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CAMPAIGN FOR THE PROTECTION OF RURAL ENGLAND - OXFORDSHIRE

VALE OF THE WHITE HORSE LOCAL PLAN 2031 PART 1 STRATEGIC SITES AND POLICIES

EXAMINATION STAGE 1 - MATTERS AND QUESTIONS

REPRESENTATIONS OF CPRE OXFORDSHIRE

MATTER 1: Duty to Co-operate and other legal requirements

1. The Vale of the White Horse District Council ('the Council') is in breach of the duty to co-operate (s.33A: 2004 Act) and other legal requirements in relation to the preparation of the Local Plan 2031 Part 1 ('the Plan') concerning the following:
 - housing need -the failure to apply Strategic Environmental Assessment preparatory to plans or programmes that have informed the contents of the Plan;
 - the proposed alteration to the Oxford Green Belt boundary;
 - the implications for the strategic highway network;
 - the inadequacy of the Sustainability Appraisal; and the failure to consider the cumulative effects of plans and programmes on the North Wessex AONB.

(Appendix 1: CPRE Response to Vale Local Plan p.15)

2. Housing Need

- the SHMA is a ‘plan or programme’ that has been adopted by the Council as the justification (SHMA1.4) for the figure 20,560 homes 2011-2031 in the Plan (Core Policy 4). As such it sets the framework for the use of that figure in determining future applications for residential development and has not been made subject to SEA assessment in breach of the SEA Regulations 2004;
- the county wide SHMA has been made a proxy for the plan’s final housing requirement without any constructive engagement with the other Oxfordshire local planning authorities as to its adequacy for that purpose; and in breach of CLG policy (Appendix 2: Brandon Lewis MP letter to PINS 19th December 2014)

3. Oxford Green Belt

- the proposed alteration of the strategic Oxford Green Belt has not been the subject of any adequate co-operative discussion with Oxfordshire District Councils; and is not supported by any explained ‘exceptional circumstances’ justification (NPPF 83) (Appendix 3: Inspector’s letter 22nd June 2015 to the Council)

4. Implications for the strategic road network

- there has been an absence of co-operative dialogue between the Council and other affected District Councils and Oxfordshire County Council with regard to the likely impact of the Plan on the strategic road network (A34, A338, A420, A415, A417). (Appendix 4 ‘Necessary infrastructure requirements on the A419/A420/A415 link’- previously submitted as Appendix 2 of CPRE’s response to the pre-submission consultation)

5. The inadequacy of the Sustainability Appraisal (‘SA’)

The SA:

- does not deal with the justification for the proposed change to the Oxford Green Belt boundary (p.30);
- fails to address the relationship of the Plan to other plans or programmes (Appendix 1: p.31 (1));
- fails to address adequately or at all, relevant aspects of the current state of the environment and its likely evolution without the Plan, and relevant environmental protection objectives relevant to plan making; and /or whether the overall scale of development proposed is sustainable (Appendix 1: p32 - 33 (2)-(5));
- contains no adequate baseline against which a considered assessment of likely significant effects, cumulative or otherwise, of the scale of development proposed can be made including on the countryside, the AONB or the Oxford Green Belt (Appendix 1: p34-36 (6));

- adduces no substantial evidence of the likely effectiveness of policies to address the adverse impacts on the environment of development site allocations (Appendix 1: p.36 (7));
- fails adequately to deal with the reasons for selecting the alternatives dealt with (Appendix 1: p.37 (8));
- puts forward proposed monitoring measures that are unfit for purpose (Appendix 1: p.37 (9)); and
- includes a non-compliant Non-Technical Summary (Appendix 1: p.38 (10)).

MATTER 2: Objectively Assessed Needs for Housing and Employment Land

6. Matter 2: 2.1: The figure of 20,560 new dwellings (an average of 1,028 per year) in CP 4 is lifted directly from the SHMA 1.4 Figure 2: Assessed Housing Need - Oxfordshire Local Authorities 2011-31: Vale of the White Horse 1028 pa. The outcome of the SHMA is untested; and contrary to CLG policy in Appendix 2, the figure has been inserted without justification into the Plan as a proxy for the final housing requirement without consideration, among other things, of social and environmental constraints.
7. The SHMA economic growth strategy underlying the figure:
 - has not been tested under any form of independent review;
 - is not supported by an appropriate evidence base contrary to NPPF 158 and NPPF 182 ('positively prepared');
 - is based on aspirational employment growth and is therefore not policy-off contrary to NPPF 47 (FOAN) and High Court authority;
 - has implications for development that have not been balanced against environmental and social aims as required by NPPF 8, 152;
 - assumes alleged employment effects that are grossly overstated (Appendix 5: 'Unsound and unsustainable - why the SHMA will increase greenfield use but not meet housing needs' (Urban and Regional policy: Alan Wenban Smith 21 May 2014); and
 - is unsupported by any compelling evidence that it is deliverable in conflict with NPPF 182 ('Effective'). The figure of 1,028 homes in CP4 a year proposed for 2011-2031 is 2½ + times that achieved in the Vale 2011-2014 (400pa).
 - The claim that the 1.5%pa employment growth proposed in the Vale isprecedented (SHMA Para 4.24) is contradicted by official labour market statistics which show that the number of people employed in the Vale actually fell from 60,000 (Jan-Dec 04) to 58,100 (Jan-Dec 14) - a drop of 3.3%.
See:
http://www.nomisweb.co.uk/reports/lmp/la/1946157326/subreports/ea_time_series/report.aspx?
 - The anticipated growth rate also appears unrealistic in the context of the anticipated employment growth rate for South East (0.5%pa) and

the UK as whole (0.6%pa). See Table 5.2 SQW & CE report - Examination Library ref: ECO02.

8. Figures given in the 2015 West Oxfordshire District Council's Housing Position Statement of July 2015 (see Appendix 6) reinforce CPRE's position on the SHMA and the economic growth strategy. Paras 3.19-3.20, incl. Table 4, demonstrate that the 2012 CLG household projections for the Vale of White Horse give **67 houses per annum fewer** than the adjusted 2011 interim projections that form the key starting point of the SHMA. Over the 20 year period (2011-2031), this amounts to 1,340 houses - almost the entire allocation currently proposed within the North Wessex Downs Area of Outstanding Natural Beauty. The later SHMA workings are based on this initial figure, so the over-calculation is apparently carried through.

MATTER 3: Spatial Strategy and Housing Supply Ring Fence

9. CPRE has had difficulty in commenting on Matter 3, without mentioning the Green Belt and AONB to be discussed at Stage 2, as 14% of the housing which the Plan provides fall within these areas. We therefore hope that that there will be a thorough review of the conclusions of Stage 1 at the Stage 2 Examination, to give the opportunity to investigate fully whether the very special circumstances sufficient to override the general prohibition on development in the Green Belt and AONB are made out.
10. The proposed allocations in the Green Belt and the AONB are not soundly based because they are not justified by reference to NPPF 83, 115 and 116; nor are they justified by any objective assessment as indicated above of housing or employment need 2011-2031. The distribution strategy that provides for development in these designated areas is, accordingly, unsound.
11. CPRE Oxfordshire acknowledges the great importance of the connection between employment and housing provision and hence supports CP5.
12. CPRE Oxfordshire considers that the overall 5 Year Housing Supply figure, arising from the SHMA, is so high as to be impossible to attain and will return the District to developer-led planning, leaving the District Council and citizens of the Vale little opportunity to place sensible controls on the size, type and place of development, as contained in the NPPF, the Local Plan and Neighbourhood Plans. Strong support of ring-fencing by the Inspectorate when considering appeals seems the only hope for some protection otherwise.

MATTER 4: Unmet Housing Needs

13. Given the above objections to the Oxfordshire SHMA, Core Policy 2 is unsound as it does not reflect an 'objectively assessed need for economic and housing growth across the Oxfordshire housing market area'.

12. Oxford City Council has refused to review its Local Plan, despite being asked to do so by all the other Oxfordshire local planning authorities, via the Oxfordshire Growth Board. This means that the City's capacity to meet its own housing need remains a matter for considerable debate / uncertainty, as exemplified by the differing SHLAA figures for Oxford produced by the City itself and some of its surrounding Districts.
13. The spatial implications for the Vale, and in particular its Green Belt, are therefore still extremely unclear and in this situation, Core Policy 2 is too vague and open-ended a commitment.