

September 2015

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### Introduction

1. The Inspector asked the Vale of White Horse District Council (VWHDC) to provide a note which identifies the sites proposed in Local Plan Part 1 (LPP1) for release from the Green Belt. This has now been published (HEAR03), and the Inspector has invited comments on it from examination participants.
2. This note provides the City Council's response to HEAR03. Our response is made in the context of VWHDC stating that they do not intend to further review the Green Belt in their district, which is information that was not available before Day 1 of the hearings.

### Purpose of reviewing the Oxford Green Belt

3. The NPPF is clear that Local Plans should establish Green Belt boundaries which set the framework for Green Belt and settlement policy, and once established, boundaries should only be altered in exceptional circumstances through a Local Plan review (paragraph 83).
4. The NPPF also clarifies that when defining Green Belt boundaries, LPAs should *"ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development"* (paragraph 85). Later on, the NPPF defines one such identified requirement in the context of objectively assessed needs: *"To boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies in this framework"* (paragraph 47).
5. The Oxfordshire Growth Board agreed in November 2014<sup>1</sup> that in light of the Oxford unmet housing need, a joint review of Oxford's Green Belt should be undertaken. Specifically, key principles were endorsed by all Leaders to state: *"A recognition... that joint work on future spatial options, transport infrastructure and green belt will be required to feed into Local Plans."*
6. It is clear in this context that the purpose of jointly reviewing the Oxford Green Belt is to address the Oxford unmet need issue, in light of the NPPF requirement that this must take into account the promotion of sustainable patterns of development. All of the

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<sup>1</sup> Oxfordshire Growth Board 20<sup>th</sup> November 2014 paper and minutes – attached to Oxford City Council examination statements for Matters 1 and 4 as Appendix 1

Oxfordshire local authorities, including VWHDC, have been jointly undertaking a Green Belt study to understand in more detail the purpose and function of the Oxford Green Belt as a whole, and the relative contributions of areas of land within it. This report is due to be finalised by the end of October 2015.

7. However, the Growth Board is also jointly undertaking an assessment of broad spatial options for meeting the Oxford unmet need, which will separately consider which locations are the most sustainable to meet this need. The City Council expects that the assessment of options against sustainability criteria will add to the exceptional circumstances case for reviewing the Green Belt close to Oxford.
8. In summary, it is the exceptional circumstances of Oxford's unmet housing need that has triggered a joint review of the Green Belt, and the review must therefore respond specifically to this unmet need. It is incorrect of VWHDC to release green belt sites ahead of this review completing, simply because VWHDC considers they *"are no longer meeting the purposes of the Green Belt"* (paragraph 5.1.4 of PC2A). This takes no account of the specific circumstances of Oxford and Oxfordshire's unmet need, and in particular does not consider where it can most sustainably be accommodated.

#### VWHDC approach to Green Belt review

9. The City Council has already explained why the VWHDC approach of unilaterally reviewing the Green Belt boundaries within their district was premature, and not consistent with the Duty to Cooperate. Our concerns around prematurity have now been borne out by VWHDC's recent statement that it sees no need to further review the Green Belt boundaries in response to the joint work. This approach both undermines the whole basis of the joint post-SHMA programme, and also disregards the spatial aspects of meeting Oxford's (or indeed any) unmet need as an exceptional circumstance.

#### Cambridge Inspector's view

10. It is apparent from recent developments in the Cambridge and South Cambridgeshire Local Plan examinations that a Green Belt review cannot simply consider sites in terms of their function and environmental qualities without assessing the sustainable merits of its development when assessed against reasonable alternatives.
11. In this case, the Inspector found that the green belt review *"did not take account of the need to promote sustainable patterns of development, as required by paragraph 85 of the National Planning Policy Framework."* The Inspector went on to add that *"if development is to be directed to new settlements rather than the edge of the urban area, it needs to be clear that the challenges of making such development as sustainable as possible have been addressed, in particular infrastructure requirements and sustainable transport options"*.
12. The Cambridge Inspector set a clear expectation that the objective of sustainably locating development is fundamental to any Green Belt review. A Green Belt review in turn cannot be separated from establishing a framework for sustainable development.

Nevertheless this is what VWHDC are seeking to do in their approach to the Oxford Green Belt, which disregards a large element of the unmet need and how this need might be met.

#### Sites shown on note HEAR03

13. The City Council welcomes the clarification offered in the note. We do not offer any comment on the sites shown, which as noted above are proposed for release based on Kirkham Associates' and VWHDC's view that they no longer meet the five purposes of Green Belt set out in NPPF. It is not appropriate to comment on this ahead of conclusion of the joint Green Belt Study which will provide more definitive evidence.
14. We also note that the table and map do not distinguish which of the sites are actually allocated for development in LPP1. It would be helpful to have this information shown on the same map.
15. VWHDC has indicated to us that some of these sites may be used to meet Oxford's current and future unmet need. However, it remains unclear as to what status those sites to be de-designated as Green Belt, but not allocated for development, will have. The clear implication will be that these sites will be potentially available for speculative development, particularly where there are no other constraints. Leaving this uncertainty appears not to fit well with the NPPF requirement for positive planning. A more positive approach would have been to allocate for development Green Belt sites where there are exceptional circumstances justifying this, or to safeguard sites where evidence shows that they would be more appropriate for meeting needs beyond the Plan period.

#### Conclusion

16. The Oxford Green Belt is a strategic designation which spans five district council areas, and is clearly of cross-boundary significance. This is recognised in the agreed work programme of the Oxfordshire Growth Board, which in the next few months will recommend a spatial distribution of housing to meet Oxford's unmet need. This work is likely to recommend a review of the Oxford Green Belt boundary to accommodate part of the Oxford unmet need in a sustainable and effective manner.
17. As the joint work process has not yet completed, the evidence does not yet exist to justify reviews to the Green Belt boundaries in Vale of White Horse district alone. In particular, the current review takes no account of Oxford's unmet housing need, which constitutes an exceptional circumstance just as much as does the Vale's own development needs. It has also become recently evident that VWHDC has no intention to further review the Green Belt boundaries in response to the Oxford unmet need.
18. It is therefore suggested that decisions on the final Green Belt boundary, to be reflected in LPP1, are deferred until the joint work of the Growth Board has completed when the evidence will be available to make an informed decision and consistent with the agreed Duty to Cooperate processes.

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### Introduction

1. The Inspector asked the Vale of White Horse District Council (VWHDC) to provide a note to respond to unresolved issues which he identified in relation to employment land supply, and how this relates to objectively assessed housing need. This has now been published (HEAR04), and the Inspector has invited comments on it from examination participants. This note provides the City Council's response to HEAR04.
2. In summary, the additional information has further underlined the City Council's concerns that there are fundamental failings in the Plan's overall spatial strategy: The current Plan is based on excluding a substantial proportion of Objectively Assessed Need to meet Oxford's current and future unmet need. This is compounded by the proposals for a significant oversupply of employment land well beyond the 'committed economic growth' scenario on which the Plan's housing requirement is based. This can only intensify the impact of the planned undersupply of housing in the District, and further increase commuting and pressures on infrastructure. The City Council believes that on this basis the Local Plan Part 1 is not effective in its current form.

Has there been any double counting in terms of jobs and homes relating to the 6.5 ha. of land to be provided in Vale of White Horse on behalf of South Oxfordshire? It this attributed to the former Didcot A power station?

(Section 3 of VWHDC Response)

3. Putting aside the issue of whether the Economic Forecasting (ECO.02) is jobs- or supply-driven (covered under the sections below), the City Council considers that this question has not been adequately clarified. Full clarification is essential because the supply of jobs and employment must be balanced with housing need and supply.
4. VWHDC propose allocating land within their area to help SODC meet their assessed employment needs. Paragraph 3.4 of HEAR04 explains how this in principle has been addressed in the economic forecasting. However, this principle has not been extended to addressing Oxford's unmet housing need which is far more pressing. We believe allocating additional employment land before addressing current and future housing need is unsound.
5. The 500 additional jobs assumed for the 6.5 ha allocation is inconsistent with Core Policy 6 and its supporting text. Paragraph 4.31 of VWHDC LPP1 (as quoted in HEAR04 paragraph 3.8) states that the 6.5 ha forms part of the 28 hectares allocated at Milton Park. In Core Policy 6, Milton Park is identified separately from Didcot A, which is shown to provide a potential 29 ha of employment which paragraph 4.30 of the LPP1 confirms as being "over

*and above the identified requirement”* (which is itself a problem on which we have commented in sections below).

6. Given the quote from the SODC Inspector’s report provided in paragraph 3.7 of HEAR04, clarification is needed through appropriate modifications to Core Policy 6 to precisely identify the location of the 6.5 ha attributable to meeting SODC’s needs. This could be as an additional row following Row 1 of the table in the policy identifying the 6.5 ha, and also specifying the number of jobs this will provide towards SODC’s needs. This is important as the policy needs to be clear that this element is an addition to Vale’s need and employment land supply, and emphasise that this is location-specific and not just a ‘floating’ requirement to come forward on an ad-hoc basis. It would also clarify that the allocation is tied to a specific number of jobs (noting that the 500 jobs to which it relates assumes low-density employment uses).

#### Total employment land in the Vale of White Horse district and Core Policy 6 (CP6)

7. From the additional paper, it is now understood that there is a total of 380 ha of land being allocated for employment uses within the Vale. It is irregular, and of significant concern, that there is some 216 ha of additional employment land being allocated in addition to the 164 ha reported in the CE/SQW Economic Forecasting report ECO02. This is an increase in employment land area of some 132%. The CE/SQW Economic Forecasting report is a common evidence base agreed by all the Oxfordshire districts and County Council, and is integral to the SHMA. The lack of any consultation on this departure from the CE/SQW report is a clear breach of the Duty to Co-operate.
8. It is also misleading for Core Policy 6 refers to the allocation of 219 ha + 24.2 ha which totals 243.2 ha, which is not consistent with the 380 ha total stated.
9. The note still does not provide a clear picture of which areas of land are allocated for employment uses within the Plan period. For example the table on page 7 of HEAR04 shows ‘available land’ at Harwell campus as  $94+35 = 139$  ha (confirmed in paragraph 4.3). Yet paragraph 4.2 reports Harwell total allocation of 290 ha which includes a ‘licensed site’ being decommissioned and not available. It is not clear if the whole balance (of  $290-129 = 161$  ha) relates to the licensed site (clearly this is a huge area of land capable of accommodating perhaps thousands of jobs). There is also no explanation of why this large area is allocated when it is considered as ‘not available’ (and therefore not deliverable within the Plan period).
10. The Table on Page 7 highlights the differences in the assumptions in the CE/SQW report (ECO02) and the allocations insofar as they are shown in Core Policy 6. It is acknowledged that the Harwell Enterprise Zone area changed between the original submitted and final designation. What is not clear is whether SQW adjusted their assumptions to reflect this, given that Appendix K of ECO02 specifically referred to 163.97 and not the higher figure incorporating this (which would logically be c.173 ha to include the 9 ha added to the Enterprise Zone). It is suggested that, for the avoidance of doubt, SQW are invited to confirm that this is a typographical error and that the assumption underpinning their work is consistent with the revised EZ area.

11. The addition of 35 ha of land at Harwell outside of the Enterprise Zone is also highlighted. VWHDC consider that this is justified because ECO02 identified that growth additional to those planned would be expected to take place within or adjacent to the Enterprise Zone in the short and long term. To quote directly from Table K.4 of ECO02 (see page 119), under the justification for 'potential uplift' to committed development it is stated:

*"There is also scope for substantial additional development at Harwell – at least 20 ha should be available for development in the short term over and above the EZ area, and more long term."*

12. The full wording therefore indicates that there is scope for this additional development at Harwell, but only speculates a figure of 20 ha (substantially less than the 35 ha proposed for allocation) and, unlike for other potential sources of uplift, does not quantify the number of additional jobs or indeed additional employment floorspace that this translates to. It also makes clear that this relates to the short and long term, making no assumption about what might be delivered in the Plan period. It is therefore doubtful that the Economic Forecasting jobs total of 23,000 incorporated an assumption that 35 ha of additional land at Harwell would come forward as an allocation in LPP1.
13. HEAR04 also notes the addition of 11.2 ha at Milton Hill Business and Technology Park. The explanation for this is that it is identified in the ELR Addendum (ECO1.2) as vacant/developable which updates the previous iteration of the ELR (ECO01). However this provides no explanation as to whether this unexpectedly vacant land was considered in the Economic Forecasting (ECO02) in arriving at their forecasts. It may be that it had already been considered in ECO02 as a commitment rather than as an allocation, however this has not been stated in HEAR04 therefore whether it has been taken account of in the 23,000 total jobs figure remains unclear.

#### *Jobs versus land supply*

14. VWHDC state that employment land supply has no bearing upon employment forecasts and the assessment of housing need. This is incorrect on both counts. Whilst the economic growth component of the OAN derived from the SHMA is calculated (as it should be) by job creation that is not the complete picture. It is then necessary to translate that job creation figure into an area of land to accommodate those jobs. There was an extensive discussion at the time between the Oxfordshire authorities reviewing existing and proposed employment sites as a component of the employment forecasts. Cambridge Econometrics / SQW performed that exercise in conjunction with the SHMA work producing the figure of 163.97 ha. Proposals for a total allocation of 380 ha are clearly a major departure from the agreed SHMA with fundamental implications for employment, housing and infrastructure.
15. If the supply of employment land were truly immaterial to job growth, there would have been no need for CE and SQW to analyse employment sites and sources of supply as they did in their report (ECO02) for example in Table K4.

### *Implications of over-allocation of employment land*

16. The first fundamental problem of allocating 380 ha of land relates to the test of deliverability. HEAR04 clearly flags that at least 161ha of land to be allocated would not be deliverable within the plan period. If there is no prospect of the land coming forward within the plan period then it should not be allocated as it is, by definition, not deliverable, and the Plan cannot therefore be effective.
17. Conversely if the land is allocated then it must be expected that planning applications will follow within the life of the Plan and, being in accordance with the Plan, permissions and employment development of a magnitude well over and above that assumed in the SHMA will be the result. There is in addition 35 ha of land at Harwell which on current evidence has also not been fully taken account of in calculating job creation in the Vale.
18. Assuming the second scenario, the consequences of oversupply to match the full proposed allocation of employment land are clear. The VWHDC indicated at examination that there was a prospect of delivering above the 219 ha (and by implication well above 23,000 jobs) within the Plan period, reflecting the buoyancy of the high-tech sector in Science Vale. Yet the housing OAN (both for the HMA and the VWHDC administrative area) is directly affected in a fundamental way by the economic growth planned for. Any material oversupply of employment land beyond that used in the SHMA to calculate the OAN renders that OAN incorrect. The impact would be to increase it. However no higher allocation of housing to achieve a true balance of housing to allocated employment has been tested. Further, we have already heard that the County Council does not believe that the current Plan and strategy would provide necessary infrastructure for additional housing growth. The first part of the NPPF paragraph 47 exercise is to consider the OAN for the HMA which clearly cannot be ascertained given the uncertainties apparent in terms of how much employment will be delivered in the Plan period.
19. Section 6 of HEAR04 confirms that the highest housing target tested in the SA/SEA (Option G) was 20,560 homes which is the SHMA figure that reflects 'committed economic growth'. It is clear that a housing OAN that truly reflects the full allocation for employment purposes has not been tested through the SEA process.
20. There are also wider implications for infrastructure delivery. Oxfordshire County Council has advised the Inspector that it is content with the Plan's spatial strategy only on the basis of the original supply figures, in terms of delivering the infrastructure only to support the SHMA OAN housing supply and no more. There also remains the Oxford unmet need, which in the City Council's view is the more urgent issue given it is a critical longstanding (and worsening) existing need. An oversupply of employment in the Vale of White Horse as proposed, will increase the overall pressure on housing in the wider HMA, and create competing demands for additional housing delivery in locations remote from Oxford.

### Concluding remarks

21. The City Council has considered HEAR04. Regrettably this paper does not provide the explanation (and hence reassurance) that was hoped for. In particular it introduces a new

figure for total employment allocations of 380 ha which is a huge increase on the figure of 219 ha identified as strategic employment allocations in Core Policy CP6.

22. Given this is very different to the 164 ha of employment land underpinning the CE/SQW report (ECO02), there are clear implications on how this affects the housing OAN for Vale of White Horse in particular. This reinforces the City Council's view that a suspension to the Plan is essential to seek to address these fundamental employment and housing issues and achieve a sound Plan