

Points to critique about SODC's local plan and the inclusion of Land North of Bayswater Brook as a strategic allocation

- I. Flawed Consultation process**
- II. Uncertain deliverability of Land North of Bayswater Brook (LNBB)**
- III. Lack of assessments for LNBB**
- IV. The critical absence of a Transport Assessment for LNBB**
- V. Lack of assessment for 'Bayswater Farm'**
- VI. Proximity as an Exceptional Circumstance**
- VII. Unmet Housing need as an exceptional circumstance**
- VIII. Biodiversity and Sites of Special Scientific Interest near LNBB**
- IX. Failure to protect the Green Belt**
- X. No permanent defensible Green Belt boundary at LNBB**
- XI. Air Quality**
- XII. Settlement Hierarchy & Rural Communities**

I CONSULTATION PROCESS – non-compliant with planning rules

1. Local Plan 2034 is a new Plan, not a modification of the previous version, LP 2033. Its expected housing supply has increased by about 20 percent compared to LP 2033 and the Council is planning to build far more houses than it actually needs. To satisfy the projected housing requirements in its own jurisdiction and its contribution to the unmet housing needs of Oxford, SODC estimates that 22775 houses need to be built. But for the sake of ‘additional flexibility’ it is aiming for a housing supply of 28,465 by 2034. (*Local Plan 2034*, p.86) To achieve that number, nearly 1780 houses would need to be built every year 2019-2034 whereas over the past seven years, only 623 houses on average have been completed in the district. So, this Plan represents a major departure from previous norms in terms of new housing provision, and not just a revision of a previous blueprint.

- This ambitious strategy has major consequences for the Green Belt because SODC wants to release land from the Green Belt for seven strategic allocations: these are expected to provide 10375 houses by 2034. (*Local Plan 2034* p.86)
- What drives the plan is the Oxfordshire Growth Board and Growth Deal. In 2018 all the Oxfordshire district councils signed up to a deal brokered by the Growth Board with central government: they are committed to building 100,000 houses in the period 2011-2032 in order to get their share of £215 million for infrastructure and housing from central government. The Growth Deal also set the deadline of 31 March 2019 by which time SODC had to submit its local plan to central government. Failure to submit the plan on time would pose ‘a threat to the entire housing and growth deal for Oxfordshire and would put at risk up to £215 million of agreed government funding’. (Report of Head of Planning to the Scrutiny Committee 13 December 2018, para 70).
- **So Local Plan 2034 is like no other plan in its scope and ambition. SODC should have been treated it as an entirely new plan that required an entirely new series of assessments and regulation 18 public consultations lasting many months.** But under pressure to

meet the terms and deadlines of the Growth Deal, SODC has pretended that LP 2034 is just a revised version of LP 2033 and that conceit has allowed it to skip the usual planning stages and rush the plan through.

. See LP 2034, the introduction, para **1.6, 2.11, STRAT 1, STRAT 2 (housing requirement) & SODC Topic Paper, Housing Needs, Housing Supply & Housing Densities January 2019: 2.7 p.2 2.15 – 2.17 p.4 para 2.22 p. 5 Table 2.1 p.6 & para 2.28 a, pp 7-8 (table of annual house building under three different scenarios and description of Oxfordshire Growth Board and Growth Deal) ;SODC Scrutiny Committee, Public Pack 13 December 2018 Report of Head of Planning, para. 70.**

How to comment:

Point out that SODC has misrepresented this new Local Plan 2034 right from the start.

It is not a 'second Publication version' but an entirely new plan driven by a new political and economic agenda, the Oxford Growth Deal.

The foreword to the plan begins: 'Welcome to our second Publication version of the Local Plan for South Oxfordshire'.

Suggest that the wording of the introduction be modified to read as follows:

'Welcome to the Local Plan 2034 for South Oxfordshire. This is an important document because it sets out our aspirations for housing, employment, and supporting infrastructure in our area up to 2034. We had planned to submit the previous Publication version, Local Plan 2033, for examination in 2018, but uncertainty about deliverability of some sites caused us to review our strategic options.

Much has changed since the last version was published, including changes to national planning guidance published in 2018 and our commitment to the Oxfordshire Growth Deal which has shaped our new housing targets and the number of strategic allocations that we want to develop in the Green Belt around Oxford to contribute to the city's unmet housing need in line with the terms and conditions of the Growth Deal.'

2. **Because of the pressure to meet the deadline set by the Growth Deal, the new Local Plan was prepared in a hurry.** SODC dispensed with the usual assessments and consultations that all preceding plans had gone through. Instead it moved directly to a regulation 19 consultation of only six weeks starting on 7 January 2019 so that it could wrap up all proceedings in time to meet the deadline set by the Growth Deal.
- In December 2018, the urgency to get the plan approved by the Council led to a breakdown in democratic procedures: the background documents were not available electronically to the SODC councillors during the scrutiny process. Few councillors had the opportunity to be fully informed before voting on the plan in full council.
 - The rush to get the new plan through induced the council to go straight to a **Section 19 consultation** which allows only 6 weeks for members of the public to comment on the soundness and compliance of LP 2034 with national planning policy. There simply has not been enough time to read and digest all the documents required to generate an informed view about the technical compliance of this new plan with the National Planning Policy Framework. The correct and legally compliant alternative would have been to commission new assessments for a new plan and hold another Section 18 consultation which would have allowed several months for comment on its content.
 - It is unclear that SODC took the time to confer with representatives of Oxford City Council and of wards / parishes that are on the boundary of new strategic developments in the Green Belt before including these in the Local Plan. Cross-boundary consultation is one of the prerequisites of assessing and selecting strategic allocations. But SODC appears not to have allowed time to undertake this statutory commitment (see NPPF para 21 & para 27)

How to comment: State when did you first hear about this new LP 2034 and how it might affect your community. Say that you have NOT had enough time to read and comment on this plan: it should have been subject to a Reg 18 consultation lasting several months and not just to a Reg 19 consultation of only 6 weeks.

II. UNCERTAIN DELIVERABILITY of Land North of Bayswater Brook

1. In preparing this local plan, SODC is non-compliant with the National Policy Planning Framework (July 2018): Many of its policies are aspirational but not deliverable because the council has not gathered robust evidence to support them.
 - The NPPF states that ‘the preparation and review of all policies in a Local Plan should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. (NPPF para 30)’ It also states that plans must ‘be prepared positively, in a way that is aspirational but deliverable.’ (NPPF para 16b) But as the council admits, the deliverability of LNBB is far from secure.
 - On 13 December the head of planning stated to SODC’s scrutiny committee, ‘There is a need for more evidence on ecology; There is significant risk about the ability of us being able to demonstrate the deliverability of this strategic allocation.’
 - In Local Plan 2034, Strat 13, 5 notes that ‘the number and phasing of homes to be permitted and the timing of housing delivery linked to the planned infrastructure need to be informed by further evidence as per the requirements of other policies in the plan including Policy TRANS4. This will be agreed (and potentially conditioned) through the planning application process, in consultation with the relevant statutory authority.’ This is the same as saying that virtually nothing is certain about the development. the Council simply has not done the work to produce the evidence and assessments required to select this strategic allocation and to ensure that it can be delivered.

How to comment: HIGHLIGHT that SODC has not gathered relevant and up-to-date evidence or assessments to support the selection of LNBB as a strategic allocation for 1100 new houses. Cite national planning guidelines (NPPF para 16b and para 30) when you comment on the lack of robust evidence.

III. Land North of Bayswater Brook has never been assessed as an integrated site:

1. For Local Plan 2033, SODC made separate assessments for Wick Farm and Lower Elsfield; they underpinned the council's decision to exclude both as strategic allocations. In preparing this new Local Plan 2034, however, it has not conducted the same kind of 'site specific' assessments for the merger of those two sites into one strategic allocation, Land North of Bayswater Brook (LNBB). In failing to do so, SODC went against the recommendations of its own planners and consultants:
 - The Strategic Site Selection Background Paper, Part 1 January 2019 (p.409) recommended a detailed **biodiversity** assessment of the two Sites of Special Scientific Interest (SSSIs) next to the site and the conservation target areas near LNBB (SEE BELOW, SODC's failure to protect SSSIs and Biodiversity). It selected the site without that biodiversity study which it is now in the process of conducting.
 - There is no site-specific strategic **flood-risk** assessment (SSFRA). Local and national authorities (SODC, Oxford City County, Oxford County Council, the Environment Agency) have not scientifically monitored the Bayswater Brook and so "there is no fluvial modelled data available for the Bayswater Brook, or the ordinary watercourses on the site, other than the existing Flood Zone mapping." (*South Oxfordshire District Council Appendix L Detailed Site Summary Tables p.14 and p.38*). Oxford City Council made the same observation in its *Level 1 Strategic Flood Risk Assessment 2017* (p.19). The council intends to postpone a SSFRA for LNBB to planning application phase. If it also postpones data collection for the Bayswater Brook, then it may be years before there is enough evidence to conduct a robust SFRA at this site. This is a crucial omission and provides another reason for removing LNBB from the local plan.
 - IF YOU HAVE EVIDENCE ABOUT THE FLOODING OF BAYSWATER BROOK INCLUDE PHOTOGRAPHS OR DESCRIPTIONS IN YOUR COMMENTS.

2. There is no up to date **sustainable transport assessment**: Its *Sustainable Transport study (2017)* is now out of date and consultants focussed on areas of growth in the centre of the district (near Didcot, Wallingford) not on green belt sites near Oxford. **This is a critical omission** because SODC identified as an exceptional circumstance, the *proximity of this site* to Oxford and **its potential to support sustainable travel** (by walking, cycle or bus). (see LP 2034, Strat 13, para 4.107, p.68)

3. These are not the only assessments that are lacking for LNBB. Policy Strat 4 point 5 states that proposals to deliver strategic development need to be supported by:
- a. a Landscape and Visual Impact Assessment;
 - b. a Health Impact Assessment;
 - c. a Transport Assessment;
 - d. an Air Quality Assessment;
 - e. an Arboricultural Survey;
 - f. an Ecological Impact Assessment;
 - g. a site-specific flood risk assessment which takes into consideration the findings and recommendations of the Strategic Flood Risk Assessment;
 - h. a Heritage Impact Assessment; and
 - i. an archaeological desk-based assessment to provide an assessment of archaeological significance

How to comment: ODC has produced none of the required site-specific studies for LNBB at plan-making stage. Instead it intends to postpone all of these detailed studies *to planning permission stage*. But without these assessments it cannot demonstrate the deliverability of LNBB, as the Chief Planner indicated in her report to the Scrutiny Committee in December 2018.

IV. The absence of a Transport Assessment for LNBB

- For LP 2033, the council conducted separate assessments of Lower Elsfield and Wick Farm. After years of consultation and assessment, SODC rejected them as strategic allocations. Now magically it proposes a

merger of these sites into LNBB for a strategic allocation, but it has not deemed it necessary to put this new site through a detailed assessment.

- This new whole, however, is greater than the sum of its two parts and has different potential impacts. Before being selected as a strategic allocation, LNBB should have had at a minimum an evidence-based **transport assessment** because of major road proposals to do with the site.
- Oxfordshire County Council drove the decision to promote the two sites as one because their merger allows a road through the site and dual access to it from Elsfield Lane to the west and Bayswater Road to the east. Furthermore, the County's Highways division saw an opportunity to exploit the site's development for its own purposes which have nothing directly to do with providing 1,100 dwellings for the city's unmet housing need. the county council want the developer to pay for 'improvements' at Elsfield Lane and the Marston Junction and also to the Bayswater Road leading to the Headington Roundabout. Of crucial importance is OCC's proposal for a road through land to the east of the Bayswater Road (part of the old Wick Farm site) to the A40 which, in its view, would provide relief for the Headington Roundabout.
- Highways in the County Council is solely interested in improving traffic flows regardless of how the traffic might affect the areas that it flows through. There has been no detailed analysis about these infrastructure proposals and their potential impacts which should have been addressed before selecting LNBB as a strategic allocation.

How to comment: Evidence and assessments about the road projects to do with LNBB are wholly inadequate and SODC cannot demonstrate that these transport proposals are deliverable.

- The main reason that the County Council allowed SODC to include LNBB as a strategic allocation was that the merger of two previously assessed (but rejected) sites satisfied its requirement for dual access. SODC, however, does not justify its decision to give so much weight to one factor in preference to so many others. The problems of flooding; harm

to biodiversity; loss of valued farmland and landscape are just the same for LNBB as they were for Wick Farm and Lower Elsfield.: The council does not provide reasons for allowing this one perceived advantage (new roads and junction upgrades) to prevail over all the disadvantages which its studies of Wick Farm and Elsfield highlighted and which, only a year ago, supported the exclusion of this land for development.

Point out that these proposals about transport infrastructure have not been the subject of a detailed assessment in preparing LP 2034. Neither OCC nor SODC have considered how the combined effects of the two new roads (one through the site, the other to the A40) would affect the new estate, in particular how to manage through traffic of cars and heavier vehicles. LNBB could become a rat run for commuters looking for the fastest way to the A40. Nor have they considered how the two roads would interact to aggravate congestion and traffic on the neighbouring wards of North Oxford: Marston, Barton and Sandhills. Furthermore, there are no proposals for mitigating these negative impacts either on LNBB nor nearby communities.

V. SODC has never assessed Bayswater Farm (the third part of LNBB)

1. This parcel of land is north of Sandhills. It is a small isolated part of the LNBB site: SODC planners have never assessed it in the same way as Wick Farm and Lower Elsfield: notably Bayswater Farm is missing from the Strategic Site Selection Background Paper 2.
- **Nor was Bayswater Farm** included at any point in the Section 18 consultation for LP 2034. There is only one reference to it in SODC's evidence documents:
 - **The Landscape Capacity Assessment (October 2018)** described the land belonging to Wick Farm to the east of Bayswater Road (site 7B) and noted that the site is bound to the south by Sandhills (Oxford). Table 1 for site 7b (p.24) contains this comment, "The land to the north of the brook forms part of the wider rural landscape. The small additional area to the south of the brook has a higher capacity for development."

- On that basis SODC appears to have promoted this small parcel of land for development separated from the rest of the land held by the developers to the east of Bayswater Road (which the Council has excluded for the time being)

How to Comment on Bayswater Farm: Point out that SODC offers little information about housing within the main site and none in the smaller Bayswater Farm. Nowhere in LP 2034 and its supporting studies are there figures about types and numbers of dwellings, housing density of the development in this field. SODC councillors, stakeholders and local representatives in the areas adjacent to Bayswater Farm cannot form a sound view about the pros and cons of developing this parcel of land if they are in the dark about the most basic details. The council either cannot or will not communicate this information. In doing so, it has reduced the usefulness of the statutory consultation process for this strategic allocation.

IF YOU HAVE EVIDENCE ABOUT THE VALUE OF BAYSWATER FARM IN TERMS OF ITS LANDSCAPE, WILDLIFE, TREES AND PLANTS, PUT IT IN YOUR COMMENTS.

VI. Proximity as an exceptional circumstance to justify LNBB development

1. SODC makes proximity and the potential for sustainable transport an exceptional circumstance for developing LNBB. But its rather limited comments of traffic and transport impacts suggest that on the contrary development of LNBB will increase vehicle traffic and congestion and that existing physical barriers near the site (which cannot be readily overcome) discourage sustainable modes of transport
 - Para 4.114 of the Local Plan (p. 69): ‘Whilst the site directly adjoins Oxford City and is within relatively close proximity to employment locations and a wide range of services and facilities, the A40 is a major physical barrier to connectivity, particularly in terms of walking and cycling.’
 - Para 4.115 (p.69 – 70): ‘road capacity to the east of Oxford is already under significant pressure, particularly along the A40 and the

Headington roundabout. There is currently insufficient road capacity to support new, direct road access between the site and the A40 west of the Barton Park site.'

- In *Evaluation of Transport Impacts* January 2019 (p.39) Oxfordshire County Council observes, 'Accesses to the Wick Farm / Elsfield Development [aka LNBB] are forecast to distribute to demand into different corridors but are likely to result in increased congestion along the links leading to the A40. There is also a forecast increase to network stress at the Headington Roundabout.'

How to comment: cite the lack of an up to date sustainable transport study; point out the council's own evidence about the barriers to walking and cycling created by the A40 and the Bayswater Brook; also point out that neither Oxfordshire County Council nor SODC has a realistic plan for improving the A40 and the Headington Roundabout for either vehicle or sustainable transport.

POINT OUT: It is unsound to justify release of LNBB from the Green Belt if its development not only does harm to the Green Belt but to the existing road network and nearby communities that have to use it.

- IF YOU HAVE EXPERIENCE OF THE DIFFICULTY INVOLVED IN WALKING, CYCLING OR TAKING BUSES INTO OXFORD FROM AREAS BEYOND THE RING ROAD, TELL YOUR STORY.

VII. Unmet Housing need as an exceptional circumstance

- SODC identified two exceptional circumstances to justify the development of LNBB:
 - first of all, its proximity to Oxford and potential for boosting sustainable modes of transport which its own appraisals suggest will not be realised;
 - Secondly, unmet housing need, its own and for Oxford which meant putting new housing in the Green Belt near the boundary of the city.

- The council has made clear that its estimate of unmet housing need is not based on objectively assessed need but political calculation. It has accepted the formula used by the Oxfordshire Growth Board to set a target for building more houses in the county over the next fifteen years than the county and the city will require for the growth in households. It has proposed a surplus of 6000 homes over what it actually needs to meet its Growth deal commitments –for no other reason than offering itself ‘additional flexibility’ -- a vague premise that takes no account of the impacts on the Green Belt and the communities in it.
- Oxford City can meet its own housing needs. It has the capacity to build over 30,000 houses on approved sites if housing takes priority over employment sites.
- There is no evidence in Oxford City’s Local Plan to substantiate the claim that houses must be built very close to its boundaries. There is a major difference between proximity and connectivity. The strategic allocations that SODC wants to put in the Green Belt near Oxford have poor sustainable transport links and will have to depend on cars to travel to the city or elsewhere. The problems of commuting into Oxford have not been addressed in the city’s local plan at all: on the contrary it wants to displace vehicles to the ring road in order to reduce circulation of cars in the historic city centre.

How to comment: SODC’s proposals for more housing in the Green Belt near the city will only increase the vehicle traffic on the Oxford ring road. None of the new Green Belt sites around Oxford has access to rail and the delivery of new and frequent bus service to some of the Green Belt allocations is uncertain as it depends on private bus companies seeing a commercial advantage in providing the service.

SEE: SODC Topic Paper, Housing Needs, Housing Supply & Housing Densities January 2019, **Table 2.1 p.6 & para 2.28 a, pp 7-8 (table of annual house building under three different scenarios and description of Oxfordshire Growth Board and Growth deal).**

- SODC does not acknowledge that the Growth Board’s methodology for calculating unmet housing need is very much open to debate. the

Ministry of Housing, Communities and Local Government (MHCLG) has just finished a consultation about methods to estimate unmet housing need and has not yet delivered a revised policy.

SEE: UK government, MHCLG : 'Technical consultation on updates to national planning policy and guidance' (December 2018) para 3, p. 6; para 11, page 8 & **para 15 page 10, para 19.2 & 20 page 11;** (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)

- At public examination of the plan, the inspector will test SODC's definition of exceptional circumstances and its estimate of unmet housing need used to justify building in the Green Belt. The Inspector may find that these exceptional circumstances are not sound because they are not based on robust evidence and appraisals. He may also recognise that the calculation of unmet housing need is a 'working assumption' which could be challenged or revised depending on changes in government policy or economic circumstances.
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- Finally using unmet housing need as an excuse for building in the Green Belt is not compliant with national planning guidance which, as the Minister of Housing James Brokenshire recently pointed out, have strengthened the protections of the Green Belt.

How to comment: SODC and the Growth Board are not following NPPF and MHCLG guidelines about estimating 'objectively assessed housing need' The formula they have used is political and it increases the target for new housing by about a third over the level estimated by using the standard method of objectively assessing housing need. If they had used the standard formula, they would not have to propose so many strategic allocations and so many new houses. It would be entirely unnecessary to argue for release of land from the Green Belt to achieve those targets. The introduction of so many new sites in the Green Belt which lack required assessments weakens the ability to demonstrate deliverability and may make the plan vulnerable to legal challenges.

References: LP Strat 13 para 4.107 p. 68; Obj 4.2 p. 22; SODC Topic Paper, Housing Needs, Housing Supply & Housing Densities January 2019 2.7 p.2 2.15 – 2.17 p.4 **para 2.22 p. 5 Table 2.1 p.6 & para 2.28 a, pp 7-8 (table of annual house building under three different scenarios and description of Oxfordshire Growth Board and Growth Deal);**

NPPF para 11b (p.6), para 136- 138 (pp 40-41) para 144 ;

UK government, MHCLG : ‘Technical consultation on updates to national planning policy and guidance’ (December 2018) para 3 , p. 6; para 11, page 8 & **para 15 page 10, para 19.2 & 20 page 11;**
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)

VIII. Biodiversity and Sites of Special Scientific Interest (SSSI) near LNBB

- SODC’s Ecological Council identified Lower Elfield and Wick Farm (now LNBB) as ‘a **high-risk allocation, having significant potential effects on biodiversity.**’ (*Sustainability Appraisal of the Publication Version of the Local Plan 2018*, Appendix 1 p. 1179) That risk is especially elevated because of the Conservation Target Areas close to this strategic allocation and the two Sites of special scientific interest (SSSIs) Sydlings Copse and College Pond that are within 400 metres of LNBB (College Pond is right on the boundary line).
- Yet, the council expects its strategy for LNBB to deliver ‘a development that ensures that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sidlings Copse and College Pond SSSIs’ (Strat 13 2 viii, p.72) and that ‘protects and enhances existing habitats, particularly those associated Sidlings Copse and College Pond SSSI’ Bayswater Brook; (Strat 13 3.b p.73).
- These are only aspirations and they cannot be realised according to the council’s own evidence.
 - The Strategic Site Selection Background Paper, Part 1 January 2019: its first recommendation was ‘not to allocate the site

without a detailed assessment of the potential impacts of the allocation on Sidlings Copse and College Pond SSSI.’ (p.409) The Council nonetheless selected the site as a strategic allocation without that impact appraisal which is currently being prepared.

- This Background paper also states that, whereas hydrological impacts could be mitigated, the same cannot be said of **recreational impacts**: ‘even if extensive areas of new recreational land (Country Parks etc) were provided alongside the new development, people would still be attracted to the walks within the SSSI with consequent impacts on the sites special interest.’ (p. 409).
- The Sustainability Appraisal (January 2019) notes how very fragile the SSSIs are: Sidlings copse is considered to be 33% in favourable condition, 67% in unfavourable but recovering condition (SA, Table 3.3 Condition of SSSIs within the South Oxfordshire, p. 56).

How to Comment: SODC's limited evidence suggests that the mix of recreational and environmental impacts from the LNBB development will cause irreversible harm to biodiversity in the Conservation Target Area and specifically the SSSIs. These unique habitats cannot be recreated elsewhere, and mitigation or compensation will be pointless if development destroys the very qualities that make Sydtings Copse and College Pond of scientific significance. The council is failing in its obligation to avoid development that causes significant harm to biodiversity and SSSIs. Its policies are entirely non-compliant with all sections of NPPF para 175 about protecting and safeguarding SSSIs.

IF YOU HAVE OBSERVED THE WILDLIFE AND PLANTS IN THE SSSIs AND THE FIELDS NEARBY, INCLUDE YOUR EVIDENCE IN YOUR COMMENTS.

IX. SODC is not meeting its statutory duty to protect the Oxford Green Belt

- National Planning Policy Framework (NPPF) and the Ministry of Housing, Communities and Local Government (MHCLG) make clear that new housing in the Green Belt is to be avoided and only very exceptional

circumstances can justify release of land from the Green Belt for such development.

- In the Local Plan STRAT 1, STRAT 6 on the Green Belt contravene NPPF guidelines that require Local Authorities:
 - a. **to avoid development that encourages the unrestricted sprawl of large built-up areas** – in this case, the City of Oxford;
 - b. **to prevent neighbouring towns merging into one another** – SODC policy would merge Oxford into surrounding parishes and villages;
 - c. **to assist in safeguarding the countryside from encroachment** – SODC policy destroys the countryside around Oxford;
 - d. **to preserve the setting and special character of historic towns** – SODC policy destroys the setting of Oxford and surrounding villages;
 - e. **to assist in urban regeneration, by encouraging the recycling of derelict and other urban land** – SODC discourages this and the building of much needed homes within the City of Oxford.
- SODC's approach to managing the Green Belt is also non-compliant with NPPF para 118b. 133, 134. 143 & 144.
 - *The Green Belt Assessment of Strategic Sites in South Oxfordshire (December 2018) rates as high, the harm to the Green Belt from developing Land North of Bayswater Brook (appraised as Lower Elsfield and Wick Farm):* 'Development of the site as a whole would therefore lead to significant harm in relation to urban sprawl, encroachment on the countryside and to the setting and special character of Oxford.' (p.26 Lower Elsfield, p. 28 Wick Farm)
- SODC does not provide reasons for ignoring these conclusions and proceeding with a policy that wilfully inflicts damage on the Green Belt.

How to comment: Point out where LP 2034 policies about building in the Green Belt do not comply with the NPPF and that it remains UK government policy for local authorities to protect the Green Belt and explore all other options before arguing that there are exceptional circumstances for destroying the Green Belt

for development. Its rationale is solely driven by aspirations and its commitment to the Oxfordshire Growth Deal.

- You could also introduce a quote from the Minister of Housing James Brokenshire on BBC 4 Any Questions 11 January 2018: 'on the Green Belt absolutely I think that needs to be protected, that needs to be safeguarded. Now I'm not one who is advocating that we should be effectively building all over our green belt in order to hit those housing targets. I think that we can do this creatively, how we use the existing built environment and indeed that brownfield sites that are there. And actually, the protections that are around green belt have been upheld and strengthened through our planning guidance to ensure that that is the focus.'

X. No permanent defensible Green Belt boundary at LNBB

- There is currently a clear identified physical Green Belt Boundary between Oxford and SODC at the Bayswater Brook which runs along the south of LNBB. At LNBB, however, SODC proposes a new boundary that follows arbitrary lines through fields to the north of the site. This approach goes against the recommendations of its own Green Belt Assessment which states, 'The tree-lined Bayswater Brook forms a strong and consistent boundary to the urban area, supplemented at the western end of the parcel by the A40. Any change in the Green Belt edge here would represent a weakening of the boundary'. In using an arbitrary and moveable line in the site as a new Green Belt boundary, the council is non-compliant with national planning regulations. NPPF para 139f requires local authorities to 'define [green belt] boundaries clearly, using physical features that are readily recognisable and likely to be permanent.' (p.41).

How to comment: The rule is explicit: SODC needs to maintain a physically and topologically distinct boundary between the urban area of Oxford and land in the Green Belt within its jurisdiction. If they were to get their way, SODC and the landowner could, in future, push the Green Belt boundary out further to promote future development on this site. The inspector at public examination is likely to see this as non-compliant.

References:

- LP Strat 13 3. iv p. 72;
- SODC Green Belt Assessment of Strategic Sites in South Oxfordshire, (December 2018) pp.26 &31
- NPPF para 136, para 139f (p.41)

XI. Increased congestion and air pollution from LNBB

- SODC and Oxford County Council acknowledge that developing LNBB will increase pressure on the existing local road network (e.g. Bayswater Road, the A40 Headington Roundabout, Marston Junction). By aggravating congestion, development will also worsen air quality in its surroundings, which includes wards of Oxford that are already in an Air Quality Management Area (AQMA). These forecasts contradict SODC's environmental policies and compromise its reasons for development in the Green Belt.

How to comment: SODC has not conducted an up-to-date site-specific transport assessment nor an air quality risk assessment to consider how or whether these negative impacts could be mitigated. This omission is just another example of how at plan-making stage, SODC has not gathered the quantity or quality of evidence to support the selection of this site as a strategic allocation.

References:

- LP 2034, Obj 4.2 p. 22, LP Strat 13 3. iii p. 72, Trans 1b vi p.152, Trans 5 1. iv & vi
- ENV12 1 (development and pollution) p.188; para 8.45 (AQMA) p.189 EP1
- NPPF para 102 (p.30) para 103, para 181 para 138 p. 41

XII Disregard for policies on Settlement Hierarchy & Rural Communities

- SODC has a policy on settlement hierarchy that is inherently contradictory. In Para 4.10 (p.27) it states, ' The Local Plan seeks to build

upon the existing settlement hierarchy an actively create a sustainable pattern of development throughout the District. It identifies strategic allocations at seven locations at Grenoble Road, Culham, Berinsfield, Chalgrove, Wheatley, Northfield and North of Bayswater Brook.' It disregards the settlement hierarchy that it has created for the district by promoting disproportionately large strategic sites in the Green Belt next to villages or hamlets which are not included in the settlement hierarchy for development. It proposes 1100 houses in Land North of Bayswater Road in the parish of Elsfield, a hamlet that only figures in the settlement hierarchy in the list of 'other villages' which 'were not considered suitable location for development and have not been included in the hierarchy.' (Settlement Assessment Background Paper, p.24) The juxtaposition of large strategic sites next to smaller villages or hamlets makes a nonsense of using Settlement Hierarchy as a tool for strategic planning.

- The council creates a similar conflict between its spatial strategy and aspirations or policies to do with rural communities and landscape. In describing its strategy, (para 4.9 p.27) SODC highlights the 'delivery of new housing and economic growth' but recognises 'the rural nature of South Oxfordshire' It also stresses that 'South Oxfordshire has a beautiful natural and built environment, which makes the district an attractive place to live and work'. It wants to maintain and enhance the built and natural environment (p.27) and ensure that design for new development 'respects the scale and character of our towns and villages, enhancing the special character of our historic settlements and the surrounding countryside.' (objective 5.2 p.23)
- There is a contradiction between these aspirations and the strategy of promoting development in the Green Belt on farmland for 14,400 new houses near small rural and historic settlements. Building new houses on that scale does not respect the scale and character of existing rural settlements, nor does it enhance their special character and the surrounding countryside. Furthermore it is entirely unnecessary.

- In the Oxford Green Belt, SODC proposes 4,950 homes to be delivered from 2024/25 at the Grenoble Road, Northfield, and North of Bayswater Brook *strategic allocations to meet Oxford City's contribution to the Growth Deal.*

How to comment: There is no need to build on this farmland because as SODC admits, it aspires to build 6000 more homes than it actually needs (Local Plan Table 5 c p.87) even taking into account its commitments to the Growth deal. It is wilfully destroying the Green Belt, ignoring the objectively assessed housing need and going beyond what is required by its contract with the Oxfordshire Growth Board.

See LP 2034 Obj 1 & Appendix 7 Settlement Assessment Background Paper 2018, p.23 ; NPPF paras 71 b 72.b including fn 34, 84

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