

Agenda



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Date: 8 November 2018
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A meeting of the **Cabinet**

will be held on Friday 16 November 2018 at 10.30 am
Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton, OX14 4SB

Cabinet Members:

Councillors

Roger Cox (Chairman)
Ed Blagrove (Vice-Chairman)
Alice Badcock
Eric Batts

Mike Murray
Robert Sharp
Elaine Ware

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Margaret Reed
Head of Legal and Democratic

Council's vision

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

Agenda

Open to the Public including the Press

1. Apologies for absence

To record apologies for absence.

2. Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

3. Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

4. Public participation

To receive any questions or statements from members of the public that have registered to speak.

5. Local Plan 2031 Part 2 - Inspector's initial post hearing letter

(Pages 3 - 16)

To consider the head of planning's report following receipt of the inspector's initial post-hearing letter relating to the proposed allocation of Dalton Barracks, and to make recommendations to Council.

Exempt information under section 100A(4) of the Local Government Act 1972

None

Cabinet Report



Report of Head of Planning

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To: CABINET

Date: 16 November 2018

Local Plan 2031 Part 2 – Inspector’s initial post hearing letter

Recommendations

that the Council responds to the Planning Inspector presiding over the Local Plan 2031: Part 2 Examination confirming that Option 2, as set out below, is supported. A draft letter to the Planning Inspector is attached along with a proposed modification to Core Policy 8b: Dalton Barracks and a simple summary signposting to the existing evidence base (Appendix 1).

Inspector’s Option (Option 2):

“Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site (s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan”.

Purpose of Report

1. The Council received an initial Post Hearing letter from the Planning Inspector presiding over the Local Plan 2031: Part 2 Examination dated 30 October 2018.
2. This report provides a high-level summary of the Inspector’s comments in that letter relating to the proposed allocation at Dalton Barracks and the options he has asked the Council to comment on and recommends a course of action to respond to the Inspector by his deadline (20 November 2018).

3. The proposed response to the Inspector and the recommendations in this report relate only to the Inspector's question, which concerns the proposed allocation at Dalton Barracks, as follows:

“At this stage I am seeking the Council's response as to how it wishes to proceed with regard to the Dalton Barracks proposal in the light of this letter”.

4. The Inspector's letter does not provide an opportunity for the Council to raise any other matters.

Corporate Objectives

5. The Local Plan is central to the achievement of the following strategic objectives in the 2016-2020 Corporate Plan:
 - a strong local economy
 - housing for people who need it.
6. Extensive public consultation was carried out to inform the plan in accordance with the Council's Statement of Community Involvement that helps to meet the following Corporate Objectives:
 - Positive and constructive work with community groups
 - Communities involved in decisions about development and other things affecting their local area.

Background

7. The Vale of White Horse District Council submitted their Local Plan 2031: Part 2 to the Secretary of State in February 2018. This plan is currently subject to Examination by the Planning Inspector Mr David Reed. Three weeks of public hearing took place during the summer this year and concluded on 6 September 2018.
8. The Part 2 plan complements the Local Plan 2031: Part 1, which was adopted in December 2016 and sets out the housing need for the Vale up to 2031. The Part 2 plan has four main purposes, which set out:
 - i) policies and locations for housing for Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries
 - ii) policies for the part of Didcot Garden Town that lies within the Vale of White Horse
 - iii) detailed development management policies to complement the strategic policies as set out in the Local Plan 2031 Part 1, and where appropriate replaces the remaining saved policies of the Local Plan 2011, and
 - iv) allocations of additional development sites for housing.
9. The Inspector's Post-Hearing letter confirms the following key points:
 - i) the preparation of the plan has met the Duty to Co-operate
 - ii) that the plan does not meet the tests of soundness without some modification. The Inspector has made it clear that he will advise of modifications in due course
 - iii) the proposed allocation at Dalton Barracks needs further consideration (see below)
 - iv) the Part 1 plan remains in force and sets the overall strategy for Part 2
 - v) that the Part 2 plan has no remit to revisit the Objectively Assessed Need for the Vale (20,560 dwellings) as set out in the Part 1 plan

- vi) that the Oxfordshire Growth Board process to identify and apportion unmet housing need for Oxford is “objective” and “robust” in terms of both quantum and its apportionment.
 - vii) the figure of 2,200 dwellings, as identified by the Growth Board and set out in the Part 2 plan, for unmet need for Oxford to be addressed within the Vale “should be used” as the basis for meeting this need in the period 2019-2031
 - viii) the total housing requirement for the Vale should therefore be amended to 22,760 dwellings (as stated in the Part 2 plan)
 - ix) that the approach to allocating the unmet need for Oxford to be addressed within the Vale within the Abingdon/ Oxford Sub-Area, as set out in the Part 2 plan, is “sound”, and
 - x) in relation to safeguarding land for Park and Ride sites at Cumnor and Lodge Hill and for a Bus Lane between Lodge Hill and Hinksey A34 junctions, that “There is sufficient evidence to justify safeguarding land for these purposes”.
10. Notwithstanding that the proposed allocation at Dalton Barracks needs further consideration (see below), this is a positive response overall.
11. The Inspector also indicates a few areas where modifications will be required, including:
- i) that two parcels of land at or close to Dalton Barracks should remain within the Green Belt (Starveall Farm located behind the ribbon development along Whitecross and the MOD Playing Field located on the operational site of the barracks) (see Map – **Appendix 2**)
 - ii) the proposal for a public transport and cycle link between Lodge Hill and Dalton Barracks is not justified and should be “deleted”, and
 - iii) that the proposed adjustment to the sub-area housing requirement figures should not be taken forward. The figures set out in the Part 1 plan for Abingdon/ Oxford (5,438) and Western Vale (3,173) areas should remain and that the South East Vale area should be reduced to (11,949). These figures still add up to the Objectively Assessed Need as set out in the Part 1 plan.
12. The Inspector has not invited any comments on these matters and so they are not matters for discussion. The Council anticipates that the Planning Inspector will share his recommendations for any further modifications that he considers will be appropriate in due course. Any proposed modifications will therefore be reported to Cabinet and Council separately and will also be subject to a minimum period of six weeks public consultation.

Options

Proposed Allocation at Dalton Barracks: Summary and Options

13. The Council’s proposal for this site (in short) was to seek to release the whole site from the Green Belt, but only allocate a relatively small quantum of development in the plan period up to 2031 (around 1,200 dwellings / longer term site capacity potentially up to 4,500 dwellings).
14. The Inspector considers that this approach is ambiguous. In particular:

“Without exceptional circumstances for this proposal in the Green Belt being demonstrated the LPP2 cannot be found sound, and these exceptional circumstances

cannot exist unless there is a sufficient body of evidence that the site is actually developable and able to satisfactorily accommodate a new settlement of up to 4,500 dwellings in due course”.

15. The Inspector also expressed concerns regarding the proposal to adopt a Supplementary Planning Document that would provide for a comprehensive development framework for the whole site rather than simply in respect of the allocation of 1,200 dwellings. He considered that such an SPD would exceed the lawful remit of a Supplementary Planning Document as it would go beyond the proposals in LPP2.
16. The Inspector has identified three options:
 1. Update the evidence base to support an unambiguous proposal at Dalton Barracks for a new settlement of up to 4,500 dwellings, albeit on the basis that only an estimated 1,200 dwellings would be completed during the current plan period. Another approach would be to prepare an Area Action Plan for the whole site rather than an SPD
 2. Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site (s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan, and
 3. Delete the site altogether and put forward replacement allocations elsewhere.
17. In terms of the Inspector’s options, the implications for the Council can be summarised as follows:
 - 1. Justify a proposal for a 4,500-dwelling new settlement.**
18. Whilst the Council may still consider that there is potential for development at Dalton Barracks in the longer-term, the evidence supporting the Part 2 plan as submitted, is focused on 1,200 homes being delivered in the plan period up to 2031. It was always assumed that any longer-term development would be supported by further detailed evidence to be prepared in the future.
19. Longer-term development at this site could potentially continue up to the mid 2040’s, perhaps to 2050 and would clearly require a different scale of evidence than that currently available to justify 1,200 homes up to 2031. In terms of highway evidence as an example, the Oxfordshire transport model currently only covers the period up to 2031 and so it is currently unclear how longer-term highway impact could be tested at the present time.
20. On this basis, it is considered that this option would cause significant delay to the Part 2 plan process and that significant further work would be needed before a timetable could be identified. If the Inspector’s options 2 or 3 were selected, the Council would retain the option of considering the longer-term potential for development at Dalton Barracks through a future local plan process. This would ensure that there is more time available to prepare the wider evidence needed to justify a larger scheme should the Council decide to pursue this option in the future.
21. The preparation of an Area Action Plan (AAP) would effectively defer all matters relating to the proposed allocation to a future local plan process and would be likely to also require additional site allocations in the short term (as per Option 3).

2. Allocate a specific site for 1,200 dwellings

22. The original proposal, as set out within the Part 2 plan, as submitted to the Secretary of State in February 2018, was for 1,200 dwellings in the plan period up to 2031, albeit the Council had been seeking to also look to the longer term. This has been subject to substantial detailed work and consultation and has already been subject to detailed discussion during the examination hearings. The proposed scheme could be amended to reflect the Inspector's letter (for example, removing the MOD playing fields) and any references to the potential for longer term development could be removed. Whilst the Council is satisfied the submitted evidence is robust and proportionate for plan making purposes, some additional information will be prepared in an effort to address the detailed questions in the Inspector's letter concerning transport impacts and air quality. Officers will advise the Planning Inspector separately on the timetable for preparing this work.
23. The potential for longer-term comprehensive development at the Dalton Barracks site could still be considered and planned in the future, if the Council wished to pursue this option, albeit this would be a matter for a future local plan process.
24. The proposed SPD for this site would be limited to a revised allocation and modifications made, if necessary, to ensure the role of the SPD was clearly limited to providing additional guidance only.

3. Delete the Dalton Barracks proposal and identify alternative sites

25. It was necessary for the Council to consider a large number of sites (over 400) to inform the preparation of the Part 2 plan and a number of short-listed sites were assessed in some detail. The sites included in the Part 2 plan represent those the Council considers are the most appropriate overall, taking into account a wide range of evidence, including Sustainability Appraisal and consultation. The plan, as submitted, was approved by Cabinet and Council on 22 and 27 September 2017 respectively and represented what the Council considered is the most appropriate strategy for sustainable development overall.
26. Introducing any alternative and entirely new sites at this stage would require additional work and would be likely to delay the plan process by several months. Given that the Council was not proposing to support the delivery of any more than 1,200 homes within the plan period at Dalton Barracks; it is not considered appropriate to pursue this option further. The Council will of course need to consider a wide range of alternative sites through any future local plan process as it will, in due course, need to plan beyond the current plan period to 2031.

Financial Implications

27. The Vale of White Horse Local Plan 2031: Part 2 was submitted to the Secretary of State in February 2018 following approval by Cabinet and Council. Any financial implications of selecting Option 2 would be met by the existing budget. As the alternative options could lead to further delay, these may lead to increased financial implications. The work will be met from the existing staff resource and Planning Policy Budget.

Legal Implications

28. Officers have consulted with the Council's legal representatives who have not identified any issues relating to the proposed approach to support Option 2.

Risks

29. Option 2 is considered to minimise any risks for the reasons set out in this report. As the alternative options could lead to greater delay, these also have greater associated risk. The Council has a legal obligation to maintain an up-to-date Local Plan. An up-to-date plan ensures the Council maintains a plan led approach to development thus minimising the risk of speculative or less sustainable development.

Other implications

30. No other implications are identified

Conclusion

31. It is recommended that the Council respond to the Planning Inspector confirming that Option 2, as set out below, is supported, for the reasons set out in this report. A draft letter to the Planning Inspector is attached along with a proposed modification to Core Policy 8b: Dalton Barracks (**Appendix 1**) and a simple summary signposting to the existing evidence base to assist the Inspector (**Appendix 2**).

Inspector's Option (Option 2):

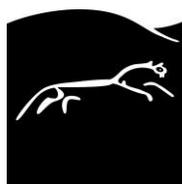
"Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site (s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan".

Appendices

- Appendix 1: Draft letter to the Planning Inspector with a proposed modification to Core Policy 8b: Dalton Barracks and Summary signposting existing evidence base.
- Appendix 2: Sites referred to within the Planning Inspector's letter to remain within the Green Belt.

Planning

PLANNING POLICY MANAGER: HOLLY JONES



**Vale
of White Horse**

District Council

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Dear Mr Reed,

Vale of White Horse Local Plan 2031 Part 2 (LPP2): Examination

Further to your letter to the Council dated 30 October 2018 concerning the Vale of White Horse Local Plan 2031 Part 2 (LPP2) Examination, please find the Council's response set out below.

The Council provided an initial response dated 2 November 2018 and note that you consider that many aspects of the plan can be considered to be 'sound', including for example, the Council's Duty to Co-operate, and the approach to the apportionment of the unmet housing need for Oxford to be addressed within the Vale. The Council also acknowledge the expectation that modifications will be required to the plan and look forward to receiving your recommendations on these matters in due course.

In terms of the issue concerning the proposed allocation at Dalton Barracks and your finding that this needs further consideration, the Council has given this matter due attention and the proposed approach has been subject to consideration by both Cabinet and Council.

Your letter dated 30 October 2018 made it clear that you consider that the proposal to release the whole Dalton Barracks site from the Green Belt but to only allocate a relatively small quantum of development within the plan period up to 2031 is ambiguous. Your letter made it clear that there were three options available, namely:

- 1) Update the evidence base to support an unambiguous proposal at Dalton Barracks for a new settlement of up to 4,500 dwellings, albeit on the basis that only an estimated 1,200 dwellings would be completed during the current plan period

- 2) Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site (s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan, or
- 3) Delete the site altogether and put forward replacement allocations elsewhere.

The Council is mindful of the substantial evidence already published at the Regulation 19 stage of the plan-making process and submitted to the Secretary of State in February 2018 that supports the delivery of around 1,200 dwellings at the Dalton Barracks site within the plan period to 2031. This information includes the Delivery Document prepared by the Site Promoter that includes considerable detail of how this development would come forward, including land areas and phasing. The Council note that this evidence has also already been subject to detailed consideration through the Local Plan examination hearings.

On this basis, the Council is of the view that your Option 2, i.e. a 1,200 dwelling scheme on the Dalton Barracks site, is already supported by substantial evidence. It would of course be necessary to make appropriate modifications to the plan to remove reference to any longer-term potential for the wider site and make adjustments to the masterplan to take account of your comments, such as removing the MOD Playing Fields. The Council has appended a possible modification to Core Policy 8b: Dalton Barracks that is hopefully of assistance in this regard (**Appendix 1**). The Council has also appended a very simple summary that signposts the existing evidence in support of a proposal for a 1,200 dwelling scheme at the Dalton Barracks site (**Appendix 2**).

Whilst the Council believes that the evidence already submitted is robust and proportionate to support a Local Plan process, the Council will prepare additional information to address your specific points relating to transport and air quality. The Council will advise on the timetable for this work separately.

The Council would of course be happy to assist further should this be helpful, but otherwise look forward to hearing from you on your proposals for the next steps for taking this matter forward.

Yours sincerely,



Holly Jones
Planning Policy Manager

Appendix 1: Proposed draft modification to Core Policy 8b: Dalton Barracks Comprehensive Development Framework

Core Policy 8b: Dalton Barracks Comprehensive Development Framework **STRATEGIC ALLOCATION**

All new development at Dalton Barracks will be guided by a comprehensive **APPROACH TO MASTERPLANNING** development framework.

The new housing allocated at Dalton Barracks will be provided to an exemplar standard and following Garden Village principles to ensure the potential for highly sustainable and accessible development is fully realised. The **new settlement DEVELOPMENT** will form a mixed-use community incorporating on-site services and facilities, including **new schools EDUCATION PROVISION**, a local centre, providing local opportunities for employment and ensuring excellent public transport, cycleway and footpath connections to Oxford and Abingdon-on-Thames. This development will come forward in accordance with Core Policies 8a and 8b and the Site Development Template set out in Appendix A.

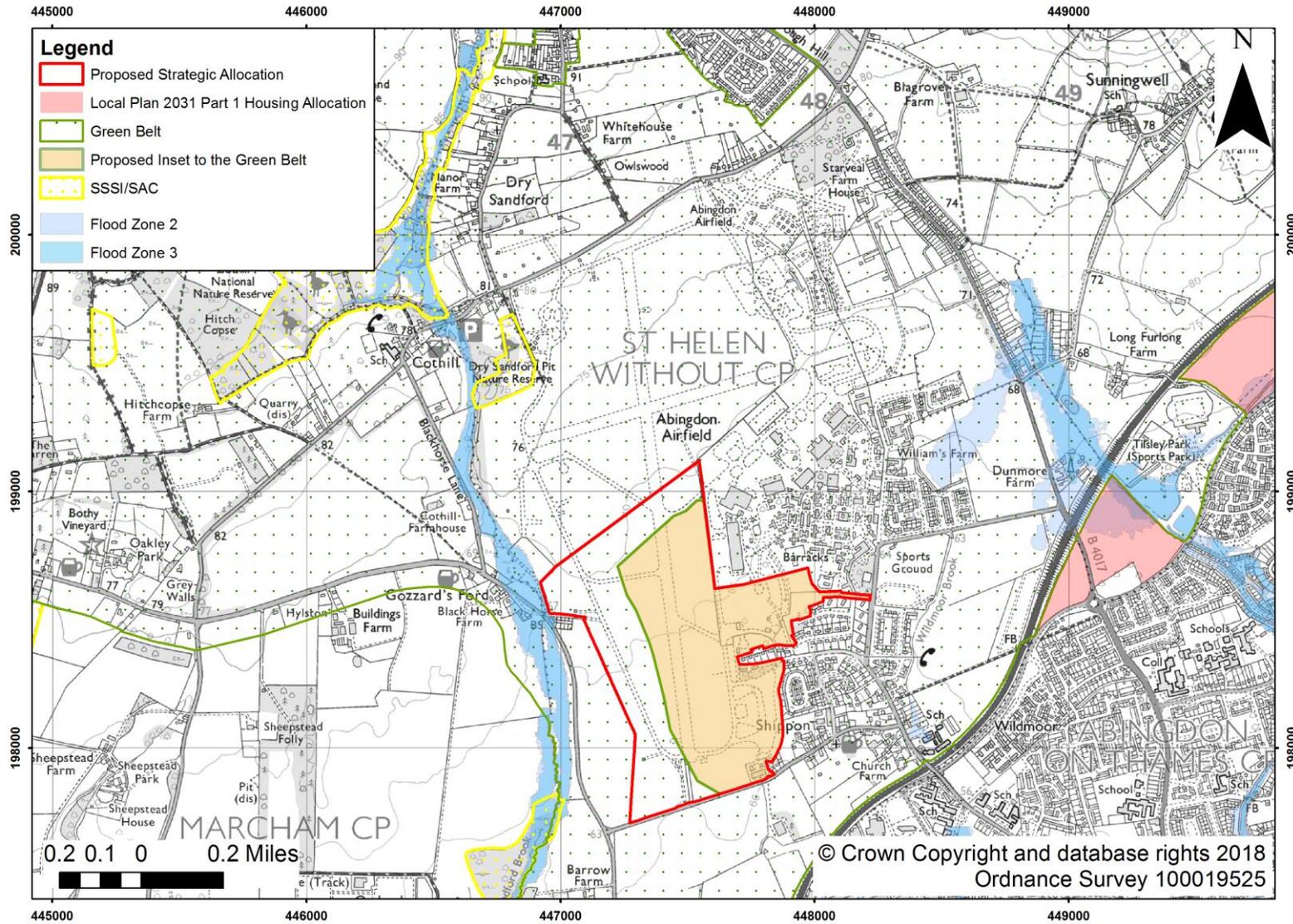
The site is removed from the Oxford Green Belt in accordance with Core Policy 13a. The site area, however contains a **large** area of land that will remain within the Oxford Green Belt and any development on this area will be limited to Green Belt-compatible development. This area will include **a substantial Country Park PARKLAND**, located on the western **AND NORTHERN** side **S** of the site that should be planned for as part of the **OVERALL MASTERPLANNING FOR THE SITE** comprehensive development framework.

Proposals for development at Dalton Barracks must demonstrate how **they IT** contribute **S** towards a comprehensive approach to **MASTERPLANNING** development.

The Council will continue to work with the Defence Infrastructure Organisation, Oxfordshire County Council, Natural England and other relevant stakeholders to **ENSURE prepare** a comprehensive **APPROACH TO MASTERPLANNING** development framework for the site. Additional guidance will be provided by a comprehensive development framework that will be published as a Supplementary Planning Document and will ensure **THE NEW HOUSING ALLOCATED AT DALTON BARRACKS** proposals are **IS** considered in the context of a comprehensive approach to the **MASTERPLANNING OF THE SITE** **whole site**, including:

- i. the development is in accordance with the requirements of a travel plan for the **whole** site to make the necessary contributions in order to implement sustainable transport initiatives, including minimising car usage and increasing the use of public transport, walking and cycling.
- ii. the development is in accordance with and makes the necessary contributions to a comprehensive landscape plan for the **whole** site, including the provision of **PARKLAND a Country Park** of at least **80 30** hectares.
- iii. proposals for new development and redevelopment should be demonstrated that there would be no adverse impact on Cothill Fen SAC and protection for the SSSI located to the west of the site, **and**
- iv. proposals for buildings and structures (including their extensions) will not unacceptably harm the character and appearance of the surrounding area, taking into account their location, scale, bulk and height, **AND**
- v. **ANY EXTERNAL LIGHTING SCHEME MUST HAVE A MINIMAL IMPACT IN TERMS OF LIGHT POLLUTION.**

Map showing the Council's proposed modification to the site boundary for Dalton Barracks following the Inspector's letter dated 30th October 2018



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Appendix 2: Signposting of existing evidence to support proposed development at Dalton Barracks

Consideration	Evidence	Justification
Landscape	Landscape Capacity Study (NAT07)	Dalton Barracks is site 22. The entire site has been assessed as set out on pages 93-94 which includes the site for 1,200 dws. This assessment demonstrates the site for 1,200 dws has high capacity for development.
Flooding	Strategic Flood Risk Assessment (WWF03.2)	The entire site has been assessed as set out on page 40-42 which includes the site for 1,200 dws. The assessment demonstrates the site for 1,200 dws has low fluvial flooding risk and some risk of surface water pooling in Shippon, to the south of the site which can be mitigated. The conclusion does not change for the site of 1,200 dws.
Ecology	Habitats Regulations Assessment (CSD08.4)	Site capacity of 1,200 dws has been assessed through the Habitats Regulations Assessment consistent with the current proposal. The mitigation measures proposed through the HRA will still apply including a Suitable Alternative Natural Greenspace (SANG) of 22ha to mitigate potential for effects on Cothill Fen SAC through recreational pressure. The site for 1,200 dws has capacity to incorporate a SANG of at least 22ha.
Water and Wastewater	Water Cycle Study (WWF02. and WWF02.1)	Site capacity of 1,200 dws has been assessed consistent with the current proposal, as set out in Appendix G of WWF02. The assessment concludes upgrades are unlikely to be required to the wastewater network. The conclusion does not change for the site of 1,200 dws.
Oxford Green Belt	Green Belt Review: Exceptional Circumstances Assessment (NAT01) Green Belt Study of LPP2 Sites (NAT03) Green Belt Study: Land Surrounding Dalton Barracks (NAT02)	The entire site at Dalton Barracks has been assessed in terms of its contribution to the Oxford Green Belt as set out in NAT01 and NAT03 which includes the current proposal for 1,200 dws.
Sustainability Appraisal (SA)	Sustainability Appraisal (CSD09 to 09.1)	Site capacity of 1,200 dws has been appraised through the Sustainability Appraisal consistent with the current proposal. The SA identified Dalton Barracks as a constant across the reasonable alternatives reflecting the increased certainty of delivery and the sustainability credentials of the site.
Historic Environment	Site Selection Topic Paper (TOP02.1 to 02.4)	The entire site has been assessed through the site selection process which includes the site for 1,200 dws. It demonstrates the same conclusions apply for the site of 1,200 dws.

Consideration	Evidence	Justification
Transport	Evaluation of Transport Impacts (TRA06 to 06.3)	<p>Site capacity of 1,200 dws has been assessed within the Evaluation of Transport Impacts assessment consistent with the current proposal. The ETI assessed the cumulative impact of all growth proposed within the Part 2 plan. The County Council and the Vale agree this provides proportionate, up-to-date, relevant and adequate evidence for the Part 2 plan. Both parties recognise that further transport planning evidence will be required to support individual planning applications on the larger sites.</p> <p>The Council is preparing additional information and will advise on the timetable for this work separately</p>
Air Quality	Note for Inspector re Cumulative Impact of Air Quality (HEAR04.5)	<p>Site capacity of 1,200 dws has been assessed as demonstrated within HEAR04.5 regarding cumulative impact from Local Plan 2031 Part 2 growth on Marcham AQMA. The assessment concludes the overall resulting air quality effect is 'not significant'.</p> <p>The Council is preparing additional information and will advise on the timetable for this work separately</p>
Viability	Viability Update (INF02) Viability Statement (INF03)	<p>A larger site for 2,200 dws has been assessed through a Viability Update and Statement which covers the capacity of the current proposal for 1,200 dws. This assessment demonstrates the cumulative impact of the proposed site and the plan's policy requirements do not put the implementation of the plan at serious risk. The Council produced a Note for the Inspector regarding Viability (HEAR08.1) demonstrating the site for 1,200 dws can bear the level of contributions required to deliver the known infrastructure costs.</p>
Infrastructure	Infrastructure Delivery Plan (CSD10)	<p>The Infrastructure Delivery Plan (IDP) to support the Submission Version of the Part 2 plan identified known infrastructure costs and requirements for the site of 1,200 dws, which is consistent with the current proposal. The identification of these requirements has been undertaken through engagement with stakeholders and has identified the need for a primary school, leisure and sports facilities open space, community services and facilities on site, contributions towards secondary school and SEN provision and health care provision</p>

Appendix 2: Sites referred to within the Planning Inspector's letter to remain within the Green Belt

