

## Clarification responses

Please find below the responses of Wootton Parish Council and St Helen Without Parish Council to the clarification note provided on 28<sup>th</sup> January 2019.

*General - To what extent did the NP set out to supplement the detail in the submitted LPP2 (Core Policy 8b)?*

The NP set out to supplement the emerging proposals in LPP2 to a significant extent, especially given the lack of site-specific detail in Core Policy 8b and the long-term perspective adopted beyond the period of the plan itself. While the NP covers the whole designated and addresses issues beyond those associated with the proposed development at Dalton Barracks and Abingdon Airfield, the scale of the proposed development is clearly of significant local interest and concern. We recognised the constraints on what a neighbourhood plan can achieve, and our communities broadly support development at the site. We do not seek to constrain development, but we do seek to inform decisions as to the level, nature and location of development that is appropriate for that site given the characteristics of and pressures on our neighbourhood and the aspirations and concerns of our communities. We have been actively involved in the consultation and Examination processes for LPP2, including workshops associated with the master planning of the site, and have requested very little by way of concessions, yet the community's perspective has not been accommodated. In this context, the NP seeks both to inform and supplement the emerging proposals in LPP2. Notably, The VWHDC submitted a note to the Inspector for LPP2 stating that "the Council does not consider the draft NP is of direct relevance to the examination of LPP2", reflecting the lack of regard shown by the VWHDC to the concerns of the community in developing LPP2, in contravention of the spirit and intentions of the Localism Act. We disagreed with this and SHWPC communicated this disagreement to the Inspector for LPP2, who – judging from his correspondence with the VWHDC - appears to be considering our NP in his deliberations on LPP2. Given that the Inspector for LPP2 has stated that his preliminary findings are 'without prejudice', such that the proposed modifications might be subject to further modification following consultation, there remains significant uncertainty as to the final content of LPP2 and its implications for the proposed development at Dalton Barracks and Abingdon Airfield. It is in this uncertain context that we seek to inform the emergence of proposals in LPP2. It is also in this context that we attended a supposedly 'informal' meeting with the VWHDC (which included their legal counsel), accompanied by our planning consultant (Nigel McGurk), in which Mr McGurk robustly countered the arguments of the VWHDC that we needed to make significant revisions to our NP.

*Policy SS2 – to what extent were the strategic green gaps designed to provide a context for the emerging proposals on the DB site?*

The strategic green gaps reflect both the value placed by local residents on the character of the neighbourhood area as a series of small, discrete and distinctive settlements in general terms, and concerns expressed during consultation on the NP by residents about the proposals in LPP2 to merge their settlements with the new development in a more specific sense. We have therefore taken a strategic approach to settlement separation for the whole Designated Area, which takes specific

form as it applies to the proposed new development. With regard to the application of this policy to the proposals for the DB site, these strategic green gaps seek to resolve several contradictions within the local plan, as follows:

1. LPP1 sets out policies to protect and enhance the separation and identity of settlements, but the proposals in LPP2 ignore this strategic context by seeking to merge the new development with Shippon. As LPP2 is described as being supplementary to LPP1 and providing detailed policies and additional sites rather than repealing established strategic policies in LPP1, the strategic green gaps seek to bring the proposals in LPP2 into line with the strategic policies in LPP1.
2. LPP1 identifies Shippon as a smaller village in its settlement hierarchy, within which its spatial strategy stipulates that only limited infill is permitted, but the proposals in LPP2 ignore this strategic context by superimposing a development of at least 1,200 dwellings onto Shippon. As the Inspector for LPP2 has described this as a large-scale development, it cannot possibly be considered infill. The strategic green gaps therefore seek to bring the proposals in LPP2 into line with the strategic policies in LPP1.
3. LPP2 describes the new development as a garden village but it is being enacted in its policies as a garden urban extension. The VWHDC claim that the distinction drawn between garden villages as stand-alone settlements and other garden-types of development that can be bolted onto existing settlements in the 2016 DCLG prospectus for garden cities, towns and villages has been nullified by more recent publications by the TCPA. However, these later publications themselves incorporate the distinction previously drawn, for example on page 6 of Practical Guide (1)(TCPA, 2017). This position is reinforced by the MHCLG 2018 prospectus for garden communities, which offers two options for funding applications – a stand-alone settlement or a transformational superimposition – as mutually exclusive options. The assumption employed by the VWHDC that the terms garden village, town, suburb, city and urban extension are interchangeable in discourse and synonymous in practice is therefore groundless. If it is to be described as a garden village, the new development must be delivered as a stand-alone settlement and must be separate from Shippon because this is how a garden village is defined. If it is to be described as an urban extension or suburb, then it must also be separate from Shippon because Shippon – by the VWHDC’s own admission – is a small village, not a town, and is therefore inappropriate to have urban extensions or suburbs bolted onto it. This is about more than semantics, as our communities have expressed their support for a garden village as a separate settlement but have expressed their resistance to the superimposition of a large new development onto their historic village. The application submitted in December 2018 by the VWHDC for garden community funding stated their express intention to impose a transformational development onto Shippon rather than deliver a stand-alone garden village. Despite knowing that our communities support the latter but not the former, the VWHDC stated in its application that they had communicated with us about their application and had our support for it. Neither of these assertions is true. The strategic green gaps therefore seek to bring the proposed development into line with our community’s expressed wishes, and to ensure that the description of the new development as a garden village is delivered as a garden village, as it is defined by the TCPA.

It is also worth highlighting that the land designated as a strategic green gap between Whitecross and the strategic site was originally allocated in LPP2 as part of the strategic site, but this was removed from the proposal following the identification of this land as a strategic gap between Whitecross and the new development by the DIO, who identified a revised perimeter for the eastern edge of the strategic site at a strong tree line. Our strategic green gap in this instance therefore formalises that which had already been acknowledged by the DIO and which was subsequently accepted by the VWHDC. The strategic value of this gap has been further enhanced by the Inspector for LPP2 who has determined that the land designated as an LGS behind Starveall Farm should neither be taken out of the Green Belt nor included in the strategic site. Our spatial strategy, including the strategic green gaps, applies a consistent approach across the designated area, which we therefore also apply between Shippon and the new development.

*Policy SS3 – Would any of the LGSs that overlap with the strategic site conflict with the emerging proposals in LPP2?*

There is no reason for there to be any conflict between the community objective for settlement separation and the strategic objective for the 1,200 dwelling development proposed in LPP2. We consider it to be entirely possible to deliver both objectives and we do not understand why this is not being pursued at present, as we have consistently voiced our community's concerns about the proposed merging of their village with the new development through the consultation and examination processes for LPP2, including at workshops on the master planning for the site. We have no wish to conflict with the emerging proposals in LPP2, but we do wish to inform them, and as LPP2 has not yet been adopted and does not specify where within the site different elements of the development (e.g. schools, homes, green space) will be located, this policy seeks to inform those decisions. This policy seeks to ensure that the development is delivered in a manner that reflects, respects and accommodates the concerns and needs of our community, by encouraging the protection of green amenity spaces between Shippon and the new development. We took a similar approach to the original proposal for the new development to be located immediately adjacent to Starveall Farm, at the top of Whitecross, which would constitute coalescence with this settlement. This was also designated as an LGS in the NP, and the Inspector for LPP2 has deemed that neither this site, nor the playing fields at Dalton Barracks (also designated as an LGS in the NP) are appropriate for removal from the Green Belt or for inclusion within the strategic site.

*Have the parish councils separately assessed the additional local benefit of the proposed LGSs that are within the GB?*

The parish councils have not undertaken an explicit assessment of the additional benefits of designating land within the Green Belt as a LGS. LGSs were identified across the Designated Area as a whole and have been specified irrespective of their location with regard to the Green Belt. This is partly to ensure consistency of approach across the Designated Area and between the parishes, but also in recognition of the desire on the part of the VWHDC to delete land (including Shippon) from the Green Belt and the possibility of these sites being subject to development as part of the strategic allocation. These LGS designations therefore cater for future possibilities.

*Policy SS5.1 – would this policy restrict the emerging proposals in LPP2?*

It has been assumed by the VWHDC and the site promoters that the entire site is PDL, so this policy makes no difference to the availability of land at the site. As the proposals in LPP2 commit to prioritising development at the strategic site on PDL, our policy to support only development on PDL at the proposed site makes no difference to the deliverability of the strategic allocation within LPP2. If, following the Examination of LPP2, this land is deleted from the Green Belt, the PDL designation would become null and void. If no land is deleted from the Green Belt, there would be sufficient space to accommodate the current allocation on the airfield, which is far more expansive than necessary for such a development. We therefore do not consider this policy to restrict the emerging proposals in LPP2.

*Policy SS5.3 – on what basis was criterion a) developed and proposed? Has it been tested for deliverability/viability?*

The answer to this question depends upon which criterion a) is intended. The original criterion a) (encouraging development in the centre of the strategic site) was removed prior to the publication of the plan, in discussion with the VWHDC and in relation to concerns over viability, so is no longer relevant (modifications are available on the VWHDC website). The revised criterion a) (to deliver an appropriate green buffer) was originally developed and proposed on the basis that:

- consultation feedback clearly and robustly indicated that Shippon residents did not want their village to be merged with the new development
- superimposing such a large development on a small village as proposed in LPP2 contradicts the settlement hierarchy and spatial strategy in LPP1 that stipulates that only limited infill is deemed appropriate in larger villages
- the proposal in LPP2 to merge the new development with Shippon contradicts the policies stipulated in LPP1 to protect settlement separation and identity,
- the proposal in LPP2 to merge the new development with Shippon contradicts the description of the new settlement in LPP2 as a garden village (which should be a stand-alone settlement and not bolted onto an existing settlement)

The revised criterion a) has not been tested by us as we have no reason to suspect that it would not be deliverable given the expansiveness of the site compared to the proposed development.

*SEA Assessment/screening – Please comment on:*

*How they reached the view that the formal assessment frameworks are not necessary.*

We reached the view that the formal assessment frameworks are not necessary because the assessment frameworks themselves indicated that they were not necessary, as outlined in pages 3-5 of the Screening Opinion, which was subsequently tested and confirmed by reviewing our policies as outlined in pages 9-13 of the Screening Opinion. The Screening Opinion was produced by a member of the NPSG who has both professional experience in aspects of environmental management and is a member of the Institute of Environmental Management

and Assessment, while our Basic Conditions Statement was produced by Nigel McGurk, who confirmed in our BCS that we had met the necessary requirements. In addition, our conclusion that we did not need to conduct either a SEA or an HRA has since been confirmed by both statutory respondents to our Screening Opinion and the VWHDC.

*How they came to the conclusion that there would be no significant effects without the usual assessment of policies and environmental characteristics?*

We took our lead from the regulations and the guidance provided for neighbourhood planning teams, as outlined in pages 3-5 of the Screening Opinion. As we make no allocations for housing, retail or employment, an SEA is not required and significant effects are unlikely, especially as we have no policies that relate directly or indirectly to Cothill Fen or that are likely to impact adversely on the local environment, meaning that an HRA is also not necessary. Nevertheless, we did take into account information about environmental characteristics, as outlined in the introduction to the NP and pages 3-5 of the Screening Opinion, and we undertook two reviews of our policies: one to inform the statement as to how we help to develop sustainable development embedded in the Schedule of Policies, and the other to test the expectation above that our policies would have no significant effect in the Screening Opinion. As most of these policies are not site-specific and any site-specific policies are designed to respond to the large-scale development proposed at Dalton Barracks and Abingdon Airfield, which itself is not yet clearly defined but which will be governed by its own SEA and HRA requirements, there are no grounds for establishing significant effects arising from our NP policies. These policies, in setting principles, are found to be generally supportive of the environment and sustainability, with no significant effects identified.

*How they took account of the comments received from the statutory consultees in preparing the screening opinion*

The comments we received acknowledged that they accepted that SAE and HRA were not required, therefore no further action was needed.

*Request for information – composite contextual map.*

Please find accompanying this response a composite contextual map, as requested. At present, the LGSs and Strategic Green Gaps are all indicated as LGS in the legend. We are currently awaiting provision of an annotated version to distinguish between the individual LGSs and Strategic Green Gaps, and we will forward this as soon as we receive it.

*Representations*

*SoS for Defence*

We acknowledge that the SoS for Defence has raised concerns about our NP, but we do not consider these to have merit. We are also mindful that these comments were provided by Carter Jonas, an organisation with considerable financial interest in the development of the site. We are not conflicting with the strategic objectives of LPP2, as we do not consider the deletion of land from the

Green Belt to be a strategic matter: indeed, the NPPF prioritises protection of the Green Belt so the VWHDC could not reasonably have a strategic aim that contravenes this; deletion of land from the Green Belt can only ever be a practical means to a strategic end (in this case, of developing housing). The assertion that the NP does not pay due heed to the strategic development site is fatally undermined by the emphasis within the NP on that strategic development site, supporting development at the site both within and beyond the plan period. Our case for ensuring the separation of settlements in our area is robustly evidenced through the character assessment and consultation on the NP, despite not in fact requiring such evidence as the VWHDC's own strategic policies in LPP1 stipulate that separation between settlements should be protected and enhanced. The difficulty here does not lie in the distinction between the NP and LPP2 but the contradiction between LPP1 and LPP2. Our NP seeks to rectify this deficiency in the local plan. Our case for the implementation of full garden village principles is part and parcel of this approach to settlement separation and is attentive to specificity in the TCPA's definitions of garden-type developments that those in favour of superimposing the new development onto Shippon against the express wishes of its residents choose to ignore. We therefore refute any claims that the NP is not in conformity with the strategic objectives of LPP2, that the evidence base is not robust, that our approach to settlement separation is not justified, or that our NP is premature: we are explicitly seeking to influence the sizeable development proposed for our area so that it reflects more closely the character of the area within which it is to be located, accommodates the needs and concerns of the communities who will be affected by it, and delivers sustainability for existing settlements and communities as much as for the new development itself.

#### *VWHDC*

We welcome the acknowledgement by the VWHDC of the commitment and energy invested in the NP by the local community, and the confirmation from the VWHDC that our NP does not require either an SEA or an HRA. We note that the VWHDC refers to its response to the pre-submission consultation process, although this response was not received until some days after the end of the consultation period. We further note that the VWHDC considers there to be inconsistency between our community objectives and the council's strategic objectives, but we do not consider the NP to conflict with these strategic objectives as we consider it entirely possible to deliver both community and strategic objectives. We do disagree on the deletion of the Green Belt but we consider this to be a practical matter rather than a strategic objective: the strategic objective is the delivery of 1,200 dwellings within the plan period, which we fully support. We also support the longer-term objective to deliver a larger development at the site and, while we do not seek to constrain development at that site, no quantum of development has yet been calculated for the site, nor has any formal allocation been made beyond the plan period. There is therefore nothing to constrain post-2031. While we acknowledge that some people consider it premature to develop a NP in parallel to a local plan, it is important to us that we can inform factors such as the calculation of the ultimate quantum for development at the site. It is important to us that this development is in keeping with its surrounding environment, in terms of scale, sustainability and community concerns, and not driven purely by maximising profits for developers. It is also important to us that the development is delivered as a proper garden village that stands alone from Shippon: this is the single most important concern for our communities. It would have been lovely to be able to work in partnership with the VWHDC to plan for and develop a garden village that delivers both the strategic objectives in LPP2 and the community objectives in the NP, yet despite our consistent articulation of community concerns, we cannot discern any meaningful provision of a buffer between Shippon and

the new development in the proposals for the strategic site. The VWHDC's application for government funding to impose a transformational garden development onto Shippon, rather than deliver a stand-alone garden village that contradicts our stated position, further indicates that no such buffer will be provided by LPP2.

#### *Pye Homes*

We acknowledge the concerns expressed by Pye Homes about the NP that they consider impede their development and economic aspirations, but while a NP must incorporate a presumption in favour of sustainable development, it is not a requirement of a NP to act as a vehicle for any and all specific development agendas. We refute the claim that we have applied blanket restrictions on development; instead, we have identified specific sites within our designated area that local people consider important to retain as green space for locally-strategic reasons. We also refute the claim that our policies are not in conformity with the development needs in the area, as the strategic site at DB is intended to meet these development needs and we support development at that site. We further refute the claim that our NP does not incorporate a presumption in favour of sustainable development: we do uphold the presumption in favour of sustainable development but we do not fall into the developer's trap of presuming that all development is sustainable. We have formulated a locally-informed approach to sustainable development, a significant feature of which is the protection of the character of the area as defined and valued by our communities. Finally, we refute the claim that we have not established a robust evidence base, as we have invested considerable time, effort and resources into securing as extensive and substantive an evidence base as possible and have gone well beyond the basic need for proportionate evidence.

#### *Any others*

- We are grateful to everyone who took the time and effort to consider our NP and provide their considered response to it.
- We welcome the support for the NP that has been articulated by residents' responses, and we support the requests for the designation of additional Local Green Spaces.
- We are happy to incorporate any revisions to wording or maps that are deemed necessary through the Examination process, although we are also keen to ensure that the plan does not become unwieldy or inaccessible for residents.
- We acknowledge that developers would like us to allocate additional sites and that further development proposals could support the provision of facilities such as a medical centre but given the scale of the development proposed for the DB site, we anticipate such facilities to be forthcoming through that development.

If the Examiner would find it helpful, we would be very pleased to attend a meeting between the Examiner, NP Steering Group and LPA, to clarify any point or matter.