

## Comment

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<b>Event Name</b>	Vale of White Horse Local Plan 2031 Part One - Publication
<b>Comment by</b>	Greenlight Developments Greenlight Developments
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<b>Consultation Point</b>	Core Policy 4: Meeting Our Housing Needs ( <a href="#">View</a> )
<b>Status</b>	Submitted
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<b>Version</b>	0.8
<b>Files</b>	<a href="#">APPENDIX 1 (Greenlight Developments).pdf</a>
<b>Q1 Do you consider the Local Plan is Legally Compliant?</b>	No
<b>Q2 Do you consider the Local Plan is Sound (positively prepared, effective and Justified)</b>	No
<b>If your comment(s) relate to a specific site within a core policy please select this from the drop down list.</b>	N/A

If you think your comment relates to the DtC, this is about how we have worked with the Duty to Cooperate bodies (such as neighbouring planning authorities)

**Q3 Do you consider the Local Plan complies with the Duty to Co-operate? No**

**Q4 Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. 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 co-operate, please also use this box to set out your comments.**

As discussed under Core Policy 2, the housing target of 20,560 also needs to take into account the unmet need of Oxford City in particular. However, we welcome the fact that the housing target figure is expressed as being 'at least'.

Turning to the detail, there is a lack of evidence of the known commitments and also no acknowledgement that a lapse rate is being applied to this figure. A 10% lapse rate should be applied to reflect that it is unlikely all will be built for a variety of reasons. This reflects the approach supported by 'Housing Land Availability' DOE, Planning and Research Paper, Roger Tym and Partners, 1995, and was also accepted in the High Court Challenge on Tetbury 'the use of 10% was reasonable having regard to footnote 11 of the NPPF.

We acknowledge that Part One of the Plan relates more to strategic sites in the District, with Greenlight Developments' land interest at Challow Park in East Challow, Wantage being a site that can accommodate circa 35 dwellings, therefore probably not being large enough to be considered a strategic site, and therefore would fall under the supporting text which discusses development at market towns, local service centres and larger villages. East Challow is defined as a Local Service Village in the Western Vale Sub-Area and Wantage is the sole Market Town in the South East Vale Sub-Area. This supporting text states that 'This development must be adjacent, or well related, to the existing built area of the settlement or meet exceptional circumstances set out in the other policies of the Development Plan and deliver necessary supporting infrastructure.'

Before we discuss the requirement that development must be adjacent, or well related, to the existing built area of the settlement, we make the preliminary point that 'exceptional circumstances' is the incorrect terminology to use here. The policy should be phrased having regard to Paragraph 55 of the NPPF, which provides examples of when isolated homes in the countryside would be acceptable. The terminology used at Paragraph 55 is 'special circumstances' and therefore the wording of the policy should be amended so that to be consistent with National policy.

Turning back to the point relating to development must be adjacent, or well related, to the existing built area of the settlement, we would firstly like to place on record that it is encouraging to see that there is no direct reference to 'development boundaries' in Core Policy 4, as we contend such a concept is inconsistent with the NPPF.

More fundamentally, however, the references made to development having to be adjacent, or well related, to the existing built area of the settlement is also considered not to be wholly consistent with the three dimensional test of sustainability set out in the NPPF. For example, Greenlight Developments' land interest at Challow Park, East Challow, Wantage, is a brownfield site that sits equidistance between East Challow (Local Service Village) and Wantage (Market Town). Although it is well related to the existing built up area, we believe it should not be necessary for the site to rely on this rather vague concept for it to be considered compliant with policy. There should be no requirement for a site to be adjacent to the existing built up area in order for it to be considered sustainable. This is because, as this site demonstrates, a site can be removed from the existing built up area and still be sustainable once regards is had to the three dimensional test of sustainability set out in the NPPF.

In a post-NPPF world there should be no policies in a Development Plan that would have the effect of undermining the requirement to 'boost significantly the supply of housing'. The ability of a Local Planning Authority to demonstrate a five-year supply of deliverable housing sites is a minimum requirement. It is important to avoid policies the practical effect of which would be to turn the minimum to a maximum.

If a proposal passes the three dimensional test of sustainability set out in the NPPF it should be permitted. Location is only one of the matters that feeds into an assessment of sustainability. This test therefore needs to be embodied into Core Policy 4.

**Q5 Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate 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.**

Clearly if the housing figure for the District is increased in light of the need to help meet Oxford City's unmet need then the headline figure in this policy needs to reflect this.

Clarification is required on whether a lapse rate is being applied to the known commitments figure. We suggest a 10% lapse rate figure is applied.

The three dimensional test of sustainability set out in the NPPF needs to be embodied into Core Policy 4, as opposed to the phraseology that, development must be adjacent, or well related, to the existing built area of settlement.

**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.**

**Q6 If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?** Yes - I wish to participate at the oral examination

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

**Q7 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

The nature of our representations is strategic and has key implications.