

Consultation on West Oxfordshire Local Plan 2011-2031 Pre-Submission Draft, May 2015

CPRE Oxfordshire response, 6 May 2015

POLICY H1 - AMOUNT & DISTRIBUTION OF HOUSING

POLICY H2 - DELIVERY OF NEW HOMES

& ALL OTHER SUB AREA POLICIES FLOWING FROM THE ABOVE EG WIT1, CN1, CN2.

CPRE Oxfordshire contends that these policies are *unsound* on the grounds that the housing figures proposed in the West Oxfordshire Local Plan 2011-2031 are too high and therefore *unjustified* and *ineffective*. We also believe they are *not consistent with national policy*.

1. The figures are based on the Oxfordshire Strategic Housing Market Assessment - which is itself unsound, unsustainable and unrealistic.
2. Whilst we welcome WODC's reduction of the figures in view of past over-delivery, we believe that the adjustment is not sufficient to take this fully into account.
3. We question whether adequate consideration has been given to other constraints, such as the need to retain the unique rural character of the District, which should lead to a reduction of the overall figures.
4. The windfall rates allowed for are modest in comparison to past figures, and therefore risk ongoing over-delivery which will build in problems for the future.

More information in each numbered category is given below.

1. The Oxfordshire Strategic Housing Market Assessment (SHMA) is unsound, unsustainable and unrealistic.

The SHMA sets out how many new homes are required across Oxfordshire and for each of its districts up to 2031. The figures are largely based on hypotheses about future job creation in, and migration into, Oxfordshire. They are not backed up with convincing evidence and are untested 'policy-on' assumptions which have no place in a housing needs forecast. They are inflated and unsustainable, and do not constitute an objective assessment of the housing needs of West Oxfordshire.

The high housing projection in the SHMA depends on the view that Oxford has a nationally significant role in generating high technology employment, and that this should drive the housing response, over-riding other considerations.

This economic growth strategy has not been subject to any form of independent review and is at significant variance to WODC's own assessment of economic growth in the District. Its implications have not been balanced against environmental and social aims as required by the NPPF. The employment effects of this strategy are grossly overstated (as set out in the report to CPRE by Alan Wenban-Smith, summarised below).

The outcome of this flawed process cannot be accepted as an 'objective assessment of housing need'.

We therefore believe these policies are *unjustified* and will be *ineffective* in achieving their desired outcomes.

WODC itself, para 5.16, questions whether the SHMA can be considered 'policy neutral' and indicates that economic growth models should not be used for setting housing targets.

In a recent decision letter (S62a/2014/0001) in relation to a case in Leicestershire, Inspector Jonathan King stated that a FOAN (SHMA) must be 'policy-off'. He therefore rejected a SHMA which contained estimates of potential housing need arising from LEP assumptions of jobs growth (exactly analogous to the situation here).

He also noted: 'how essential it is that evidence such as SHMAs must be rigorously tested in order to establish that it is robust'. As we have shown the figures used in the SHMA (even apart from the 'policy-on' assumptions) are debatable to say the least. The figures used for the Oxfordshire SHMA have not yet been subjected to any such test which, it is submitted even at this stage, is likely to fail when realistic and credible evidence is adduced at EIP.

A Summary of findings by Alan Wenban-Smith

'Unsound & unsustainable - why the SHMA will increase greenfield use but not meet housing needs' (May 2014)

CPRE Oxfordshire commissioned an independent review of the SHMA by Alan Wenban-Smith¹. This report - '*Unsound & unsustainable - why the SHMA will increase greenfield use but not meet housing needs*' (May 2014), concludes that the SHMA estimates for Oxfordshire are not compliant with the National Planning Policy Framework (NPPF) and do not provide a basis for an objective assessment of housing needs in Oxfordshire or in its component districts.²

The conclusions of the report may be summarised in this way (references in brackets are to this report):

¹ Alan Wenban-Smith M.A. MRTPI MSc, an independent consultant in urban and regional policy who has led regional and metropolitan planning for the West Midlands local authorities, was a special adviser to the Commons Select Committee Inquiry into SE Growth Areas, is a member of the Royal Town Planning Institute's Policy Committee and a former visiting professor of planning at both Newcastle upon Tyne and Birmingham City Universities.

² See Appendix 1 - '*Unsound & unsustainable - why the SHMA will increase greenfield use but not meet housing needs*' (May 2014) Also available via: <http://www.cprexon.org.uk/news/item/download/683>

- The present SHMA is not in accordance with current planning policy, which allows *'adjustment of the Government's published household projections, while the SHMA proposes a wholesale replacement'* (2.7). The SHMA figures are in fact more than 2.5 TIMES greater than the official projections.
- The SHMA replaces the direct national statistics for migration in and out of Oxford City over the last 10 years with a local estimate extrapolated by a method of questionable reliability from total population and births/deaths. This is projected forward another 20 years and mostly assigned to extra international migration into the County. Any estimate centred on net migration gains must necessarily be volatile because of the large population movements in and out of Oxford, and thus unreliable. This 'tweak' adds a hypothetical 13,000 houses (2.12).
- The authors of the SHMA have 'adjusted' the projected average household size for Oxfordshire (2.52 in 2011) from the DCLG trend (a decline to 2.47 persons per household by 2031), to a revised (pre-credit crunch) trend figure of 2.41. This alone adds 7,600 houses to the 'forecast' (2.18).
- The SHMA adds the 'deficiency in housing delivery' for the period 2006-2011 to the forecast total of housing need, effectively assuming that future growth ('business as usual') will wipe out all the effects of the global economic crisis. This adds a further 3,500 houses (2.19). However it does not subtract 'over-provision' in West Oxfordshire.
- The SHMA draws on plans drawn up by the unelected and therefore unaccountable Local Economic Partnership. Its committed economic growth strategy forecasts 88,000 new jobs in Oxfordshire over the period, and a consequent need for 27,600 houses above the economic baseline scenario. This is in any case a use of 'policy-on' forecasts which should not be included in a SHMA. Further, on examination the *committed growth scenario is essentially a catalogue of unquantifiable development proposals. It confuses economic development with property development*, by making the unproved assumption that jobs will be created as a direct result of new development. This assumption takes no account of the dynamic processes of job losses and gains that go on in the much larger existing stock of firms and premises. For example, it assumes that new shops increase trade and jobs rather than simply moving them around. What is more it brushes aside known future job losses such as, for example, the departure of JET from Culham (2.29).
- The SHMA proposes another 15,000 houses as the means of getting more 'affordable housing' as a by-product, through Planning Obligations. However it is irrational, as well as counter-intuitive, to attempt to build additional houses over and above demographic or economic needs already set at the extremes of probability, simply to secure provision of affordable housing. If such additional housing could be sold, it would be because it was meeting such needs itself.
- The SHMA does suggest that house building on the scale it proposes would decrease house prices, and thus assist affordability and increase sales in another way. However, *'the 2004 Barker Report estimated that even a 50% increase in building would price only 5000 additional households (nationally!) into the market after ten years'* (3.8). What is more research by the National Housing and Planning Advisory Unit (reproduced as Figure 7, Appendix 1) shows that *even if outputs*

more than double recent levels were achieved, housing would still become less affordable and not more so.

- This is partly because house prices are set not by new build but by the sale of existing properties (known as ‘churn’) and because *much of the land market takes the form of option agreements between landowners and builders and incorporates a house price expectation* (3.21).
- For all these reasons the SHMA is grossly overstated, by a multiple of over 2. Allocations of housing land made in response to it *will have the effect of giving builders carte blanche in their choice of which sites to develop* to meet actual levels of demand (3.30).
- Builders can realise higher prices building on greenfield sites, especially in the most attractive environments. The SHMA provides an estimate of need, but not of effective demand for houses priced in this market context. Combined with the exaggerated projections already commented upon, the result will be far more land than there is money to develop and service, giving builders a huge range of choice. Builders will choose to develop only the easiest and most profitable sites. Green field sites are easier to develop and therefore preferred by builders, so a *large increase in provision inevitably means changing the successful brownfield first policy to ‘Greenfield First’* (3.31a last sentence). This is not only environmentally harmful but flies in the face of sustainability. These effects are further exacerbated by builders gaming the system (as described in the Select Committee report on the operation of the NPPF, December 2014³).

The SHMA fails to meet the sustainability requirements of the NPPF

The lack of realism in the SHMA can be demonstrated by reference to the national track record in house building. The DCLG national household projection for 2011-2 gives a net increase of 220,000 pa, on the same basis as Oxfordshire’s 1,825 pa. Applying the adjustments from the Oxfordshire SHMA that are equally relevant at national level would imply a multiplier of 2.0, or provision of 440,000 additional dwellings per annum. The highest level of net national provision in any one year since WW2 was about 250,000 (achieved in 1953 and 1968). The Oxfordshire SHMA is thus disproportionate and unrealistic.

The figures for house growth in the SHMA are unsustainable because:

- The effect of seeking to maintain a 5-year supply calculated on the basis of an unrealistic overall requirement is an ever-increasing backlog of under-performance because of insufficient *effective* demand, leading to an ever-increasing target (like an unaffordable pay-day loan). The local authority will thus lose control of *where* new housing is built, with concomitant effects on travel demand and infrastructure and service costs. The higher the underlying target figures, especially when they are grossly inflated, the more marginal (ie. greenfield/Green Belt/AONB) the land that will need to be released. Since

³ See: <http://www.parliament.uk/business/committees/committees-a-z/commons-select/communities-and-local-government-committee/inquiries/parliament-2010/national-planning-policy-framework/>

developers can choose which land to utilise, and because greenfield (and especially designated) land will be more attractive to buyers and builders (because it will be cheaper to develop) the effect will be that the land which should have been the last to be released (if at all) will actually be the first to be built on. What is more, if actual demand falls far short of forecast - as we predict it will - the urban (brownfield) sites which should have been the first to be developed may be left untouched.

- The preference for greenfield sites is unsustainable in another sense; most of the costs of infrastructure and services are shifted onto public provision, because planning agreements seldom produce enough to deal with more than the most local effects of housing on demand for services and infrastructure. Government evidence to the Select Committee examining the SE Growth Areas in 2003/4 (ODPM (2003) '*Sustainable Communities Plan*' (Annexe A) showed public costs at a similar level to the cost of building the houses, whilst most Local Authorities would consider £20,000 per unit a very good result. There is thus either a large unadmitted subsidy if public provision is made, or a very good reason for local communities to object if not.
- The NPPF requires its economic, social and environmental aims to be pursued 'jointly and simultaneously'. The SHMA is heavily influenced by the Oxfordshire Strategic Economic Plan that has not been subject to any public consultation. The growth targets have therefore been effectively excluded from the local planning process, and there has been no opportunity to consider the trade-offs between economic, social and environmental aims. Nor has there been any consultation with residents as to whether a high growth strategy is their own vision for their County.
- The risk of serious harm from over-allocation is very great. Builders' preferences for greenfield land will lead to a more dispersed pattern of development, will put unnecessary and inappropriate pressure on rural Oxfordshire and will fail to encourage appropriate urban investment and regeneration. This will be damaging to Oxfordshire as an attractive business location and as a place to live. In particular, the damage to the countryside will be irreversible.
- The emphasis on new build ignores the fact that the vast majority of new households cannot afford to buy or rent new houses at market prices. More thought must be given to changing current housing market and industry structures to provide genuine solutions to those in need of affordable housing.

The SHMA therefore fails to meet the requirements of the NPPF that its conclusions should be sustainable. It is therefore not legally compliant, justified, or effective.

We note that Sustainability Assessment for the high growth scenario of the South East Plan (6,700 homes - significantly lower than the 10,500 new homes proposed in this Local Plan) was considered 'likely to put existing and planned infrastructure under greater pressure and have potentially negative sustainability impacts with the release of more greenfield land'. (Page 43, Pre-Submission Draft SA Report)

Proposed modification:

A new SHMA must be prepared that avoids the errors of the current SHMA, by producing figures credibly derived from, rather than replacing, published government household projections, and using more probable values for all input parameters rather than extreme figures.

2. Past Over-delivery

Whilst we welcome WODC's reduction of the figures in view of past over-delivery, we believe that the adjustment is not sufficient to take this fully into account.

It is clear from all the studies carried out by the GLA, John Hollis and Keith Woodhead⁴ that natural population growth in the District is negligible and that most of the planned growth will be for in-migration. Also, whilst it is calculated that there will be some housing growth because of the formation of smaller households by existing residents, it is of note that occupancy has remained steady over the last decade. This is despite expectations that it would decrease significantly. In effect what has been happening is that the more houses that have been built, the more people have moved into the District. The type of smaller, affordable housing and in particular, housing for the elderly that we need (and that takes up the least amount of land), has not been built in sufficient quantity- instead the construction of family housing has encouraged imbalanced in-migration of families. Therefore, despite exceeding past targets, the houses built have not met the District's actual needs and the Plan moving forward will perpetuate the problem.

The current target relies on replicating and augmenting past in-migration trends. Therefore it is mostly satisfying demand and not need. This approach of projecting forward past in-migration trends and satisfying every possible demand, compounds and accelerates the problem, when consideration should actually be given to how to break the cycle.

The target also relies on reduced average occupancy for the new households of around 1.8 in line with provision of 1-2 bed units only, yet it is clear that a mix of housing will be built and that the developers' preference will be 4-5 bed houses. The occupancy assumption and the mix of housing planned do not match and this falsely pushes up the target. The 10,500 homes planned would lead to population growth of twenty five

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- West Oxfordshire Demographic Projections GLA Nov 2010
- Demographic Projections for West Oxfordshire: A Review GLA May 2011
- West Oxfordshire: Three Demographic Projections Using the First 2011 Census Results John Hollis September 2012
- A Review of Future Housing Requirements for West Oxfordshire Keith Woodhead 2013
- West Oxfordshire Demographic Advice John Hollis January 2014
- An Analysis of West Oxfordshire's Future Housing Requirements (2011-2029) Keith Woodhead 2014
- Validation of an objectively Assessed Housing Need (OAN) University of Cambridge (CCHPR) January 2015

thousand at an occupancy of 2.4 compared to nineteen thousand at an occupancy of 1.8. There is a significant difference, which would be compounded in future decades. Looking at it another way, with an occupancy of 2.4, we could need only around eight thousand houses or if only small houses are provided to ensure the occupancy is around 1.8, then the build density could be 20 and not 16, saving 130 acres of land.

None of the studies that have been done have subtracted the full over-delivery figure, nor considered what the future projections would be had the District not over-delivered by 30% in the last decade. The over-delivery over the past 10 years is published at 1,745 in total. Only one of the studies undertaken by Woodhead⁵ considers past over-delivery, but reduces it to 900 on the unproven basis that the target should have been higher in the last decade in the first place. Even with a modest reduction, Woodhead recommends 484 homes per annum, which is less than the current target of 525. None of the studies have recalibrated future growth, based on what the population would be in 2011, had we not built 1,745 too many houses.

Proposed modification:

The proposed housing figures should be reassessed taking into account full consideration of previous over-delivery and policies revised accordingly.

3. Consideration of Other Constraints

The SHMA report, para 4.11, says:

'The SHMA does not set housing targets. It provides an assessment of the future need for housing. Government guidance and advice is explicit that the SHMA itself must not apply constraints to the overall assessment of need, such as environmental constraints or issues related to congestion and local infrastructure. This does not mean that these issues are not important. They are very relevant issues in considering how much development can be sustainably accommodated and where new development should be located.'

The SHMA itself and Planning Practice Guidance both expect that environmental constraints will reasonably prevent Councils meeting the full assessments of the SHMA (even supposing these were realistic).

In CPRE's view, constraints that should be considered would include, but not be limited to:

- Oxford Green Belt
- Cotswolds Area of Outstanding Natural Beauty
- Oxford Meadows SAC
- Flooding
- Traffic & transport issues - in particular A40 congestion
- Provision of public services such as health and education.

⁵ An Analysis of West Oxfordshire's future housing requirement (Keith Woodhead June 2014)

We would therefore expect to see a study which reviewed the proposed SHMA figures against these constraints and as a result identified reduced housing targets to ensure a sustainable level of development across the District.

We are not aware that such a piece of research has been conducted.

Whilst we welcome the reduced figures proposed by WODC as a result of over-delivery, this target set still represents 25% growth over 20 years. This remains unsustainable in CPRE's view. The District has a unique rural character, which is a major asset for the West Oxfordshire economy, and deserves respect and preservation.

Proposed modification:

The proposed housing figures should be reassessed taking into account the constraints listed above, and policies revised accordingly.

4. Windfall numbers

In the past over-delivery has occurred because windfall rates have been strong. The current windfall allowance is modest and CPRE believes that this risks leading to ongoing over-delivery, which will build in problems for the future. The current target represents 125 windfall homes per annum for the remaining plan period. Past delivery has been closer to double this figure. If, for instance, 200 windfall homes were delivered per annum, then 1,200 'excess' homes would be built. This would mean an 11% over-delivery on the current target, which would be projected forward to future plan periods and so be compounded. After 50 years, it would augment growth by 70%, even with no future over-delivery.

CPRE believes that in assessing the required 5 Year Housing Supply, the windfall allowance should be deducted, before comparing with the pipeline of existing known allocations. Therefore, the benchmark for assessing the required 5 Year Supply would be considerably lower. Windfall will always continue to supplement allocations. Using the full target with windfall included, will again lead to over-delivery and leave the District unnecessarily open to speculative developers.

Proposed modification:

Based on past trends, WODC should revise the housing figures to include a higher windfall allowance and adjust policies as appropriate.

POLICY CO14

We welcome the acknowledgement that ‘West Oxfordshire is fortunate to benefit from a rich natural and historic environment. It is essential that this is protected and enhanced wherever possible’ (para 3.13).

However, Core Objective 14 is currently *unsound* as it underplays the great weight that such environmental protection incurs in planning terms, including special statutory duties, and fails to indicate the national and international importance of a very large number of such assets and areas, as well as their wider social and economic value.

Proposed modification:

CO14 should be redrafted to read:

‘Conserve and enhance the high environmental quality of West Oxfordshire, protecting and enhancing the diverse, internationally, nationally and locally important landscape, biodiversity, geological and cultural heritage conservation interests, assets and areas of the District, recognising and supporting their contribution to people’s quality of life and social and economic well-being.’

POLICY OS2 - LOCATING DEVELOPMENT IN THE RIGHT PLACES

Overall, CPRE is supportive of this policy. However, the section on *Small Villages, Hamlets and Open Countryside* does not include any reference to their historic character, though the way that the rural pattern of settlement has developed is critical to the more general character of rural areas.

Proposed modification:

An additional bullet point should be added: *‘development which is consistent with the long term historic pattern of rural settlement in the local area’*.

The policy setting out ‘*General Principles*’ does not include any mention of the AONB or of historic character.

Proposed modification:

The bullet point *‘it protects or enhances the local landscape and the setting of the settlement/s;’* should be revised to read *‘it conserves or enhances the natural beauty of the Cotswolds AONB and its public appreciation and protects local landscape and the setting of settlement/s and is consistent with the historic character of the District’*.

POLICY OS3 - PRUDENT USE OF NATURAL RESOURCES

Proposed modification:

Overall, CPRE is supportive of this policy. However, in order to meet the requirements of the NPPF (Para 7) an additional bullet point should be added regarding historic buildings and energy conservation: *recognising the value of long term encapsulated energy intrinsic to the fabric of historic buildings and the opportunities for energy conservation and renewable energy systems of types and in ways that do not harm their historic significance.*

POLICY OS4 - HIGH QUALITY DESIGN

CPRE welcomes the section on High Quality Design but believes that to be effective, it should be more explicit on landscape and historic landscape character. In particular it only refers to protecting heritage assets and does not fully reflect NPPF Para 58 which includes the need to *'respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation'*; or Para 61: *'planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'*.

Proposed modifications:

- a) Paragraph 4.32 should have an additional sentence at the end: *West Oxfordshire contains large numbers of historic buildings, ancient monuments and designed landscapes that both contribute enormously to the existing historic and aesthetic character of the District. While not requiring slavish imitation, this heritage provides a rich resource and inspiration for new architectural and vernacular design of high quality that should equally contribute to the quality of life of future generations.*
- b) In Policy OS4 the opening statement of principle should be amended to read *'High design quality is central to the strategy for West Oxfordshire. New development should respect the historic, architectural and landscape character of the locality; contribute to local distinctiveness; and, where possible, enhance the character and quality of the surroundings and should:...'*
- c) An additional bullet point should be added to reflect NPPF Paras 58 and 61: *'respond to local landscape and historical character and habitats to reflect the identity of local surroundings, natural species and materials.'*
- d) In the final paragraph of the policy, the Oxfordshire Historic Landscape Character Appraisal should be added as an important source of guidance.

POLICY T2 - HIGHWAY IMPROVEMENT SCHEMES

CPRE is concerned that this policy may be *unsound*, with insufficient acknowledgement given to the immensity of the traffic problems currently existing, even before further development takes place. Whilst we realise that such issues are largely the responsibility of Oxfordshire County Council, there is no obvious aspiration for any radical solutions or alternative transport schemes such as light rail. In the absence of such solutions, our concern is that the level of development proposed will not be sustainable.

Currently in the County, there are about 1.4 jobs per home. As this Plan and the SHMA are about economic growth, this economic activity per home must be maintained, if not bettered in the next Plan period. That means 10,500 homes will need at least fifteen thousand jobs, yet only a maximum of four thousand are expected to be created in the District, according to the Woodhead's study⁶. That will be eleven thousand people seeking work outside the District, mostly in Oxford, and around 75% of the newly arrived working population will be out-commuters, so that out-commuting will be increased overall. This is unsustainable. The extra traffic generation will be significant and it is clear that there are capacity issues already. If growth of 25% is achieved, it stands to reason that traffic will increase everywhere by at least the same amount, if not more in the main centres where traffic is worst, as growth is centred there. In fact, the increase in traffic on the A40 from West Oxfordshire is likely to significantly exceed 25%, as the proportion of new residents who will be out-commuters will be much higher than the existing. Whilst housing will generate cash up front, it will not cover the legacy infrastructure burden. Existing pinch points and accident black spots will be worse and this will inevitably lead to more disruption, accidents and deaths on the roads.

For example, any limited improvements to the A40 at the Oxford end are likely to be swallowed up by the increased traffic associated with Oxford City Council's proposed Northern Gateway development, not to mention the broader 'knowledge spine' employment proposals.

We note that the County Council's recently published draft Local Transport Plan⁷, Para 50, says:

'The impact of housing and jobs growth on the county's transport networks, taking into account planned transport infrastructure, has been forecast using a strategic transport model. The model shows many junctions over capacity in 2031, and severe delays on many routes, especially the A34, A40, A338 and A4074. These forecasts do not take into account the full level of housing need in the SHMA; when that is added to the model the situation will be worse.'

⁶ An Analysis of West Oxfordshire's future housing requirement (Keith Woodhead June 2014)

⁷ Connecting Oxfordshire: Local Transport Plan 2015-2031

Volume 1: Policy Document Feb 15 See:

https://consultations.oxfordshire.gov.uk/consult/ti/CO_LTP4/consultationHomehttps://consultations.oxfordshire.gov.uk/consult/ti/CO_LTP4/consultationHome

Further specific points follow below.

- Shores Green - CPRE is concerned about infrastructure schemes which have a major impact on the countryside and we therefore opposed the Cogges Link Road scheme. The Shores Green scheme appears to give similar levels of traffic relief, with minimal environmental impact, so CPRE supports its inclusion in the Local Plan. However, it should be fast-tracked, so that emissions in the town centre are reduced.
- West End Link (WEL)- The policy is currently *unsound* with regards to the proposed West End Link as on existing evidence it is arguable whether it can be justified in terms of its effectiveness in relation to traffic relief in the town centre. There seems to be some indication that the WEL will not relieve traffic and may make it worse. Whilst the development would provide a welcome second river crossing, CPRE would like WODC to commit to conducting further research to ensure that the development would bring the required benefits and that the policy is justified.
- Brize Norton relief road - CPRE also considers that the Brize Norton relief road should be a priority in view of the development planned in that area.
- The junction between the Burford Road from Carterton and the A40 needs lights, as it is dangerous to turn right onto the A40 when travelling from Burford.
- There are many issues with traffic in villages, such as the blind bend in Filkins. Many other villages and country roads in general represent accident black spots that will be exacerbated by growth and there is no indication of how improvements will be made.
- The junction where the A361 joins the A44 through town in Chipping Norton requires traffic lights, or a similarly viable solution.
- The old trackbed of the Witney railway does not even seem to get a mention let alone any indication of use as a busway, tramway or railway. In this context we believe that, should a Park & Ride at Eynsham be taken forward (7.54), consideration should be given to locating it to the south by the old trackbed, not by the A40, to allow for future use in any adopted scheme. This would need to be subject to an adequate transport assessment to ensure it would not exacerbate existing congestion within Eynsham.

However, CPRE would be fundamentally opposed to any allocation of the Park & Ride in the Oxford Green Belt, as undermining its openness.

POLICIES EH1-7 ENVIRONMENTAL & HERITAGE ASSETS

Overall, CPRE welcomes these policies which we believe are soundly prepared and, taken together, provide a consistent approach to recognising and valuing the District's rural character and landscape. Specific points follow below.

Policy EH1 - Landscape character

The policy would be more effective if it were also to include reference to the emerging County Historic Landscape Character Assessment (in part incorporating the previous Cotswolds AONB HLC) which will for the first time provide complete historic characterisation of the District. The policy should be specific in acknowledging the need to develop an increasingly integrated approach to landscape character, recognising the highly distinctive character of different parts of the District, derived from the combined influences of topography, geology/soils, wildlife and historic use of the land.

Policy EH2 - Biodiversity

We particularly applaud the focus on enhancement of Conservation Target Areas (CTAs), especially given that a sizeable area of the District is covered by the Upper Windrush and Wychwood Forest CTAs.

Policy EH3 - Public Realm & Green Infrastructure

We welcome the work that WODC has done to identify its own green infrastructure (8.27). However, nature does not recognise District Council boundaries! We believe that, as a minimum, a county-wide Green Infrastructure Strategy is necessary for adequate consideration of what currently exists and how this can be best protected and enhanced. We believe the Duty to Co-operate applies as equally to this as to other issues, such as housing development.

Proposed modification:

CPRE would like to see the wording of Policy EH3 amended to include reference to working with Oxfordshire County Council and the other local planning authorities to bring forward a county-wide Green Infrastructure Strategy.

Policy EH4 - Decentralised and renewable or low carbon energy development

CPRE welcomes the acknowledgement (8.41) that West Oxfordshire is not an appropriate location for large stand-alone renewable energy schemes and supports the need to maximise decentralised, renewable or low carbon energy generation within non-energy developments.

It is concerning that at the same time as we are faced with the prospect of 100,000 new houses in the county by 2031, we should also be losing further valuable greenfield sites to solar farms, when better joined up thinking could amalgamate these requirements.

Policy EH5 - Flood Risk

CPRE believes that the policy as proposed risks being unsound as it could be considered ineffective.

We would propose 2 amendments which in our view would help to make strengthen the policy.

- CPRE believes that developer-led flood mitigation schemes are based on snapshot geotechnical investigations. These are not necessarily representative of the soil conditions during heavy rain, where saturation limits the effectiveness of SUDS. In fact, SUDS are relatively new inventions and as such are not proven, yet they are measures that are relied upon to justify major schemes in areas of hydrological sensitivity.

Proposed modification:

Bullet point 4 - 'Sustainable drainage systems to manage run-off will be integrated into the site design, maximising their habitat value and ensuring their long term maintenance'

Add: '*Schemes that rely entirely on SUDS will not be considered, as the increased predictability of mains drainage is preferable.*'

- Measures to prevent farmers filling in existing ditches that help to prevent flooding should be introduced.

Proposed modification:

Add final sentence to EH1:

'The Council will seek to encourage landowners to avoid filling in existing ditches to prevent flooding.'

Policy EH6 - Environmental Protection

Whilst CPRE welcomes the proposed policy on artificial light, we are concerned that it does not go far enough in offering a proper Dark Skies policy that would be of particular importance within the Cotswolds Area of Outstanding Natural Beauty. This is out of step with the good work already done by the District in support of this matter.

The movement to promote dark skies as a key aspect of people's quality of life and an important aspect of landscape character has been gathering momentum. The brief references to tranquillity and light pollution do not fully reflect either the significance of the issue or what the District has already been supporting in this matter. Moreover, technological improvements are also such that light pollution can not only be prevented, but actually reduced, so that achieving dark skies becomes a positive goal, not just a matter of pollution prevention.

Two specific aspects of this especially relevant to West Oxfordshire are the recent designation of the Rollright Stones as a Dark Skies Discovery Site - supported by the District Council - and the AONB Board proposal to promote an international Dark Skies area in the heart of the Cotswolds - the darkest part of which straddles a large area of West Oxfordshire and Cotswold District Councils.

There is a real opportunity to enhance this aspect of landscape quality that should be clearly set out in the landscape section of the Plan in order to make it effective, and therefore sound.

A more specific pro-active dark skies policy should be added to the policy to prevent light pollution (see below).

Proposed modifications:

a) Paragraph 8.10: The AONB Board management plan policy, position papers and maps covering Tranquillity and Dark Skies and the Rollright Dark Skies Discovery Site should be referred to, in addition to the CPRE paper. An additional paragraph setting out this aspect of landscape character and 'tranquillity' should be inserted after para 8.10 on the lines suggested above.

b) Add the following additional area-defined Dark Skies policy:

'The whole of the District NW of Carterton, Witney and Kidlington (as indicated on the AONB Dark Skies policy map) mostly within the Cotswolds AONB but also including the dark skies of adjacent areas that are part of its setting for these purposes, is defined as a 'Dark Sky Protection and Enhancement Area.' In this area the Council's policy will be to enhance the darkness of the night sky and secure public benefits that arise from its conservation in line with the goals of the AONB Management Plan by:

a) Focusing especially on enhancing the dark skies in the vicinity of the Rollright Stones Dark Sky Discovery Site; in and around the key historic Cotswolds towns of Woodstock, Burford, Charlbury and Chipping Norton; in and around the Blenheim Palace World Heritage Site; on the north side of Carterton and Witney; and for other rural villages.

b) Reducing existing light pollution through a range of initiatives - including liaising with the Highways Authority to reduce light pollution when conventional street lights are replaced by low energy LEDS.

c) Supporting the AONB Board (together with Cotswold and other District Councils) in promoting the designation of an International Dark Sky area in the heart of the Cotswolds.

d) Ensuring that light-dependent new development is sited away from the proposed International Dark Sky area in the heart of the Cotswolds and the existing Dark Sky Discovery Site at the Rollright Stones.

e) Supporting community initiatives to reduce light spill from external lighting and other dark skies initiatives to promote good practice including co-operation with occasional dark skies switch-off nights in appropriate areas.

EH7 - Historic Environment

Policy EH7 is unsound in not fully reflecting NPPF policies for the historic environment or statutory duties.

In the following proposed revisions, *black text* indicates retained material; *red text* indicates altered or added material; *blue comments* indicate reasons for the changes proposed and why two paragraphs could be omitted being either repetitive or better covered by other redrafting)

All development proposals should conserve or enhance the special character, appearance and distinctiveness of West Oxfordshire's historic environment, and preserve or enhance the significance of the District's heritage assets, including their settings.

[Revised wording makes the overarching policy more inclusive of both assets and areas - in accordance with NPPF principles]

The Blenheim WHS Management Plan; National Lists of designated assets and their descriptions; The Council's Conservation Area Appraisals; Historic Environment Record; the County Historic Landscape Character Assessment should be used (as appropriate) as a guide when assessing the significance of such assets and areas, supplemented by other relevant sources and where necessary desk based research and fieldwork to establish their evidential, aesthetic, social or economic value.

[Revised wording makes the policy more inclusive of formal documentation covering all assets and areas - in accordance with principles of NPPF para 128 and also heritage values as promoted in English Heritage Conservation Principles]

The Council will require that applicants clearly set out how specific changes to the fabric and or setting of any assets or areas that are proposed would harm or enhance their heritage significance.

[Revised wording brings the policy more into line with principles of NPPF para 129 and also regulatory requirement when design and access statements are required under 1990 LB and CA Regulations. This is also a hook for the Council to develop more guidance to set better standards for the information that applicants submit - which could make casework less burdensome]

Proposals that will harm the significance of a designated or non-designated heritage asset or its setting will be refused, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm, taking account of the importance of the asset or area; the scale of harm and its potential to be avoided, reduced or adequately offset through modifications or conditions; and the nature and significance of the public benefit, using the balancing principles set out in Paragraphs 131-5 of the NPPF, including the four tests set out in Paragraph 133. In particular:

- *Considerable weight and importance will be given to preserving the intrinsic universal values for which Blenheim Palace and Park is inscribed as a World Heritage Site, as guided by its WHS Management Plan.*
- *Considerable weight and importance will be given to preserving the significance of listed buildings, both with regard to their fabric and their settings, and to preserving or enhancing the character or appearance of the District's Conservation Areas.*
- *Great weight will be given to preserving or enhancing the significance of nationally important monuments (whether Scheduled or not) and Registered Parks and Gardens, both with regard to their fabric and their settings.*

[Revised wording brings the issue of decision-making more in line with how statutory considerations are to be followed in the implementing the balancing principles of NPPF paras 131-135, placing the emphasis on those issues where the courts have ruled that considerable weight and importance must be applied to the process (whatever harm or grade of asset) while also referring to the rather complex balancing criteria set out in a whole series of paragraphs in NPPF, not just those that refer to substantial harm and non-designated assets - see suggested omissions below that this also replaces]

The Council will develop a Historic Environment Action Plan SPD by 2020 to offer further guidance and develop standards for the following aspects of its strategy for the historic environment:

- *The importance and public benefits of conserving and enhancing West Oxfordshire's historic environment.*
- *Opportunities for community engagement in heritage conservation.*
- *A guide to sources of heritage information and how they should be used.*
- *The non-statutory and professional guidance that set the standards that the Council expects to be met in presenting heritage information and assessment and how these apply to different types and scales of development.*
- *Design principles to avoid, reduce or offset harm and to preserve or enhance character.*
- *How decision-making procedures will be assisted in following high standards in presentation of heritage issues in design and access statements and impact analysis.*
- *Monitoring measures to assess the actual changes to the District's historic environment, both for better and worse, on a five yearly basis.*

[Having a Historic Environment Action Plan - is best practice and would be a good way to implement the outline presented in paragraph 8.92 - which is otherwise devoid of any policy for practical implementation. Such a strategy is required by strategic NPPF policies for Historic Environment, especially Paras 126 and 157 that require *a positive strategy for the conservation and enjoyment of the historic environment* to pull together other overarching policies for the historic environment which are otherwise not covered:

Paragraph 9: *'Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life,...')*

Paragraph 61 *Planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment*

Paragraph 126: *Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.*

Para 156: *Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:....*

- *climate change mitigation and adaptation,*
- *conservation and enhancement of the natural and historic environment, including landscape*

Para 157: *Crucially, Local Plans should:.....*

- *identify land where development would be inappropriate, for instance because of its environmental or historic significance; and*
- *contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.*

See also SEA Regulations monitoring requirements]

OMIT THE FOLLOWING AS REDUNDANT BEING COVERED BETTER BY THE MORE EXPLICIT PROVISIONS ABOVE:

*Proposals affecting non-designated heritage assets **and areas**, such as locally listed buildings **non-scheduled archaeological remains, and areas of distinctive historic character** will be assessed on the basis of the significance of the heritage asset **or area** and the scale of harm or loss to that heritage asset.*

[Even with possible additions to be more comprehensive in coverage - this is only a very partial account of the principles and in particular makes the policy more explicit about non-designated sites than the considerable weight and importance to be given to designated ones - which is nowhere mentioned in the present draft.]

*Proposals that will lead to substantial harm to or total loss of the significance of a heritage asset or its setting, will be refused, unless the harm is outweighed by substantial, demonstrable public benefits or all the four tests set out in **Paragraph 133 of the NPPF** are met.]*

[The explicit recital of the four tests in para 133 of NPPF is unnecessary when simple reference will do. But a more serious problem is that it fails to reflect the considerable weight and importance that by law must still be given to less than substantial harm to designated landscapes and Conservation Areas - nowhere mentioned in the present draft. The suggested redraft clarifies the principles of balance without getting tangled up in the often misunderstood test of 'substantial harm' which is secondary to the statutory consideration of considerable weight and importance. The redraft retains the NPPF tests by general reference but with the more explicit statutory and by virtue of NPPF other great weight to be given to other national designations and assets and places of equivalent importance.]

POLICIES RELATING TO WITNEY/CARTERTON/CHIPPING NORTON - STRATEGIES AT THE LOCAL LEVEL

Broadly speaking, CPRE is supportive of the policy that concentrates development in the three main centres, with some windfall and limited distribution through rural areas.

Policy WIT1 - East Witney Strategic Development Area

CPRE is concerned about infrastructure schemes which have a major impact on the countryside and we therefore opposed the Cogges Link Road. The Shores Green Scheme appears to give similar levels of traffic relief, with minimal environmental impact, so CPRE supports its inclusion in the Local Plan. However, it should be fast-tracked, so that emissions in the town centre are reduced.

POLICY WIT2 - North Witney Strategic Development Area

In order to be justified and consistent with Policy EH5 - Flood Risk, CPRE believes that the North Witney development should be carefully checked in terms of its impact on traffic and flooding. CPRE believes that independent studies should be commissioned in this regard. Developer-led studies are not exhaustive. For example, flood mitigation is based on ground investigation carried out when the ground is dry. The usual attenuation pond solution and SUDS in general are not effective when the ground is saturated. The north of Witney is sensitive to flooding, so this must be checked properly to ensure that problems are not exacerbated.

We welcome the introduction of phasing in WIT2 (bullet point b) which will be critical in relation to the provision of infrastructure.

The policy is currently *unsound* with regards to the proposed West End Link as on existing evidence it is arguable whether it can be justified in terms of its effectiveness in relation to traffic relief in the town centre. Whilst the development would provide a welcome second river crossing, CPRE would like WODC to commit to conducting further research to ensure that the development would bring the required benefits and that the policy is justified.

Policy CA1 - REEMA Central Strategic Development Area

CPRE supports the commencement of private development on spare REEMA land in Carterton, but believes that the resolution of these spaces should be fast tracked. The outdated SFA housing is holding the town back and empty and badly planned houses are taking up valuable space which could be used to avoid building on green spaces or for community projects. CPRE is not suggesting an increased allocation, but rather that no further allocation should be made to Carterton until REEMA land is developed. This land should be the main focus of future growth in the town for the next plan period, but to do so, agreements need to be reached early, in view of bureaucracy.

Policy CA3- Carterton Sub Area Strategy

CPRE supports the stated intention to extend the green buffer to the north of Carterton and to protect the Shill Brook area to the west.

Policy CN1 & 2 - Chipping Norton Sub Area Strategy

CPRE would like to see specific reference given to the Rollright Stones and to the need to avoid any increase in HGV traffic past this site as a result of development within the Chipping Norton Sub Area. This may require co-operation with the neighbouring authority of Warwickshire.

SECTION 10 - DELIVERY & MONITORING

The proposed measures for monitoring the achievement of environmental objectives and policies do NOT meet the requirements of the SEA Regulation 17(1):

'The responsible authority shall monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action.'

In particular, the measures proposed are inadequate because:

- They mostly monitor decision-making processes, NOT actual *significant environmental effects* arising from development permitted under the plan policies - even in those areas earmarked for development.
- They do NOT provide either the means or timeliness for *identifying unforeseen adverse effects at an early stage*.
- They do NOT identify any means by which *appropriate remedial action* could be taken for unforeseen adverse effects.
- They do NOT cover all the most *significant environmental effects* arising from development permitted under the plan policies; in particular they do not fully reflect all those that carry great weight under NPPF landscape and heritage policies.

Suggested additional/alternative monitoring measures for EH1 Landscape:

- *Areas of different landscape character types altered by development within the AONB, Green Belt, special landscape areas and elsewhere within the District.*
- *Areas of pre-19th century and pre-20th century historic landscape character types altered by development within the AONB, Green Belt special landscape areas and elsewhere within the District.*
- *Number of applications permitted contrary to the advice of the AONB Board.*
- *Number and types of applications permitted within the Green Belt and proportion affecting its openness or purposes that are justified by exceptional circumstances.*
- *As built compliance with landscape and heritage design principles and conditions to respect existing character and minimise visual intrusion and number of remedial actions required.*

Suggested additional/alternative monitoring measures for EH6 Tranquillity and Dark Skies:

- *Predicted and actual noise from changes in transport related noise (especially highways and any expansion of Kidlington airport) as provided by other responsible authorities and the remedies delivered for unforeseen effects.*
- *Number of EHO noise complaints received and the remedies delivered.*

- *Five yearly updates of the Cotswolds AONB baseline dark skies map to monitor how the different grades of darkness of the sky shrink or grow.*
- *Triennial update on whether or not International Dark Sky status is achieved for the heart of the Cotswolds.*
- *The geographical extent of street lighting schemes that reduce light pollution and save energy.*
- *The number of planning approvals that demonstrate (or are conditioned to require) adoption of non-light polluting measures.*
- *Visibility of specific key indicator stars on clear nights from the Rollright Stones Dark Sky Discovery Site as recorded by local astronomers.*
- *Range and number of Dark Skies community events and campaigns supported by West Oxfordshire District Council.*

Suggested additional/alternative monitoring measures for EH7 Historic Environment include measures to monitor both beneficial and harmful effects:

- *Establishment and approval of proposed District Historic Environment Action Plan and monitoring database in collaboration with others.*
- *Initiation and completion of Conservation Area appraisals.*
- *Number of District-owned designated heritage assets with a Conservation Plan.*
- *Number of heritage consents for restoration and/or enhancement of historic character.*
- *Number of developments within the District that secure a high level of preservation in situ.*
- *Number and extent of public realm improvements with specific regard to heritage values.*
- *Number and extent of community projects to enhance historic environment and levels of public participation in them.*
- *Number of buildings, monuments and landscapes at risk (as defined by national and local risk assessments) capable of being brought into beneficial use.*
- *Number of developments involving harm through demolition or partial demolition of a listed building (including curtilage LBs) and the effectiveness of any mitigation measures.*
- *Number of developments involving harm to the character or appearance of Conservation Areas due to demolition or partial demolition of buildings or other structures, loss of trees and other changes and the effectiveness of any mitigation measures.*

- *Number of developments requiring Scheduled Monument consent for development involving complete or partial loss of archaeological significance.*
- *Number of developments involving harm to the character or appearance of Registered Parks and Gardens and the effectiveness of any mitigation measures.*
- *Number of developments that require a full excavation more than 50m² or 250m² in area.*
- *Number of applications referred to Historic England due to effects on the setting of listed buildings and scheduled monuments and the effectiveness of any mitigation measures.*

SUSTAINABILITY APPRAISAL

The purpose of Strategic Environmental Assessment (SEA) is *‘to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development’* (SEA Directive Article 1). The requirement of the SEA should be to demonstrate that the Plan meets strategic planning requirements to achieve sustainable development, meeting the high standards of environmental protection and sustainable development that EU and UK require.

This Sustainability Appraisal is 406 pages long. It is an amalgam of a bewildering number of receding stages and says that it *should be read in conjunction with the Draft Local Plan SA Report published in November 2012*. This complexity and verbiage substantially obscures this core purpose of SEA and moreover the structure of the report does not follow that logical structure indicated by the SEA Regulations, or the detailed assessment requirements. As a result it is almost impossible to understand what actual changes to the environment are likely to arise from the Plan and how they would be avoided reduced or offset, especially in respect to the specific aspects of the environment to be covered and the locations earmarked for development.

The SEA report is not fit for purpose.

SEA Regulation Schd 2 (1) An outline of the contents, main objectives of the Plan or programme and relationship with other relevant plans and programmes:

The contents and main objectives of the Plan are not clearly set out or explained, but are covered piecemeal in terms of the sustainability appraisal framework objectives and various other sections of the report. A great deal of space is instead taken up with explaining the SA process, making it far from clear what is covered in this SA report and what is in previous ones.

The Updated Review of Plans and Programmes set out in Appendix II is generally comprehensive but omits AONB Position papers and the emerging Oxfordshire Historic Landscape Character Appraisal. The table does not explain their relationship or which are, or are not, directly relevant to the Plan. The very brief summary presented in paras 3.3-3.5 summarises process NOT the relevance of the policies to the Plan.

SEA Regulation Schd 2 (2) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the Plan or programme; Schd 2 (3) The environmental characteristics of areas likely to be significantly affected:

The supposed coverage of baseline data in section 3 is almost exclusively concerned with socio-economic data NOT environmental baseline data. There are maps of biodiversity sites and ‘environmental constraints’ (ie protected landscapes and flood areas) but not the local special landscape areas. The key sustainability issues and problems with regard to the aspects of the environment required to be covered by the SEA regulations are limited to a few short paragraphs that are LESS informative than the Plan itself.

More detail is to be found in Appendix 1, but this is also extremely limited, and indeed extremely unbalanced in the levels of coverage of ecological issues as compared with other matters. It is extremely variable in coverage of trends. There is no coverage of how the pressure of recent development has been affecting - for good or ill - the aspects of the environment listed in the SEA Regulations. Thus, although the AONB is clearly of particular environmental importance and subject to 'great weight' being given to its conservation, there is no indication of how many areas have been converted from rural to urban use; no indication of how far the advice of the AONB Board was followed or rejected in planning decisions, and no indication of measures taken by the Council to further the management objectives of the AONB.

There is thus no basis on which to compare the known effects of past change arising from the kinds of development envisaged with the level of development envisaged by the Plan.

Even more seriously, the report fails entirely to describe the environment of the areas defined in the Plan as where most development will be located, as presented in Section 9 of the Plan. The coverage of how the state of the *environment* would be likely to evolve in those areas (or the District as a whole) without the Plan is entirely absent. This matters because it is crucial to weighing up whether the Plan has been developed with a proper consideration of environmental protections that require 'great weight' to be given to them.

Schd 2 (4) Any existing environmental problems which are relevant to the Plan or programme including, in particular, those relating to any areas of particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC:

This requirement **includes** but is not restricted to EU designated wildlife sites. There is only very limited discussion of other environmental problems affecting national designations. For example only three lines are included on heritage at risk, but nothing about the nature of those risks and how far they relate to development pressures - or how far they might be resolved through well targeted development.

Schd 2 (5) The environmental protection objectives, established at international, community or Member State level, which are relevant to the Plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation:

The report refers to Sustainability Appraisal objectives but does NOT cover "*The environmental protection objectives, established at international, community or Member State level, which are relevant to the Plan*" let alone explain "*the way those objectives and any environmental considerations have been taken into account during its preparation*". This is in spite of relevant policies and legislation being listed in Annex II. Thus just with regard to heritage issues examples such as relevant legislation, National Planning Policy Framework, National Heritage Protection Plan, AONB Management plan, the Blenheim WHS Management Plan, Heritage at Risk Register, Historic Landscape Characterisation Appraisal, Thames Solent Archaeological Research Framework do represent a hierarchy of '*environmental protection objectives, established at international, community or Member State level, which are relevant to the Plan*' - but

not the least idea is given of what they are. No attempt has been made to explain “*the way those objectives and any environmental considerations have been taken into account during its preparation*”.

There is also no mention of the statutory duties that public bodies and officials have towards environmental conservation enshrined in national heritage, landscape and wildlife legislation; or the ‘great weight’ that NPPF requires to be given to conserving nationally and internationally designated heritage assets, wildlife AONBs and the Green Belt. By not thoroughly identifying objectives “*which are relevant to the Plan*” in the context of the particular proposals being put forward, numerous readily identifiable potential impacts have simply not been recognised, let alone assessed.

Schd 2 (6) The likely significant effects* on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors (*these effects should include secondary, cumulative, synergistic, short, medium and long-term, permanent and temporary, positive and negative effects):

The assessment approach is based entirely on abstract objectives and regulatory procedures and fails to identify most actual *likely significant effects on the environment*. No impression is gained of how the environment of West Oxfordshire would differ at the end of the Plan period from the present day. Even more seriously, no impression is gained as to how the environment of the specific areas earmarked for development would alter. This is because no attempt has been made to identify even at a preliminary stage the specific environmental baseline conditions of those areas.

The SEA Regulatory requirement is not just to ‘identify’ a few exemplars such as those in the text or tables of the SEA Report, but in relation to a proper consideration of ‘the environmental characteristics of areas likely to be significantly affected’ (see above) meet the Sch 1(2) requirement to assess *the probability, duration, frequency and reversibility of the effects* and their complex interactions etc.

There has been no attempt to define at a *generic* level the full range of impacts known to arise at different stages in the life-cycle of the different sorts of development envisaged or give a general probability of whether they would arise, and if so whether they would trigger the ‘special weight’ that by statute and national policy must be given to such issues. Likewise there has been almost no attempt to assess how the combination of development and other pressures might affect some of the key environmental aspects of the Plan.

The SEA generally fails to describe and evaluate any effects within the context of NPPF policy and statutory environmental protection, to which great weight must be accorded, merely ticking boxes covering multiple aspects of the environment and multiple different kinds of effect without actually indicating how the environment would change.

It is impossible to know what most of the innumerable tick boxes actually mean, and there is no consideration at all of whether such effects include *secondary, cumulative, synergistic, short, medium and long-term, permanent and temporary, positive and*

negative effects. Had the real effects of different kinds of past development been used as a means of identifying such effects at a generic level it would at least have been possible to gain some idea of the range of likely effects that would occur, how any past mistakes of not recognising such effects might be avoided, and if quantified whether future effects are likely to be greater or less than in the last Plan period.

Schd 2 (7) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the Plan or programme:

While there is some fairly extensive coverage of different options which, at a strategic level does indicate how choices in the Plan would *prevent, reduce and as fully as possible offset any significant adverse effects on the environment* in terms of more damaging possibilities, this is extremely broad and in particular fails to explain how the most significant environmental effects (ie harm to those aspects whose conservation carries 'great weight') would be *prevented, reduced and as fully as possible offset*. These issues are conservation of the AONB; protection of Green Belt openness and its purposes; preservation and enhancement of internationally and nationally important heritage assets and their settings; conservation and enhancement of biodiversity especially internationally and nationally protected habitats and species.

The Policies in the Plan do represent the measures required to *reduce and as fully as possible offset any significant adverse effects on the environment* but as indicated in the comments on the Plan itself these need strengthening. Nowhere is there any indication of which policies would have to be applied to the areas earmarked for development or how effective that might be in preventing, reducing or offsetting any significant adverse effects

While there is some very generalised consideration of rejected options, there is no attempt to assess whether the NPPF (para 157) policy and statutory considerations to exclude areas from inappropriate development has been properly applied. Clearly in very high level strategic options, the AONB and Green Belt have been excluded from major development, but there is no indication at all whether any consideration has been given to avoiding harm to the setting of listed buildings or the appearance and character of Conservation Areas.

Schd 2 (8) An outline of the reasons for selecting the alternatives dealt with....

The very extensive coverage of alternatives does explain an outline of the reasons for selecting the alternatives dealt with - at far greater length than the likely effects of the Plan options actually selected. But even so the inherent flaws noted above in relation to the baseline coverage means that it is impossible to tell what factors of importance that carry great weight might not have been considered (eg whether options would affect the setting of nationally important heritage assets and whether or how that was taken into account). As a result, it is far from clear that the reasons for selecting alternatives are sound.

Sch 2 (9) A description of the measures envisaged concerning monitoring in accordance with Regulation 17:

The monitoring measures proposed are only partially relevant to the likely impacts of the developments that the Plan proposes, and many of the most significant effects will not be covered by them (eg effects on species for ecology; loss of Green Belt; achievement of AONB management plans; heritage setting issues or archaeological effects). No monitoring is proposed for how many cases where environmental material considerations to which great weight must be attached under NPPF arise; nor whether such harm is *prevented* or only reduced or offset; nor whether it is even possible to “*undertake appropriate remedial action*” where adverse effects on such considerations arise.

Overall likelihood of compliance

The SEA Report fails to meet adequately the statutory requirements of the SEA Regulations and Directive on all Schedule 2 criteria for the information to be included in an Environmental Report. These failings are sufficiently serious as to demonstrate that the whole process of trying to reconcile perceived development needs with environmental objectives has failed to give due weight to the likely serious adverse effects on the environment, and as such makes the Local Plan unsound.