

**VALE OF WHITE HORSE LOCAL PLAN 2031**  
**(Part 1 Strategic Sites and Policies)**

**EXAMINATION**  
**HEARING STATEMENT**

**MATTER ONE:**

**Duty to Cooperate and other**  
**Legal Requirements**

**Respondent Nos: 874832/874516**

**August 2015**

## **Vale of White Horse Local Plan 2031**

### **Hearing Statement on Matter One: Duty to Cooperate and other Legal Requirements**

#### Question 1.1

***Has the Council satisfactorily discharged its Duty to Co-Operate to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including in particular minerals and waste and housing?***

It is considered that the Council has **not** satisfactorily discharged its Duty to Cooperate to maximise the effectiveness of Local Plan preparation in the context of cross boundary matters, in particular in terms of housing.

There are a number of strategic matters which require cooperation during the preparation of the Local Plan, but overall provision for housing is of particular importance given that the Vale of White Horse District forms part of the wider Oxfordshire Housing Market Area (HMA). In particular there is a close interrelationship between Vale of White Horse and Oxford City, in terms of migration, commuting and housing markets.

Whilst the Council has actively engaged with neighbouring authorities, particularly in the preparation of the Strategic Housing Market Assessment (SHMA) 2014, this engagement has not been constructive to the extent that it has maximised the effectiveness of plan preparation. It is acknowledged that the Councils have worked together on the SHMA and there is recognition that Oxford City will be unable to accommodate its objectively assessed housing needs of between 24,000 and 32,000 dwellings over the period 2011 to 2031. It is clear that there is ongoing dialogue and a programme of technical work agreed between the key partners, but there is, as yet, no agreement on what Oxford City's unmet needs are or where these unmet needs should be accommodated. Furthermore, and of key concern, it remains unclear how quickly the required evidence will be finalised and available to inform coherent and proactive cross-boundary planning.

However, it is already highly likely that there will be a significant unmet housing requirement that will need to be accommodated in the Vale of White Horse District. Oxford City's Strategic Housing Land Availability Assessment (SHLAA) from December 2014 states that the maximum number of dwellings the City could accommodate would be 10,212 in the period 2011 – 2031. When assessed against the SHMA data this would leave a shortfall in Oxford's supply of between 13,788 and 21,788 dwellings. It is recognised that the Vale of White Horse Cabinet Report of 7<sup>th</sup> August 2015 relating to HMA housing issues challenges this figure: Vale of White Horse District Council alongside Oxford's other adjacent authorities have commissioned a report by Cundall which anticipates that Oxford could actually accommodate more dwellings than the SHLAA sets out, potentially in the region of 16,000 new

homes. Nevertheless, it is clear that even if revised unmet need figures are agreed, there will be a significant undersupply within Oxford City which will need to be met by adjacent local authorities. These ongoing differences of opinion suggest that the effectiveness of the ongoing cross-boundary working has not been maximised to date.

The City Council's boundary is tightly drawn and the City is constrained by simple capacity and land availability as well as by Green Belt and other land use designations. The Cabinet Report demonstrates that the Councils are in advanced stages of developing a comprehensive understanding of the likely housing land supply issues. It would therefore be appropriate that the Councils consider Green Belt releases in the context of this analysis and this should feed into the Vale's emerging Plan rather than the Council waiting for the outcome of a future Green Belt Review before tackling these recognised issues. The Council's proposed approach will delay the provision of housing to meet identified needs.

In order for the Council to have complied with the Duty to Cooperate, the Plan must, at the very least, accept the need to make a significant contribution to accommodating unmet needs and the Plan should include policies which ensure this will be delivered, and delivered quickly. We do not consider that Policy CP2 of the Plan is sufficiently robust to secure an early review of the Plan to address the issue of unmet need. Even if this approach in itself was deemed to be sound, for the reasons we set out in our response to Matters Two and Four we consider that the Plan is unsound because it does not, collectively with neighbouring authorities, proactively and positively plan to meet the objectively assessed needs for the Housing Market Area, in full. Planning now on the basis of requiring a further Plan Review soon after adoption essentially builds in potentially considerable delays to the delivery of a suite of plans which would ensure housing needs in the market area are met, and fails to meet the NPPF tests of soundness and policies regarding positive and proactive planning (for example NPPF para 14, and 157), and the need to respond to market signals (NPPF para 17).

It is understood that a similar approach has now been adopted in Cherwell, but it is not considered that this justifies allowing the Vale of White Horse District to proceed along the same lines, as there is more known now about the scale of the likely unmet housing needs in Oxford than there was when Cherwell first prepared and submitted its Plan.

There is no policy basis in the NPPF for an approach which, having identified the objectively assessed needs for the Housing Market Area (HMA), does not then seek to meet these needs in full (unless there has been robust assessments undertaken which identify clear constraints on doing so). As referred to in our response to Matter 4 there are direct parallels with the recent experience of Warwick District where a similar approach based around undertaking a further Plan review in due course was found unsound. Whilst there are clearly benefits in having an adopted Plan in place as soon as possible, this should not be at the expense of having a sound Plan which effectively deals with key strategic matters. Postponing the decision to a review of the Plan leaves key housing matters undetermined and timescales for appropriate planning and delivery unknown.