternatives.
- 2.9 Edgars has assessed in its representations Land South of the Causeway and Land East of the A338 against the two proposed site allocations using the same 'traffic light' approach utilised by the Council in its evidence.
- 2.10 Following this assessment, Edgars consider that the proposed allocation site at Land North of East Hanney should be downgraded to an 'amber' against assessment criteria including with regard flood risk and access to village facilities.
- 2.11 Edgars also consider that Land North of East Hanney, which is adjacent to a Conservation Area, has not been robustly assessed to determine the impact on this designation. Development will undoubtedly result in some change and impact to the setting of the Conservation Area but the significance of this has not been robustly assessed.
- 2.12 Accordingly, a robust site selection process that considers reasonable alternatives can only conclude that Land South of The Causeway is the most sustainable location for new development in East Hanney and as such the most appropriate when considered against the reasonable alternatives. The site is demonstrably suitable, available and achievable and this is supported by robust evidence.
- 2.13 Edgars representations also demonstrate that Land East of the A338 is also a more sustainable location for development than the proposed allocation North of East Hanney and as such the HELAA, Site Selection process and Sustainability Appraisal should be revisited to include Land East of the A338.
- 2.14 Edgars consider, therefore, that there are more sustainable locations for development in East Hanney than the Council's proposed allocations and this has been demonstrated through the 'traffic light' site selection assessment within Edgars representations.
- 2.15 Edgars consider the site selection process has not assessed reasonable alternatives and as such the proposed allocations at East Hanney are not the most appropriate and Core Policy 8a is not justified.



### 3 Matter 4.5 Upper Thames Strategic Storage Reservoir

**Matter 4.5: Are the proposals to extend the area of safeguarded land for the Upper Thames Strategic Storage Reservoir justified? Would there be any adverse impacts?**

- 3.1 This matter is relevant to Land East of the A338, East Hanney which is under the control of Lagan Homes and lies within the proposed extended safeguarding area. Edgars object to the proposed expansion of the safeguarding area as this is not justified by robust evidence and is, therefore, considered not sound.
- 3.2 Edgars previous submissions were based on the evidence available at the time. It was anticipated that Thames Water would submit further details of its Water Resource Management Plan (WRMP) to the Government in January 2018. It is noted that Thames Water Published their updated WRMP earlier in 2018.
- 3.3 Despite this, Edgars reiterate their previous comments and further contend that robust evidence is yet to be provided by the Council or Thames Water to justify the extension of the safeguarding area.
- 3.4 The Council state that it will be for Thames Water to provide evidence in support of the proposed safeguarding area. The Council also stated in the Regulation 22 consultation statement that:

*Core Policy 14: Strategic Water Storage Reservoirs as set out in the adopted Local Plan 2031: Part 1 was found to be soundly based following Local Plan Examination. Local Plan 2031: Part 2 proposes only to amend the area covered by Policy 14 at the request of Thames Water. The policy does not in itself inform the decision-making process as to whether a reservoir is needed, nor if it should be located within VOWH. It is for Thames Water and the process of updating their Water Resources Management Plan that will determine these matters. The policy simply safeguards the land, should a decision be taken through the WRMP that a reservoir is needed. The Water Resources Management Plan (WRMP) 2014 published by Thames Water, confirms that the Upper Thames Reservoir remains their preferred option, should a large storage reservoir solution be found to be necessary. Core Policy 14a safeguards the land that Thames Water feel may be needed to meet future water needs. Details of their appraisals and options considered may be found within the management plan mentioned above.*

- 3.5 It is clear that the onus is on Thames Water to provide the Council with evidence that the land for a reservoir is needed and that it is necessary to extend the safeguarding area for the reservoir. It is not apparent that this has been forthcoming so that the policy can be found sound.
- 3.6 The Council stated in their response to the Thames Water Draft WRMP 2019 consultation that any reservoir proposal in the district should take account of the existing LPP1 Core Policy 14 requirements, that the draft water management plan should consider design and wider impacts of each option before decisions are made to select the most appropriate, and that a public inquiry should held to further examine the draft WRMP.
- 3.7 The Council, themselves, do not consider that the proposed reservoir at Abingdon would be the most appropriate solution to addressing future water needs. Indeed, they stated in their response to the WRMP consultation that:

*The Council remain to be convinced that the proposed reservoir at Abingdon is necessary or effective, or would be the optimal and most appropriate solution to address the future water needs of the South-East of England.*

- 3.8 The Council also commented in response to the Thames Water WRMP consultation that:

*The Council consider that the environmental, highway and landscape impacts associated with the future construction and operation of a reservoir of this scale and magnitude, on the residents of the Vale, would be so great that significant detailed assessment is required to demonstrate that alternative sites have been properly explored within the South-East region for their suitability for such a reservoir.*

- 3.9 It is clear, therefore, that the Council do not consider that there is a sound evidence base justifying extending the safeguarding area or even the need for the need for the reservoir in this location.



- 3.10 Edgars consider that the updated WRMP does not demonstrate that the land is needed and does not take a decision that a reservoir is necessary.
- 3.11 Thames Water's consultation response to LPP2 states that they give support for CP14a "because it reflects the latest plans for the proposal". However, no updated map of the proposal is published beyond that previously seen in other documents.
- 3.12 It is noted that the Council previously sought to extend the safeguarding area through LPP1, which was rejected by the Inspector who commented that the proposal could not be found sound due to a lack of evidence. Edgars do not consider that further robust evidence has been provided now to justify the extended safeguarding area.
- 3.13 Edgars consider that the updated WRMP does not provide any robust justification for the expansion of the safeguarding area and the proposal is, therefore, not justified.
- 3.14 Should the extended safeguarding area proceed, additional land would be unnecessarily sterilised from development and this would be a clear adverse impact, contrary to the positive approach to planning and the presumption in favour of sustainable development.