

## Comment

Consultee	Dr Rosamond Hall (867694)
Email Address	
Address	56 Appleton Road Cumnor Oxford OX2 9QH
Event Name	Vale of White Horse Local Plan 2031 Part One - Publication
Comment by	Dr Rosamond Hall
Comment ID	LPPub45
Response Date	06/12/14 17:28
Consultation Point	Core Policy 13: The Oxford Green Belt ( <a href="#">View</a> )
Status	Submitted
Submission Type	Web
Version	0.3

**Q1 Do you consider the Local Plan is Legally Compliant?** No

**Q2 Do you consider the Local Plan is Sound (positively prepared, effective and Justified)** No

**If your comment(s) relate to a specific site within a core policy please select this from the drop down list.** North West of Abingdon-on-Thames

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.**

The government guidance on the development of Local Plans says they should be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations.

The Vale of White horse have not consulted the public on the part of their plan that intends to remove any land inset within the Village of Cumnor from the Green Belt. This intention was not included in the draft Local Plan that was issued for consultation and hence this item has not been subject to feedback from any concerned organisation or individual. The draft plan included removal of one specified area of land from Green Belt for housing development and this was removed from the final plan as it was felt inappropriate due to landscaping issues. The removal of all land inset within the village of Cumnor from Greenbelt was not in the draft Local Plan. This item in the local plan is therefore not valid as it has not been subject to consultation as per the guidance on local plan development.

For this reason it should be removed or the Local Plan needs to be issued for full consultation again in order for it to comply with the National Planning Guidance.

In addition to the above the Plan is inconsistent with planning guidance and government policies on the protection of Green Belts.

Since the approval of the Oxford Green Belt in 1975, the Vale Council has been at the forefront of defending it against inappropriate development and protecting the unique character and landscape / rural setting of Oxford by preserving its openness. As a result, the Oxford Green Belt has stood the test of time and, in accordance with Government policy, the land has been kept permanently open and the countryside safeguarded from encroachment.

Paragraph 79 of the National Planning Policy Framework sets out Government policy on Green Belts:

*"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land*

*permanently open; the essential characteristics of Green Belts are their openness and their permanence."*

This essential purpose of the Government's Green Belt policy was affirmed by the Planning Minister, Nick Boles, in a letter dated 10 March 2014 which is attached at Appendix 2. The Minister said:

*"We have carefully listened to representations from colleagues in recent Parliamentary debates. In particular, to help councils with their Local Plans, we are:*

*- Re-affirming the importance of Green Belt protection and ensuring its robust safeguards are not undermined when assessing unmet housing need."*

The Planning Minister also wrote to the Chief Executive of the Planning Inspectorate on 3 March 2014 on the issue of Green Belt policy. The Minister said:

*"Alongside these reforms we were always very clear that we would maintain key protections for the countryside and, in particular, for the Green Belt. The National Planning Policy Framework met this commitment in full. The Framework makes clear that a Green Belt boundary may be altered only in exceptional circumstances and reiterates the importance and permanence of the Green Belt."*

In addition, the final version of the National Planning Practice Guidance was published online on 6 March 2014. Under the headings *Housing and economic land availability assessment*, and *Methodology ? Stage 5: Final evidence base*, paragraph 34 of the Guidance says:

*? Can unmet need for housing outweigh Green Belt protection? Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the ?very special circumstances? justifying inappropriate development on a site within the Green Belt."*

Of particular note in the Government's published changes to the National Planning Practice Guidance of 6th October, is the following statement:

*?The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs **unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.** Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as **Green Belt**, Local Green Space, **an Area of Outstanding Natural Beauty**, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion.?* (emphasis added).

The Government's position on Green Belt policy, therefore, is very clear. The fundamental aim remains to prevent urban sprawl by keeping land permanently open. Boundaries of Green Belts should only be changed in " *exceptional circumstances* ", and unmet housing need is not an exceptional circumstance to justify taking land out of the Green Belt.

The Council ? and the Sustainability Assessment (SA) commissioned to underpin it ? both fail to take proper account of the footnote to paragraph 14 of the NPPF on which the Guidance quoted above is based. The SA asserts in paragraph 11.8. 6 that the housing target was adopted because it meets the ?objectively assessed housing need in full, in accordance with national policy? without acknowledging the potential restrictions to that policy cited above. It fails to consider whether the Council should have tested the SHMA number against those restrictions. The sustainability assessment therefore wrongly accepts the inroads into the Green Belt as sanctioned by the NPPF, when they quite clearly are not.

It is a measure of the dislocation between the decision makers in the Council who have approved these attacks on the Green Belt and their constituents that a survey carried out by the Liberal Democrats of residents in North Abingdon recently showed that 85% of respondents opposed the plans for building in the nearby Green Belt and 75% were opposed to any building on Green Belt land.

**The predatory raid on the Green Belt proposed by the Vale District Council flies in the face of the Government's aims, and would have been rendered unnecessary if the SHMA housing figure had been tested properly and reduced in the light of social and environmental considerations. It is therefore unsound and unsustainable and should be annulled.**

**Modification:** The sites in the Oxford Green Belt that have been identified for housing should be withdrawn from the Plan and the total programme reduced accordingly.

**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.**

The clause advocating the removal of land inset within the Village of Cumnor from the Green Belt should be removed from the Local Plan before it goes any further.

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