WODC response to comments on EXAM 007 – Housing Site Selection Paper
1. **Introduction**

1.1 During Stage 2 of the West Oxfordshire Local Plan examination hearing sessions held in May 2017 the Council’s approach towards the selection of housing sites was discussed and the Council agreed to publish a separate paper summarising the process it had followed in identifying its proposed allocations.

1.2 The Council’s Housing Site Selection Paper (EXAM007) was subsequently submitted to the examination on 9 June 2017 with comments invited by 30 June 2017.

1.3 Responses were received from five individuals/organisations as follows:

- HR Stevens
- Gladman Developments Ltd.
- Carter Jonas for Mactaggart and Mickel Homes
- Nexus Planning for Commercial Estates Group (CEG)
- Barton Willmore for David Wilson Homes Southern and Bloombridge LLP

1.4 Copies of these responses are attached in full at Appendix 1.

1.5 A number of separate comments have been made but the main substantive issues can be summarised as follows:

- Concerns regarding the robustness of the Council’s evidence base including in particular the SHELAA (2016).

- A failure to adequately demonstrate that ‘exceptional circumstances’ exist to justify major development in the Cotswolds AONB.

- A lack of clear documentation, evidence and audit trail which demonstrates the planning judgements exercised by the Council in determining the proposed site allocations.

- Concerns regarding the inputs into and subsequent use of the LUC report which informed the apportionment of unmet need from Oxford.

- The reliance being placed on large strategic sites and development in the period post-2021.

- Conflict between the site selection process and the overall spatial strategy and core objectives of the Local Plan.

1.6 The Council’s response to these and a separate minor issue are set out below.
Robustness of the Evidence Base including the SHELAA (2016)

1.7 The Council maintains that the evidence base underpinning the site selection process is robust and suitable for the purposes of plan making.

1.8 Section 4 of the site selection paper summarises the evidence drawn upon by the Council in the run up to formal publication of the Local Plan in March 2015. This includes the SHLAA (2014) an assessment of strategic site options (2012, 2014 and 2015) Sustainability Appraisal (SA) Habitat Regulations Assessment (HRA) and other supporting technical information dealing with issues such as flood risk, landscape, the economy, infrastructure, transport, ecology, settlement sustainability and viability.

1.9 Section 5 of the site selection paper then summarises the additional evidence drawn upon by the Council in the run up to the publication of the proposed modifications in November 2016. This includes the SHELAA (2016) a number of different workstreams co-ordinated via the Oxfordshire Growth Board (OGB) in relation to the apportionment of unmet housing need from Oxford, a review of the Council’s previous assessments of strategic site options, further Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA) and other supporting technical information dealing with issues such as transport, viability, flood risk, water resources and settlement sustainability.

1.10 With specific regard to SHELAA (2016) the Council considers this to be a robust document that has been prepared in accordance with a published methodology that is consistent with the Government’s practice guidance.

1.11 The approach taken by the Council in preparing the SHELAA is summarised in paragraphs 5.8 – 5.14 of the site selection paper (EXAM 007). This included a comprehensive ‘call for sites’ in January 2016, the adoption of a lower site size threshold to ensure more sites were considered and detailed assessment and re-assessment of new and existing sites with regard to their potential suitability, deliverability/developability and availability with input from a number of multi-disciplinary professionals.

1.12 Importantly, in accordance with the Government’s practice guidance, the Council’s assessment of sites through the SHELAA included a consideration of the extent to which any constraints (policy or otherwise) might reasonably be overcome.

1.13 As explained in the Council’s site selection paper, the main output from the SHELAA (2016) process was as follows:

- Sites identified as being available, suitable and deliverable/developable which were subsequently proposed to be allocated through the Local Plan main modifications;

- Sites which were identified as having some potential suitability but for the reasons set out in Tables 6 and 11 of the site selection paper were not proposed to be allocated through the Local Plan main modifications (the ‘grey’ sites);
• Sites identified as being unsuitable and/or unavailable and/or under undeliverable, undevelopable which were therefore not proposed to be allocated through the Local Plan main modifications.

1.14 Whilst a number of ‘omission site’ promoters have naturally questioned the Council’s SHELAA conclusions, the Council maintains that it is a robust document that is fit for purpose.

1.15 With regard to the other evidence which the Council is relying on, again this is considered to be robust and appropriate for the purposes of plan-making.

1.16 During the Stage 3 hearing sessions the Council did acknowledge that it would be helpful to commission additional evidence on landscape and heritage matters in relation to the three proposed site allocations at Woodstock and in relation to the four proposed site allocations within the Cotswolds AONB.

1.17 This work will be commissioned through independent consultants and provided to the examination as soon as possible. It will also feed into a re-appraisal of the non-strategic sites in light of the further SA work which is already being undertaken in respect of the ‘grey sites’.

A failure to adequately demonstrate that ‘exceptional circumstances’ exist to justify major development in the Cotswolds AONB.

1.18 Paragraphs 115 and 116 of the NPPF state that:

115 ‘Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

116 ‘Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

• the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
• the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
• any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated’.

1.19 As highlighted by the Inspector during the Stage 3 hearing session held on Wednesday 19 July 2017, this exceptional circumstances ‘test’ applies to the determination of planning applications and not to the preparation of a local plan where it is more appropriate to consider if a proposed housing allocation within the AONB ‘is likely to accord with’ the
requirement of national policy that major development in an AONB is only approved in exceptional circumstances (see Inspector’s Question 15.2a – IN023).

1.20 The Council has already sought to demonstrate that there are exceptional circumstances that mean the proposed allocations accord with this requirement of the NPPF.

1.21 For example, within the supporting text of the Local Plan in relation to each of the four site allocations within the AONB, a justification is provided in line with the NPPF regarding the need for the development, the scope for development elsewhere and the extent to which any detrimental effects can be moderated.

1.22 Further justification is set out in the Council’s Matter 15 hearing statement (WOLP60) and the Site Selection Paper (EXAM007). In particular, table 10 of EXAM007 which includes an ‘AONB assessment’ of the four proposed site allocations.

1.23 In any event, as stated above, the Council has now agreed to commission an independent assessment of landscape and heritage matters relating to the four proposed site allocations within the AONB and an assessment of the need for further development within the Burford / Charlbury sub-area. Following on from this, the Council intends to publish a further topic paper addressing the issue of exceptional circumstances for major development within the AONB.

A lack of clear documentation, evidence and audit trail which demonstrates the planning judgements exercised by the Council in determining the proposed site allocations.

1.24 The Council does not accept that there is a lack of clarity or documentation regarding the process it has gone through to select its proposed site allocations. Notably, the main concerns expressed by the respondent appear to relate to the process that took place after the 2015 hearings were suspended in January 2015 and not to the process that led to publication of the pre-submission draft Local Plan in March 2015.

1.25 Section 5 of the Council’s site selection paper (EXAM 007) clearly explains the work undertaken post-January 2015, as well as the Council’s overarching considerations in taking forward a significantly uplifted housing requirement.

1.26 A key workstream was the SHELAA (2016), which the Council considers to be a robust document that has been prepared in accordance with a published methodology that is consistent with national practice guidance.

1.27 As set out in the site selection paper, a number of sites assessed through the SHELAA were found to be suitable, available and deliverable/developable and were subsequently proposed to be allocated through the proposed modifications. They were also subject to assessment through the Council’s Sustainability Appraisal (SA) Addendum Report (CD10).

1.28 A number of other SHELAA sites were found to be potentially suitable but not allocated through the local plan modifications for the various reasons set out in Tables 6 and 11 of the site selection paper. These ‘grey sites’ were not subject to assessment through the Council’s
Sustainability Appraisal (SA) Addendum Report and the Council has acknowledged that further SA work will need to be undertaken in this regard.

1.29 The remaining SHELAA sites were found to be unsuitable and/or unavailable and/or under undeliverable, undevelopable and thus were not proposed to be allocated through the Local Plan main modifications or assessed through the Sustainability Appraisal (SA) addendum report as they were not considered to represent ‘reasonable alternatives’.

1.30 The SHELAA therefore sets out the Council’s main ‘planning judgement’ on the suitability of sites for allocation through the Local Plan, albeit that this was then further assessed through the SA addendum report and augmented by additional work undertaken through the Oxfordshire Growth Board on the apportionment of unmet need which ran in parallel.

1.31 The Council considers that the site selection paper (EXAM 007) provides sufficient clarity on the process which the Council went through to move from the SHELAA findings and other relevant workstreams and supporting technical evidence to the SA addendum and subsequently onto the proposed main modifications. The process is summarised in diagrammatic form below for ease of reference.
Inputs into and subsequent use of the LUC report which informed the apportionment of unmet need from Oxford

1.32 A number of concerns have been expressed regarding the LUC spatial options report (SD14) and the process for apportioning Oxford’s unmet need more generally. These concerns include a lack of clarity on the selection of initial options for assessment, the timing of the Council’s assessment of the proposed garden village and subsequent expression of interest to Government, failure to consider reasonable alternatives e.g. land adjacent to Hanborough Station and a concern that the Council did not undertake its own subsequent more detailed assessment of potential sites following on from the LUC report. These issues are addressed in turn below.

Lack of clarity on the selection of initial options for assessment

1.33 The Council’s site selection paper explains that a key early element of the LUC work programme was the identification of areas of search as strategic options for growth. This was left to individual authorities to identify the strategic options within their own Districts that would then be taken forward for further testing. The paper goes on to explain that this initial list was subsequently refined through a ‘check and challenge’ workshop held in October 2015.

1.34 In response to the site selection paper (EXAM007) several respondents have stated that it is not clear which initial options were put forward by West Oxfordshire District Council and on what basis they were selected.

1.35 It is acknowledged that this should have been more clearly explained in the site selection paper. For the avoidance of doubt, an initial list of 10 site options was put forward by the Council as follows:

- Land north of Carterton
- Land west of Carterton
- Land north of Eynsham
- Land west of Eynsham
- Land north east of Witney
- Land south of Witney
- Land west of Down’s Road Witney
- Land at Long Hanborough including land south west of Hanborough Station and land to the north and south of the A4095 Witney Road, Long Hanborough (cumulative option)
- Eynsham Park Estate nr Barnards Gate
- Land south east of Woodstock (primarily in Cherwell District)

1.36 All of these sites were identified as being capable of meeting the minimum 500 dwelling threshold for assessment although it should be noted that in relation to Long Hanborough this was on a cumulative basis with all three of the identified sites combining to deliver 500+ units rather than delivery of that quantum on any of the individual sites.
1.37 The 10 site options were identified by the Council having regard to a range of information including the SHELAA (2014), site submissions made since 2014 (see below) the Council’s assessment of strategic site options (2012, 2014 and 2015) and known ‘omission sites’ having regard to previous Local Plan representations. Land near Barnards Gate was identified as a result of the site having been specifically identified to the Council on behalf of the landowner, albeit outside the SHLAA process.

1.38 As explained in the site selection paper this initial list of 10 strategic options was refined in discussion and agreement with the other Oxfordshire local authorities with 6 options in West Oxfordshire subsequently being taken forward for more detailed assessment by LUC.

*The timing of the Council’s assessment of the proposed garden village and subsequent expression of interest to Government*

1.39 Concern has been raised as to how the Council could have known about and reasonably assessed the proposed garden village site to the north of Eynsham if it had not previously been submitted as part of any call for sites exercise prior to January 2016.

1.40 In this regard it is important to note that the land north of Eynsham (predominantly SHELAA site 372) was submitted to the Council on 7 May 2015, well before the call for sites exercise undertaken by the Council in January 2016. As such it was quite reasonable for the Council to put forward the land north of Eynsham for assessment by LUC in the spatial options assessment, particularly given the strong spatial relationship with Oxford City.

1.41 The Council’s expression of interest under the locally led garden village initiative was submitted in July 2016. It has been suggested that it was inappropriate to submit this before the LUC report and SA addendum report were finalised as to do so was effectively pre-judging the outcome.

1.42 The Council does not accept this to be the case. The expression of interest in garden village status is completely separate from the statutory Local Plan process and the Council was perfectly entitled to submit a bid in accordance with the July 2016 deadline so as not to miss out on this important opportunity for funding. It was not pre-judging the outcome of the LUC report or SA addendum report and merely reflected the emerging view within the Council at that time that a new settlement to the north of the A40 near Eynsham could satisfy the Government’s garden village criteria and provide an opportunity for further development.

1.43 Importantly, the outcome of the garden village expression of interest was not known until January 2017 and therefore had no bearing on the finalisation of the proposed local plan modifications in November 2016.

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1 The South East Woodstock option was taken forward for Cherwell District
Failure to consider reasonable alternatives e.g. land adjacent to Hanborough Station

1.44 As explained above a total of 10 strategic site options were initially identified by the Council to feed into the LUC assessment and these were subsequently refined to a short list of 6 options within West Oxfordshire. Land at Hanborough Station was considered as part of a ‘cumulative’ package of sites at Long Hanborough and subsequently not taken forward in agreement with City and District partners. The District Council is now proposing further SA work that will include a reconsideration and assessment of reasonable alternatives.

Failure of WODC to undertake further detailed assessment following on from the LUC report

1.45 Concerns have been raised that the LUC report is a high-level capacity exercise only and that following on from it the Council should have undertaken a more detailed assessment of options to assist with the uplift of its own housing requirement as well as the unmet needs of Oxford.

1.46 The Council acknowledges that the LUC report was not intended to provide a definitive list of sites to be taken forward through Local Plans without question or consideration of other reasonable alternatives.

1.47 The Council does however consider the report (along with the other OGB workstreams on Green Belt, transport and education) provides a robust and evidentially based starting point for determining the most appropriate sites to take forward.

1.48 Importantly, the conclusions reached through the LUC report (i.e. that land west and north of Eynsham represent suitable and sustainable options for assisting with Oxford’s unmet housing need) are reflected in the Council’s own assessment of these options set out in the SHELAA (2016).

1.49 The Council has not simply taken forward the recommendations of the LUC report without its own further more detailed consideration as has been implied. Furthermore, as stated above, the Council is now proposing further SA work that will include a reconsideration and assessment of reasonable alternatives.

Concern about the reliance being placed on large strategic development taking place post-2021

1.50 In response to the site selection paper, a number of respondents have taken the opportunity to further reinforce their concerns about the Council’s proposed housing trajectory and the proportion of housing development that will take place on large strategic sites in the latter part of the plan period post 2021. It has been suggested that additional sites should be allocated to boost housing supply in the short-term.

1.51 The timing of housing provision and the reliance on large strategic sites have been discussed during the Stage 2 and 3 examination hearing sessions. The Council’s position is set out in its hearing statement for Matter 16 (WOLP61).
In summary, whilst acknowledging that large strategic sites make up a significant proportion of anticipated housing delivery, the Council does not consider this to be unreasonable. Indeed, the Council considers that it is necessary to meet the significant increase in the housing requirement from 10,500 homes to 15,950 homes in accordance with the proposed spatial strategy, which the SA Addendum found to be the most sustainable spatial strategy.

As set out in the Council’s hearing statement, total provision from strategic sites is anticipated to be around 8,150 homes which is 51% of the overall housing requirement of 15,950 homes. In this respect, West Oxfordshire is no different to the other District Councils within the HMA, where significant reliance is being placed on large strategic sites to meet identified housing needs. In Cherwell, for example, over 70% of the adopted Local Plan requirement of 22,840 homes up to 2031 will be provided on new sites of over 1,000 dwellings.

In terms of the timing of housing delivery the housing trajectory set out at Appendix 2 of the Local Plan proposed modifications (CDS) suggests delivery of the following:

- 5,978 homes in the period 2011 – 2021 (38%)
- 9,786 homes in the period 2021 – 2031 (62%)

Whilst it is evident that the majority of new homes will be provided in the second half of the plan period (2021 – 2031), this is largely a consequence of a relatively low number of housing completions in the period 2011 – 2017. This was largely a result of a flat housing market rather than a lack of planning permissions being granted by the District Council. Had the number of completions during that period been higher, clearly the proportion of new homes delivered in the first and second half of the plan period would have been much closer.

In any event, the Council does not consider that a split of 40% and 60% pre and post-2021 is unreasonable particularly in light of Oxford City’s agreement in principle to its unmet housing needs being delivered post-2021.

Conflict with the overall spatial strategy and core objectives of the Local Plan.

Concerns have been raised that the site selection process has led to a conflict with the overall spatial strategy which has a three town focus with additional growth being steered towards more constrained areas including the AONB at the expense of less constrained areas including Carterton.

Concerns have also been raised that the Local Plan core objectives have not been fully realised through the site selection process including the need to promote strong market towns and villages (core objectives 1 – 3) and meet specific housing needs of communities (core objectives 4 – 6).

The Council does not accept either of these criticisms.
1.60 With regard to the spatial strategy, this is addressed in Section 6 of the site selection paper (EXAM 007) which explains how the Local Plan is based on the following settlement hierarchy:

- Main service centres
- Rural service centres
- Villages
- Small, villages, Hamlets and Open Countryside

1.61 The overall spatial strategy seeks to steer a significant proportion of future growth to the three main service centres of Witney, Carterton and Chipping Norton and a new village which will help to meet Oxford’s unmet needs. This is then complemented by growth at the Rural Service Centres and Villages with a more restrictive approach intended to apply to the small villages, hamlets and open countryside.

1.62 The Council maintains that its site selection process has had full regard to the proposed spatial strategy and does not conflict with it in any way. The three town focus has been maintained and is complemented by additional growth at the rural service centres and larger villages as well as a new village to assist with Oxford’s unmet housing need.

1.63 Carterton has not been overlooked as has been suggested and in fact there is significant growth already underway, shortly to get underway and identified in the Local Plan proposed modifications. Whilst development is proposed in the AONB, it is modest in scale and located at villages with a good range of services and facilities.

1.64 With regard to the core objectives of the plan, again, the Council does not consider there to be a conflict with the site selection process. The point made by the respondent is that in not allocating sites in a number of villages, this will fail to support existing and essential local services and facilities and provide housing for local need.

1.65 Whilst the Council acknowledges the importance of meeting identified housing needs and sustaining services and facilities in rural areas such as West Oxfordshire, it is only appropriate to allocate sites where suitable opportunities have been identified.

1.66 As set out previously, the Council has undertaken an extensive assessment of site suitability through the SHELAA process and on that basis has identified a number of non-strategic site allocations across the District. Other sites have been identified as being unsuitable and therefore not allocated.

1.67 The general policies of the emerging Local Plan however offer some flexibility to allow for speculative windfall schemes to come forward in appropriate locations and these will be considered on their merits against relevant policies of the plan and the NPPF.
Other Issues

*No account taken of planning appeal decision for development south of Burford on the Shilton Road*

1.68 One respondent has questioned why the site selection paper does not take account of the residential scheme which was permitted on appeal in January 2017 to the south of Burford on the Shilton Road (91 dwellings, 78 assisted/supported living apartments and a 90 bed care homes).

1.69 The reason for this is the timing of the appeal decision. The site selection paper explains the process which the Council went through to the point of the proposed Local Plan modifications being published in November 2016.

1.70 The appeal decision post-dates that and is therefore of no direct relevance to the site selection process. The inference is made that the decision negates the need to identify land east of Burford for 85 dwellings, but the Council does not consider this to be the case for a number of reasons, including the fact that there can be no guarantee of the permitted appeal scheme being implemented.
Appendix 1

Representations received in response to WODC site selection paper (EXAM007 - June 2017)
ii. Site selection paper

COMMENT

The paper is in response to the Site Selection paper which was prepared primarily in relation to Stage 2, Matter 6. This is set out in paper IN 021, the sections of Matter 6 which are addressed in this Comment are 6.2 second bullet point, 6.4 and 6.6 and the LPA’s responses thereto.

6.2 Is policy OS2 justified and does it provide sufficient clarity in stating that Burford is intended to accommodate a “modest level of development”

The writer cannot see that this point has been addressed in the Site Selection paper and apologises if there such a reference. A “modest level of development” is not defined in the Planning Portal Glossary but the word “modest” is used in a number of Local Plans in its plain English sense. The Oxford internet dictionary defines modest as relatively moderate, limited, or small. The number of households in Burford town and environs (2,694 hectares) is listed in the 2011 census as 863 containing 1,763 residents. Planning consent was granted on 17 January 2017, by way of APP/D3125/W/15/3139687, for 91 dwellings, 78 assisted/supported living apartments and a 90 bed care home for land west of Shilton Road, Burford.

The revised local plan with main modifications (November 2016) has an amendment, at para.5.26, saying that, in accordance with government guidelines, C2 (residential institutions) will be included in land supply assumptions and be counted against the overall housing requirement.

The relevant government guidelines are “Housing and economic land availability assessment” March 2014 as amended. Under the heading “How should local planning authorities deal with housing for local people?” it says LPA’s should count housing provided for local people, including residential institutions (Use Class C2), against their housing requirement. The approach taken, which may include site allocations, should be clearly set out in the Local Plan.

There is, therefore approval for 91 + 78 = 169 units plus a 90 bed care home.

A modest increase is taken, in plain English, as 10 – 15% on the existing base of some 863 households. This site alone is a 20% increase.

Thus the modest increase for Burford set out in policy OS2 has already been met by way of the above planning consent.

There is no reference to this consent found in any of the relevant Council documents published since January 2017. It is therefore hard to see how the Site Selection Paper explains the site allocation process and the reasoning for development in the AONB when a site in Burford but outside the AONB has been approved which provides housing in excess of that required in the draft Plan over the period up to 2031.
The site ‘Land to the east of Burford’ promulgated in the Local Plan is the subject of a current planning application albeit from a site with different boundaries than that shown in the emerging Local Plan, 17/00642/OUT, for 85 dwellings and 60 care units, a decision on this application would be premature in the light to the emerging Local Plan although no doubt the LPA would not wish to determine it at this time on the grounds of prematurity.

Thus the “modest level of development” referred to at para. 6.2 of IN O21 has already been met.

6.4 Have the non-strategic housing allocations included in the plan been chosen on the basis of a robust and objective site-selection process?

It is submitted that the site selection process test has not been met for Burford by not taking into account the fact that there is a recently granted consent for 169 units plus a 90 bed care home.

6.6 IF it were to be determined by the Inspector that there is not a 5 year supply what would be the appropriate way forward.

The Council’s evidence a 5 year supply is not easy to follow in that no specific proposal in numbers is seen. However taking the Council’s figure of 660 per annum for 5 years plus 5% plus Liverpool method for the shortfall of 1.836 gives a 5 year total of $660 \times 5 \times 1.05 + 1836 \times 0.33$ (five (out of fifteen) years of the backlog spread over fifteen years = one third) = $3,300 \times 1.05 + 612 = 3,465 + 612 = 4,077$. The actual 5 year target is, of course, entirely a matter for the Inspector and this figure is purely an example.

Appendix 2 – Housing Trajectory of the draft Local Plan provides for 5,191 dwellings in the period 2017/2018 to 2021/2022 (excluding the 169 plus care home approved at Burford as noted above) compared with the 4,077 in the example above.

The Request for information on 5 year housing land supply (EXAM 009) shows 8,195 dwellings over the same 5 year period. This number includes a series of sites which have been put in the SHLAA but not included in the emerging Local Plan.

An appropriate way forward, it is submitted, would be for the Council to provide a 5 year supply taking as the starting point NPPF 47 and footnote 11 thereto and the emerging Local Plan.

H R Stevens BSc.

29 June 2017
GLADMAN DEVELOPMENTS LIMITED

Examination of West Oxfordshire Local Plan 2031

WEST OXFORDSHIRE LOCAL PLAN 2031 – HOUSING SITE SELECTION PAPER

1.1 Summary

1.1.1 Gladman do not consider that the Council’s Site Selection Paper addressed the Inspector’s concerns and purpose for recommending that the Council undertake further work, including setting out the evidence behind the missing “sieve” in their evidence base, i.e. the planning judgement applied for the non-strategic allocations which are now proposed to be allocated. The Site Selection Paper is merely a walkthrough of the process the Council has undertaken so far; it does not clearly and transparently set out the decision making applied by the Council in deciding on the final sites to be put forward for allocation. There clearly remain many unexplained gaps in the process.

1.1.2 Furthermore, the Council have completely ignored the Inspector’s request for information to show how the six sites submitted to the LUC report were selected. The Council’s justification also raises further questions about the transparency of the process undertaken, and the timescales involved in the Council’s promotion of their Garden Village north of Eynsham (which appears to have preceded the Council’s evidence base for meeting the unmet needs of Oxford).

1.1.3 The Council’s Site Selection Paper does not overcome Gladman’s previous concerns raised in its Hearing Statements, the concerns of the Inspector or the other parties involved in the Local Plan Examination. Gladman considers that the selection of the Garden Village, and the identification of the non-strategic housing allocations has not been undertaken on the basis of a robust, transparent and objective process. In particular it is clear that the Council cannot point to any document within their evidence base which sets out their planning judgement for the allocation of the non-strategic sites.

1.2 Context

1.2.1 Gladman’s understanding of the Inspector’s request for the paper is as follows:

- To provide information of the sieve that took place to reduce the number of sites from those considered in the SHELAA (2016), to the sites that were subsequently allocated for development within the Local Plan.
- The Council suggested that further work had been undertaken in the background to reduce the number of areas of search to the 6 they originally put forward to the LUC Report.

- The Inspector requested information on the sieves that took place to show where the Council’s justification for site selection is located within the evidence base.

1.3 Response

1.3.1 Gladman still have fundamental concerns over the Council’s site selection methodology, and do not consider that the Site Selection Paper produced by the Council (June 2017) provides a sufficient justification for the non-strategic and new strategic allocations around Eynsham (including North Eynsham Garden Village) the Council has chosen to allocate, and those sites that were not considered to be suitable for allocation. It seemingly adds very little to the content of the documents that were available at the stage 2 examination.

1.3.2 The PPG\(^1\) states, with regards to evidence needed to support policies in a Local Plan, that:

- The evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively. It should also be kept up-to-date…
- Local planning authorities should publish documents that form part of the evidence base as they are completed, rather than waiting until options are published or a Local Plan is published for representations.

1.3.3 The Council’s response does not provide any further information on the missing sieve, which was the request of the Inspector, and the supposed purpose of this document. The Inspector had requested the Council to produce information demonstrating the planning judgment that had been applied to reach the non-strategic allocations that were subsequently allocated following the suspension of the plan.

1.3.4 The Council summarise their attempt to justify their proposed housing allocations on page 51 of the Site Selection Paper. The Council, at §5.78 and §5.79, state:

- In addition, 15 non-strategic allocations have been identified to help boost short-term housing land supply and to help ensure more certainty. These 15 sites have been drawn from the SHELAA (2016) and further considered through Sustainability Appraisal, member engagement and other supporting technical evidence.

- The Council considers that the package of sites it has put together is justified and evidence based and sufficient to meet identified housing needs to 2031.

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\(^1\) Paragraph 014, Reference ID: 12-014-20140306
1.3.5 Again, it could not be clearer that the Council cannot point to the planning judgement that they undertook within their evidence base to conclude on the most appropriate sites for allocation within the Local Plan.

1.3.6 Tables 5 and 6 of the Council’s Site Selection Paper (EXAM007) do not provide any further clarity about the planning judgements applied by the Council in their decision making. Unfortunately, all the Council has provided is a brief commentary of the process based on the same documents that gave rise to the concerns. Clearly, as outlined by the Council at the Stage 2 Hearings, the detailed selection of sites for allocation involves an element of planning judgement. However, that judgement needs to be both explicit and transparent. In short, there needs to be a clear “audit trail” that shows how the final decisions were arrived at, and what factors were taken into account in making such decisions.

1.4 Sites to be allocated in the AONB

1.4.1 Gladman do not consider that the Council’s evidence base justifies the Council’s decision to allocate within the AONB. Without wishing to reiterate points in Gladman’s Hearing Statements for Matter 15, Gladman would make the following brief observations.

1.4.2 The Council, at §7.8 of their Site Selection Paper, state:

_The Council considers that it would be entirely inappropriate to restrict the search for potentially suitable housing sites to the 66% of the District that falls outside of the AONB._

1.4.3 The evidence base should demonstrate that there is an overriding need to deliver housing within the AONB, identify what the exceptional circumstances are and why reasonable alternatives outside of the AONB have been discounted. The Council, aside from the SHELAA, has not prepared any document within their evidence base to consider the capacity of the district’s towns and villages to accommodate additional growth, prior to turning to the AONB to meet some of the District’s full, objectively assessed need. Gladman consider it would have been more appropriate for the Council to identify the capacity of the 66% of the District outside of the AONB prior to seeking to provide major development within the AONB.

1.4.4 Gladman do not consider that the Council have provided adequate exceptional circumstances to justify the development proposed within the AONB nor has there been an assessment of the relative value of sites within the AONB and which sites can be released with the least harm (if the principle had been demonstrated and justified, which has not). Furthermore, without seemingly undertaking detailed assessments, having framework plans or mitigation proposals, the council at §7.18 conclude that the development of 219 dwellings in the AONB “will not cause harm to the landscape and scenic beauty of the AONB.” That is a conclusion that is not backed up by a robust and transparent landscape assessment evidence base and/or very little detailed analysis at all and the SHELAA does not even properly record the AONB as a policy constraint for sites 143 and 144 in Burford.
1.5 Sites submitted to LUC Report

1.5.1 At the Stage 2 Hearings, the Council explained the process that had been undertaken to reach the six sites submitted for consideration as part of the LUC Report (SD14). The LUC Report’s methodology (§0.8, SD14) was as follows:

Prior to this study taking place, 36 spatial options were identified by the local authorities as appropriate for testing/further assessment due to having a reasonable level of relationship to Oxford and initially assessed in 2015 by the local authorities as part of the Post SHMA Work Programme, based on an agreed brief.

1.5.2 Gladman have not seen any evidence from the Council to demonstrate how the Council decided on the 6 sites it put forward for consideration by the LUC Report. Indeed, it is pertinent to note in the first instance that the Council’s Garden Village was not submitted as part of any Call for Sites assessment prior to January 2016, and not subsequently considered by the Council until later in 2016.

1.5.3 Gladman question how the Council could have known about the availability, deliverability and suitability of the Garden Village site (with very little, if any, information) if it had not previously been submitted as part of any Call for Sites, especially given the Council’s Issues and Options Local Plan (2008), had discounted a New Village option because it would not be the most appropriate strategy to meet the Council’s housing requirement.

1.5.4 Gladman are also concerned with what appears to be a “copy and paste” approach to their note on their Site Selection Methodology. The Council’s summary of each stage appears to be almost verbatim with summaries included in examination documents SD19, SD20 and SD21. It is surprising, given that the Council were requested to be able to provide information of the missing “sieve” in their evidence base, that they have just reproduced text from existing documents. The Council have not presented any further information relating to the sites put forward to be considered in the LUC Report.

1.5.5 The Council, in their site selection paper (§5.54), state:

The expression of interest was submitted on the basis that the emerging work being co-ordinated through the Oxfordshire Growth Board suggested at the time that strategic scale development north of Eynsham performs strongly in terms of its spatial relationship to Oxford and other relevant considerations including committed strategic transport infrastructure… Whilst not directly related to the Local Plan housing site selection process the award of garden village status confirms that there is considerable merit in the decision to propose a new settlement to the north of Eynsham to assist with Oxford’s unmet housing need.

1.5.6 Gladman hold serious concerns over the conclusions of the Council. Submission of the Expression of Interest following the formation of a robust evidence base (which had adequately identified and
assessed the reasonable alternatives in detail), following the conclusion of the LUC Report and sustainability appraisal would have been an appropriate way forward. However, it was inappropriate to submit the Expression of Interest before any of these had been prepared or finalised (compounded by an absence to justify how the sites considered had been selected), and clearly prejudged the outcome. It was certainly not arrived at in July 2016 and advanced as a garden village following any meaningful assessment or consultation and was effectively predetermined as the Council’s choice of site. Having chosen that site it would appear that the documentation produced after that date were written to support that decision.

1.5.7 It is also pertinent to note the recent statement of Peter Emery, a District Councillor, who has withdrawn his support for the Eynsham Garden Village and the Local Plan, commenting that he, and other District Councillors had been “completely unaware” of the planned Garden Village and the west of Eynsham SDA until they attended a planning workshop in early July 2016.

1.5.8 Gladman reiterate previous commentary, that the purpose of SD14 was not to allocate sites, but to undertake a high-level investigation to explore the potential capacity of broad areas to accommodate growth as part of proportioning Oxford City’s unmet need. This is confirmed in the final report to the Oxfordshire Growth Board on 26th September 2016 “A Countywide Approach to Meeting the Unmet Housing Need of Oxford”. In §54 of Appendix I of that report (SD14) it states that:

This Programme does not allocate sites. The Programme demonstrates the ability of each District to deliver a range of sites that can be shown to closely relate to Oxford and thus enable the unmet need of Oxford to be apportioned in a manner which would deliver development which is sustainable over a realistic time period. The identified areas of search are not intended as an exhaustive list and the final allocation of any development sites within these areas will be up to individual Local Plans to take forward, taking into account wider detailed planning considerations, and the fit with proposed local strategies and potentially a wider set of ‘reasonable alternatives. (our emphasis)

1.5.9 Following that broad assessment and the identification of the likely split of the unmet needs, West Oxfordshire Council should have undertaken its own comprehensive assessment of all sites that have the potential to accommodate Oxford City’s unmet need and the increased requirement for West Oxfordshire. Instead, the LUC report, without any robust or transparent evidential basis for the choice of the 6 sites (including the North Eynsham Garden Village that the Council predetermined in July 2016), and the justification for the non-strategic sites, fails to demonstrate an appropriate and sound selection methodology.

1.5.10 These are significant and fundamental omission in the plan preparation process which calls into question the soundness of the Plan.
WEST OXFORDSHIRE LOCAL PLAN 2031
EXAMINATION IN PUBLIC STAGE 3
COMMENTS ON HOUSING SITE SELECTION PAPER (EXAM 007)
ON BEHALF
OF
MACTAGGART AND MICKEL HOMES LTD

Carter Jonas
incorporating Kemp & Kemp

JUNE 2017
1.0 Introduction

1.1 Carter Jonas is instructed by Mactaggart and Mickel Homes Ltd ("our client") to prepare this paper in relation to West Oxfordshire District Council’s ("the Council") Examination in Public (EiP) for its draft Local Plan 2031 ("the draft Plan"). It considers the Council’s Topic Paper EXAM 007 - Housing Site Selection Paper.

1.2 The Topic Paper sets out the process followed by the Council in identifying the site allocations in its draft Plan.

1.3 Our client is promoting Land to the South West of Downs Road, Standlake as a housing allocation with associated services and facilities.

2.0 The Council’s Site Selection Process

2.1 The Site Selection Topic Paper EXAM 007 sets out the key elements of the site selection process which led to the current version of the draft Plan (Proposed Modifications in November 2016). These include:

- Strategic Housing and Employment Land Availability Assessment 2016
- Oxfordshire Growth Board – Apportionment of Oxford’s unmet housing need
- Garden Village Expression of Interest
- Assessment of Strategic Site Options 2012, 2014 and 2015
- Sustainability Appraisal
- HRA

2.2 Our client is not convinced with the Council’s argument set out in the Topic Paper as to why it has allocated housing sites within the AONB.

2.3 Paragraph 115 of the National Planning Policy Framework (NPPF) states that:

"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and Broads."

2.4 Paragraph 116 of the NPPF continues...

"Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest."

2.5 One example is Land North of Jefferson Place, Charlbury which is within the AONB and allocated for 40 dwellings. This is clearly 'major development'. As concerns have been raised in previous hearings of the draft Plan’s EiP over the level of allocations in the AONB, ‘Table 10’ in the topic paper’ sets out the justification for the allocations.

2.6 For the Charlbury allocation the table states that:

"All settlements within the Burford / Charlbury sub area are with the AONB. Options for housing allocations outside of the AONB are extremely limited."
Charlbury is one of the most sustainable settlements in the Burford / Charlbury sub area and is designated as a rural service centre.

With this status it would be expected to accommodate some growth.

Allocation of the site will help to address affordable housing needs. 95 households or 200 people, currently require affordable housing in Charlbury.

Impacts on the landscape character of the AONB will be mitigated by the relative containment of the site and relationship with existing neighbouring development."

2.7 It is out to the Inspector that none of the reasons identified above can be considered 'exceptional circumstances'. Moreover, the majority could be applied to any settlement within the AONB.

2.8 Our client would remind the Council that sites are available elsewhere in nearby settlements which are not in the AONB. One such settlement as Standlake.

2.9 The Council's Core Objectives for 'Strong Market Towns and Villages' as set out in its draft Plan are:

"CO1 Enable new development, services and facilities of an appropriate scale and type in locations which will help improve the quality of life of local communities and where the need to travel, particularly by car, can be minimised.

CO2 Ensure that new developments are suitably located and well designed to protect and enhance the individual form, character and identity of our towns and villages as well as contributing to the quality of life in West Oxfordshire.

CO3 Promote safe, vibrant and prosperous town and village centres and resist proposals that would damage their vitality and viability or adversely affect measures to improve those centres."

2.10 Local Plan objectives for 'Meeting the Specific Housing Needs of our Communities' are:

"CO4 Locate new residential development where it will best help to meet housing needs and reduce the need to travel.

CO5 Plan for timely delivery of new housing to meet forecast needs and support sustainable economic growth.

CO6 Plan for an appropriate mix of new residential accommodation which provides a variety of sizes, types and affordability with special emphasis on the provision of homes for local people in housing need who cannot afford to buy or rent at market prices including those wishing to self-build, as well as homes to meet the needs of older people, younger people, black and minority ethnic communities, people with disabilities, families and travelling communities."

2.11 When considering the 15 'non-strategic' allocations in the draft Plan our client would suggest that these objectives have not been fully realised through the site selection process as identified in the topic paper.
2.12 A number of settlements have more than one allocation. A number of allocations are in settlements which are in close proximity to each other. This can lead to over development and a strain on local services, whilst other settlements which have not received allocations fail to support existing and essential local services and facilities and provide housing for local need.

2.13 This is not helping to improve the life of local communities nor is it helping to promote vibrancy and prosperity in all village centres. This can only result in damage to their vitality and viability.

2.14 One such example is Standlake. It is classified as a ‘village’ in the Council’s settlement hierarchy. The Council’s Settlement Sustainability Report November 2016 lists facilities available in Standlake. These include:

- A Full Time Post Office
- A Primary School
- Retail Services
- Community Building
- A Public House
- A Place of Worship
- Playing Fields
- Petrol Filling Station
- Local Employment Opportunities
- Access to a Principle Road
- Daytime Bus Service

2.15 In addition, Standlake is ideally located on the A415, approximately 5 miles southeast of Witney and some 10 miles from Oxford to the east.

2.16 With this in mind, my client considers Standlake to be a very sustainable settlement and as such is capable of absorbing a non-strategic housing allocation.

2.17 Furthermore, by not making an allocation in a sustainable settlement such as Standlake, it is difficult to see how the Inspector could conclude that the proposed overall distribution of development in the draft Plan and the site selection process (as identified in the Topic Paper) is based on robust evidence and in accordance with the plan’s Vision and Core Objectives.

2.18 Our client would say that this is a contradiction and development should be guided to other sustainable (but less constrained) settlements in the district. For example, a sustainable allocation could be made at Standlake to lessen the burden on settlements that are constrained by the AONB for example.

2.19 A proposal in a less constrained settlement will in all likelihood be more deliverable (with less issues to overcome) and as such will deliver much needed new housing in a timelier manner.

2.20 This approach would be closer to the Objectives for the draft Plan as identified above.

2.21 As such, it is difficult to see how the Inspector can conclude that non-strategic housing allocations included in the plan have been chosen on the basis of a robust and objective site-selection process. Particularly when the Council has an opportunity
to make an allocation in a sustainable settlement like Standlake which is not in the AONB and would not add to planned growth in a nearby settlement. It would merely help support the existing services and facilities within the village.

3.0 Land to the South West of Downs Road, Standlake

3.1 My client wishes the draw the Inspector’s attention to its site on Land to the South West of Downs Road, Standlake. If the Inspector decides, following the current round of hearings, that additional or alternative sites are needed by the Council, it would welcome the opportunity to discuss the site at a future hearing.

3.2 A location plan can be found at Appendix 1 of this paper. The site is some 13.1 ha and located relatively central to the village. Our client believes the site could accommodate some 150-200 dwellings. An allocation in this location would ease the burden on some other settlements and reduce the need for development in the AONB. The following demonstrates further why the site would make an appropriate housing allocation.

Urban Form

3.3 The site is bordered to the east by existing residential development (Heyford Close) as well as to the south (The Glebe). Development of the site would not extend the village boundary into open countryside and would integrate well with the aforementioned existing development.

Access / Transport Links

3.4 Vehicle access can be achieved from Downs Road. A number of pedestrian and cycle links could also be provided to the village’s amenities. The St Giles Church Bus Stop is only some 400m from the site. Government guidance in its ‘Manual for Streets’ suggests a walking distance of 800m is appropriate. Table 1 below shows the regular bus services available at this bus stop.

<table>
<thead>
<tr>
<th>Number</th>
<th>Operator</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>Stagecoach</td>
<td>Oxford - Eynsham - Standlake - Bampton</td>
</tr>
<tr>
<td>X15</td>
<td>Stagecoach</td>
<td>Witney - Standlake - Kingston Bagpuize - Abingdon</td>
</tr>
</tbody>
</table>

Table 1: Regular Services from St Giles Church, Standlake Bus Stop

Heritage and Ecology

3.5 The site is not within or next to a Conservation Area. It does not contain any buildings of historical importance nor does it have any designated environmental constraints.

Landscape

3.6 The site is not within or next to a designated landscape area. As it sits next to existing built development, the area has already been urbanised to a fair extent. Any development would be sensitive to the location and would only add to the character of the existing and surrounding pattern of built form.
Flooding

3.7 The site is within Flood Zone 1 which has the lowest risk of flooding.

4.0 SUMMARY AND CONCLUSIONS

4.1 The Council in its Topic Paper EXAM 007 - Housing Site Selection Paper has not provided sufficient enough ‘exceptional circumstances’ to warrant its proposed development in the AONB. This is contrary to Government guidance.

4.2 The Topic Paper also fails to show how the site selection process has considered the draft Plan’s objectives which seek to support village centres.

4.3 A number of settlements have more than one allocation. A number of allocations are in settlements which are in close proximity to each other. This approach means that a number of other settlements which are capable of taking some development will not benefit from the support to local services and facilities which a housing allocation brings.

4.4 It has already been established by the Council that Standlake is a sustainable location for development. The draft Plan does not currently make any allocation in the village. An allocation here would help relieve some of the onus on settlements which have significant growth proposed for them in the draft Plan, and be of benefit to the local community.

4.5 Our client therefore suggests that Land to the South West of Downs Road, Standlake would make a suitable and sustainable allocation for the following reasons:

4.6 The site sits within an already urbanised area of Standlake and has good transport links to Oxford and elsewhere. Any development would integrate naturally with existing higher density development.

4.7 The site is not within a Conservation Area, nor does it contain any historically important buildings.

4.8 The site is in Flood Zone 1 and is not constrained by an environmental or landscape designation.

4.9 The site is available immediately for development.
Appendix 1 – Location Plan
Land at Downs Road, Standlake

Scale 1:7500 at A4   Site Area 29.44 Ha
WEST OXFORDSHIRE LOCAL PLAN EXAMINATION

RESPONSE TO HOUSING SITE SELECTION PAPER

JUNE 2017

FOR CEG
(REPRESENTOR REF: 126)

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RESPONSE TO HOUSING SITE SELECTION PAPER

1. Introduction

1.1 Following the Stage 2 hearings of the Examination into the Proposed Modifications to the Submission Draft Local Plan ("LP") – in particular Matter 6 concerning the settlement hierarchy, the spatial strategy and housing site selection process – West Oxfordshire District Council ("the Council") has published a document entitled ‘Housing Site Selection Paper (June 2017)’ ("the HSSP") which purports to provide clarity and address a number of concerns that were raised.

1.2 At Section 5 of the HSSP, the Council sets out the approach that it has sought to follow in looking to address the failings of the LP. These failings (articulated at paragraph 5.1 of the HSSP) related to the overall housing requirement, the failure to provide for the (apportioned) unmet needs of Oxford City, and the need to secure an ongoing five-year housing land supply.

1.3 At paragraph 5.3 of the HSSP, the Council’s approach in seeking to address these failings is summarised and includes:

• consideration of the extent to which existing strategic development areas could be increased in size / capacity;
• identification of other potential strategic development areas within the District;
• the extent of any case of ‘exceptional circumstances’ to justify major development within the Cotswolds Area of Outstanding Natural Beauty ("the AONB");
• how best to meet Oxford City’s unmet need, including the spatial relationship with Oxford itself;
• how the increasing housing requirement could be accommodated in accordance with the LP’s overall spatial strategy; and
• how to ensure an appropriate trajectory of new homes and five year supply of housing.

1.4 If carried out robustly, this approach appears to be a reasonable one. However, the Council’s application of this methodology, most notably the total failure to even consider the merits of strategic (or non-strategic) development on land adjacent to Hanborough Station, is unjustified, illogical and fundamentally unsound for the reasons summarised below.
2. Meeting Oxford City’s Unmet Need

2.1 In seeking to provide for Oxford City’s unmet need, with the eventual apportionment of 2,750 homes to West Oxfordshire District, the Council confirms that:

“In parallel to the preparation of the SHELAA during 2016 the District Council was proactively engaged with the other Oxfordshire authorities through the Oxfordshire Growth Board (OGB) to consider the most appropriate and sustainable way in which to apportion and meet Oxford’s unmet housing needs” (paragraph 5.19 of the HSSP).

2.2 A key early element of this OGB work was the Oxfordshire Spatial Options Assessment [SD14] where initially, in accordance with a ‘bottom-up’ approach, it was left to the individual local authorities to identify the strategic options within their own districts that would be taken forward for further testing (as confirmed at paragraph 5.30 of the HSSP).

2.3 As set out at paragraph 5.33 of the HSSP, this started with the development of an ‘initial list’ of spatial options by each district. Following this there was:

“a ‘Check and Challenge’ workshop on 30 October 2015, where an initial list was refined to a long list of potential strategic areas of search for growth which had a closer relationship to Oxford and were seen as more credible options to consider through this process.”
(HSSP paragraph 5.33, second bullet)

2.4 A little more detail of the process of moving from this ‘initial list’ to a ‘long list’ is provided at paragraph 5.35 of the HSSP:

“A number of options were unanimously agreed to be not worthy of detailed assessment either because they were poorly related to Oxford, were undeliverable, or were not individually of sufficient size. These included sites at places such as Appleford, Carterton, Faringdon, East Hanney, Grove and at Long Hanborough. This is referred to in the Officer Report to the Growth Board in September 2016 (SD21).”

2.5 The HSSP provides no further detail on the sites included in the ‘initial list’. Instead it refers to the Officer Report to the Growth Board (SD21). Reference to this report (paragraphs 77-85) confirms that:

i. the ‘initial list’ was formed from strategic options advanced by each authority;

ii. it was agreed that the minimum threshold for each strategic site should be 500 homes; and

iii. each option needed to have a clear relationship to Oxford in terms of proximity and accessibility.

2.6 The report suggests that the list was a ‘…thorough and plausible range of options’.
Nowhere in the HSSP, or the report to which it refers (SD21), is the ‘initial list’ of sites itself produced. Paragraph 84 of the report simply states that the ‘initial list’ of options:

‘…included a number of options that were subsequently judged by the working group to be unreasonable and less directly related to the city than the 36 options that were subsequently considered in more depth and thus were rejected. These included sites at places such as Appleford, Carterton, Faringdon, East Hanney and land west of Long Hanborough.’ (emphasis added).

A very important distinction can be made between what is actually noted in the officer report (SD21) and what is referenced by the Council in the HSSP. At paragraph 5.35 of the HSSP, the Council states that unspecified sites at ‘Long Hanborough’ were rejected. However, the officer report is clear that the site that was rejected was ‘land west of Long Hanborough’.

Accordingly it is evident, as stated in our representations to the LP and in Statements to the Examination, that the Council has simply failed to consider, at all, the merits of land adjacent to Hanborough Station as an option for strategic growth to meet the requirement for housing from Oxford City (or growth generally). This is a fundamental issue of both soundness and legal compliance as set out elsewhere in our Statements to the Examination.

The failure to consider land adjacent to Hanborough Station becomes even more illogical when the criteria for identifying suitable strategic sites is noted – criteria summarised at paragraph 5.35 of the HSSP. As referenced in that paragraph, those sites from the ‘initial list’ that were rejected were rejected on the basis that they were poorly related to Oxford, undeliverable and / or not individually of sufficient size. Land adjacent to Hanborough Station clearly and demonstrably fails none of these tests on the basis that:

i. it is obviously well located to Oxford, located at one of the closest settlements in West Oxfordshire to Oxford, and the only settlement in such close proximity that is linked by a rail line providing access to Oxford in less than 10 minutes;

ii. it is deliverable as confirmed by submissions to the SHELAA and Examination by made by both CEG and Blenheim Palace Estates; and

iii. it is clearly large enough, as shown in the Vision Document provided appended to our Matter 14 Statement, to accommodate significantly more than the 500 home threshold (it could accommodate up to 1,000 dwellings).

As such, there is no reasonable basis for the exclusion of land adjacent to Hanborough Station from either the ‘initial list’ or the subsequent ‘long list’ (or indeed for excluding it from the LP at all).
2.12 Having failed to consider, at all, the merits of land adjacent to Hanborough Station, the Council ultimately narrowed down the list of alternatives from the thirty-six in the 'long list' to just six potential options, as identified at paragraph 5.48 of the HSSP. These six options included two strategic sites to the west and north of Eynsham, together with three sites at Witney.

2.13 Adding to the perversity of the Council's assessment process, whilst land adjacent to Hanborough Station was never considered at all, and whilst other sites were apparently eliminated from the 'initial list' for reasons including the fact that they were poorly related to Oxford, three sites at Witney formed part of this more detailed assessment process. They were finally discounted because of their distance and poor connectivity to Oxford (HSSP Table 7). However this fundamental failing with sites in a settlement such as Witney that is distant from Oxford, was clearly something that went against these sites ‘from the off’. As such, it is hard to understand why such sites ever made the ‘initial list’ or the ‘long list’, let alone the short list of six. Set against this, and despite its clear and self-evident merits, land adjacent to Hanborough Station was never even identified as an option for consideration. This is demonstrably unsound, legally flawed and wholly irrational, resulting in a failure even to consider, let alone allocate, one of the most sustainably located greenfield sites in the entire District.

2.14 To add insult to injury, in proposing to allocate the Garden Village to meet some of the unmet needs from Oxford, the Council extols as a virtue its ‘close proximity to Hanborough Station and the premium bus route’ (a distance of approximately 3 km) whilst wholly ignoring the potential of land immediately adjacent to the same station and premium bus route.

2.15 It can also be noted, using the Council’s own rationale (paragraph 6.6 of the HSSP), that a decision to allocate a strategic site adjacent to Hanborough Station would accord with the LP spatial strategy in the same way that such growth at Eynsham does - Long Hanborough, like Eynsham, being a Rural Service Centre.

SHELAA

2.16 The Council relies in part on its SHELAA (2016) in identifying potential sites for housing (albeit that sites rejected in the SHELAA as unsuitable or undeliverable were still considered for development through the OGB process). However, as detailed in our Statement on Matter 5, the SHELAA is not a robust document. Its conclusions as to the suitability of land adjacent to Hanborough Station (Sites 333 and 449) were, and remain, wholly unjustified, and importantly were wholly rejected by a Planning Inspector who allowed an appeal for up to 120 dwellings on part of this site in February 2017 (see Appendix 3 to our Statement to Matter 5).

2.17 This response should be read in conjunction with our separate legal submissions on this same topic, specifically focussing upon the legal flaws associated with the Council’s Sustainability Appraisal process insofar as it failed to consider land adjacent to Hanborough Station when it is, unarguably, a reasonable alternative on any objective basis.
3. **Major Development in the AONB**

3.1 The Council, in following its own methodology (paragraph 5.3 of the HSSP), considered the extent to which ‘exceptional circumstances’ might justify major development in the AONB. The Council proposes to allocate four sites for housing in the AONB, ranging between 50 and 85 dwellings in size, for a total of 219 dwellings.

3.2 Paragraph 116 of the NPPF is clear that major development in the AONB can only be allowed in exceptional circumstances. The same paragraph identifies matters that should be considered in any assessment of whether or not there are exceptional circumstances, which the Council seeks to address in the HSSP (paragraphs 7.14 to 7.18), concluding (in its view) that ‘exceptional circumstances’ do exist.

3.3 One of the key considerations is “the cost of, and scope for, developing elsewhere or meeting the need some other way” (NPPF paragraph 116). In attempting to justify the allocation of these four sites, the Council’s response is that an exhaustive search for other sites has concluded “that to meet the identified housing requirement to 2031 some development is necessary within the Cotswolds AONB” (HSSP paragraph 7.16) i.e. that there is no reasonable alternative to development in the AONB.

3.4 This position cannot be accepted. There are demonstrably suitable sites for housing outside the AONB that the Council has discounted for unjustifiable reasons, or ignored altogether. One such site is land adjacent to Hanborough Station, which is not in the AONB, outside the Green Belt, has no landscape designations, and is situated immediately adjacent to a key transport node. It is difficult to imagine a scenario in which the test of exceptional circumstances can be met when highly sustainable sites such as this go wholly unconsidered. As such, the LP is contrary to national policy and therefore unsound.

4. **Housing trajectory across the plan period**

4.1 As a further step in the Council’s approach to addressing the Examination Inspector’s concerns following the stage 1 hearings, the likely housing trajectory was considered.

4.2 As set out in CEG’s Statement on Matter 16, the Council’s approach in seeking to provide a five year supply of housing (to meet the joint requirement from the District and the apportionment of Oxford City’s unmet need) is reliant on (i) unnecessarily delaying any provision to meet Oxford City's need; and (ii) delaying, without justification, the urgent need to address the shortfall of housing delivery across the Local Plan period so far through seeking to use the Liverpool method.
4.3 This approach is unjustified because there are other suitable and available sites that can be brought forward now to deliver houses within five years, including land adjacent to Hanborough Station.

4.4 Having regard to the NPPF objective to boost significantly the supply of housing, and having regard to the provisions of the PPG, delaying the delivery of housing and affordable housing is a last resort. The case does not exist in West Oxfordshire for such delay.

5. **Summary / Conclusion**

5.1 Following the postponement of the Local Plan Examination after the Stage 1 hearings, the Council has set about a process (paragraph 5.3 of the HSSP) of selecting additional sites to seek to address and meet the overall housing requirements. However, the process carried out, and its conclusions, are illogical, perverse and unjustified. Notably:

- land adjacent to Hanborough Station was never even identified by the Council as an option for consideration, despite Long Hanborough’s status as a Rural Service Centre, its proximity to Oxford, the availability of Hanborough Station in providing accessibility to Oxford City, and recognition of the sustainability credentials of Long Hanborough, and specifically land adjacent to Hanborough Station, by successive appeal Inspectors;

- the Council’s process bizarrely included detailed assessment of sites which clearly failed its own fundamental test of being well related to Oxford i.e. sites at Witney whilst ignoring sites such as that adjacent to Hanborough Station;

- the proposed allocation of sites within the AONB, whilst there are other sustainable and deliverable sites outside of the AONB, means that ‘exceptional circumstances’ for such development as required by the NPPF demonstrably do not exist; and

- there is no basis to delay the provision of much needed housing based on a lack of deliverable sites.

5.2 For these reasons, the HSSP simply confirms that the Council’s site selection process is demonstrably flawed and unsound. For reasons set out in other submissions, it also demonstrably fails the test of legal compliance.
Ms. R. Morton,
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West Oxfordshire Local Plan Examination,
c/o Planning Policy Team
West Oxfordshire District Council,
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Witney,
OXFORDSHIRE. OX28 1PB

BY EMAIL & POST: programme.officer@westoxon.gov.uk

Dear Ms. Morton,

RESPONSE TO WODC NOTE ON HOUSING SITE SELECTION PAPER
WEST OXFORDSHIRE LOCAL PLAN 2031 - EXAMINATION IN PUBLIC
RESPONDENT NUMBER 132/MM753 & 139/MM752

We are instructed on behalf of our clients, David Wilson Homes Southern (DWH) and Bloombridge LLP in respect of West Oxfordshire Council Local Plan, promoters of land north of Carterton.

West Oxfordshire District Council (WODC) (paragraph 8.7 of the Site Selection Paper (EXAM007) consider that the site selection process and their overall process in the lead up to site selection determination is based on robust evidence and that the sites selected will seek to:

- Address a significant increase in the overall housing requirement;
- Address unmet housing need from Oxford;
- Spread housing delivery over the plan period to ensure continuous supply by identifying an appropriate package of larger and smaller sites;
- Ensure consistency with the overall spatial strategy;
- Minimise the need for development within the Cotswolds AONB whilst recognising that some development is necessary; and
- Realise the benefits and economies of scale that are associated with larger strategic sites such as the provision of additional affordable housing, strategic infrastructure and improved viability.

This note will discuss each point in turn before providing an overview of the robustness of the evidence base.

Address significant increase in the overall housing requirement

It is still considered that the plan does not suitably address housing need despite the uplift in numbers. There has been insufficient development in the first six years (up to 2017) which is further increasing unmet need. The Council assert that the residual Liverpool method is most appropriate to address the 1,978-dwelling backlog (excluding Oxford City unmet need) from 2011-2017 rather than Sedgefield
which is recognised in Planning Practice Guidance (PPG). This is especially important given the very severe shortfall of 1,978 homes (almost 3 years undersupply) and the serious affordability concerns in the district (house prices 10 times lowest incomes).

DWH and Bloombridge’s representations to the Main Modifications responded to the Council’s concerns in paragraph 5.34c of the Modified Local Plan regard the capability of the development industry to increase delivery as their justification for the Liverpool method. However, the Council’s Housing Land Supply Position Statement (May 2017) (HOU21) indicates that delivery over the next five years will exceed the 1,000 homes annually which West Oxfordshire had indicated was the limit of the development industry’s capability. Given WODC no longer consider 1,000 homes annually as the development industry’s capability limit, this also undermines their justification for applying the Liverpool method.

Address unmet housing need from Oxford

It is essential that homes are delivered to meet Oxford City’s unmet needs at the earliest opportunity as the City’s own housing monitoring indicates that between 2011 and 2016, they have only delivered 1,371 dwellings compared to the ShMa mid-point requirement of 7,000 for this period. Consequently, there is significant un-met need already arising from the City and therefore West Oxfordshire must include an appropriate response through their Local Plan to address this. The increasing backlog in under delivery against Oxford City’s housing need further reinforces DWH and Bloombridge’s view that the Sedgefield method should be used for West Oxfordshire. The use of Sedgefield will ensure both the District and City unmet housing need is addressed at the earliest opportunity.

The approach to housing delivery in West Oxfordshire needs to be consistent with Vale (and decisions made at the Cherwell EiP in 2015) and also consistent across the housing market area; otherwise the whole OGB delivery consensus among the five councils will break down. As explained in DWH and Bloombridge’s representations on the Main Modifications, West Oxfordshire’s current strategy for sites at Eynsham won’t deliver homes in 2021/22. Therefore, West Oxfordshire’s strategy will worsen under-delivery rather than addressing it as envisaged by the Growth Board. The Council’s strategy needs amending to increase delivery from a range of sites in the short term.

Spread housing delivery over the plan period to ensure continuous supply by identifying an appropriate package of larger and smaller sites

The Sedgefield approach would eliminate the backlog of under-delivery within the first five years of the plan rather than stretching the unmet need over the plan period. Planning Practice Guidance (PPG) states that Local Authorities should aim to deal with any under supply within the first five years of the plan where possible. The previous Inspector as detailed in IN016 comments that WODC do need to have regard for National Policy on this matter, concluding that Sedgefield is preferred.

We have concerns regarding the over reliance on development which will deliver after 2021 late in the plan period (SDA’s). Due to the over-reliance on a few large scale delivery sites, there is a huge concern about overall housing delivery numbers during the first 10 years and that affordability and unmet need both for West Oxfordshire and the wider Oxfordshire housing market is not being addressed immediately. Timing and delivery is crucial in any plan, and with the over reliance of delivery late in the Plan period, there is little to no flexibility to adjust for non-delivery.

This can be further exemplified with questionable and very unrealistic build out and completion rates for the Garden Village at North Eynsham over an extended period of time with no flexibility to market conditions, resources and unforeseen development setbacks.

Notwithstanding our concern regarding the Council’s approach to only addressing unmet needs from the City of Oxford post 2021, the expectation that North Eynsham will deliver 220 dwellings per annum over a 10-year period is both optimistic and unrealistic. It is highly likely that North Eynsham will continue to deliver homes beyond the plan period. Whilst that in itself is not of concern, this underscores that it is unlikely to yield the number of homes within the plan period as claimed by the Council.
The recent NLP report on housing delivery in November 2016\(^1\) confirms that the average planning approval period for sites of 2,000 or more dwellings is 5 years and the average annual build out rate for sites of 2,000 or more dwellings is 161dpa: This reflects the limits to number of sales outlets possible on a site, and overall market absorption rates.

As explained above and in the representations to the Main Modifications, DWH and Bloombridge do not consider that North Eyotsm is likely to yield development completions in 2021 given the need for the planning approval process summarised in the NLP Report with further delays associated with an Area Action Plan. Therefore, a delivery of 160dpa following a start in 2022 (earliest based upon the NLP Report) means the site will deliver up to 1,440 homes in the plan period: 760 less than assumed by the Council. There is no Plan B, yet it is imperative that WODC has a plan which is effective and in accordance with paragraph 182 of the NPPF.

A key concern is that there is too high a reliance on development which will deliver after 2021 within the plan as a whole (Housing Land Supply Position Statement May 2017). This extremely low delivery for the first 10 years of the plan risks exacerbating affordability challenges district wide and places further stress on housing need. In Carterton alone, the proposed Local Plan allocations will deliver only 201 homes in the period to 2022. This is not an effective or sound proposal and it is considered that this does not adequately contribute towards the Carterton Master Plan and the town centre regeneration strategy.

It is recommended that the current allocation of large scale strategic sites must start delivering as early as possible within the plan period and that these have to be complemented by additional allocations which can assist in providing a constant and consistent supply of housing throughout the entire plan period, thereby allowing greater flexibility to ensure overall numbers are achieved.

**Ensure consistency with the overall spatial strategy**

Our concern is the insufficient regard to the overarching, establishing spatial strategy within the assessments of the Sustainability Appraisal which, in turn, directly relates to the settlement hierarchy and the site selection process. We question the rationale behind the overall allocations as there has been a reduction in percentage overall for the MSC’s that are Witney, Carteron and Chipping Norton (77% reduced to 71%) whilst there have been sizeable increases to highly constrained areas namely Burford and Charlbury which is an Area of Outstanding Natural Beauty (AONB) and Woodstock which impacts on the setting of a World Heritage Site. In the Milton-under-Wychwood appeal decision\(^2\) the Inspector’s report summarised that:

"Almost all of the Burford-Charlbury Sub Area is within the CAONB [Cotswold AONB] and the Council accepts that there is no scope for meeting the emerging LP requirement for the construction of 800 dwellings in the sub-area on sites outside the CAONB. In this regard it is worth noting that in a recent ‘call for ‘sites’’ process only one in the sub-area is outside the CAONB."

Yet the Proposed Modifications have increased the Burford - Charlbury sub area proposed housing requirement by 25% from 800 to 1,000 homes. Paragraphs 115 and 116 of the NPPF clearly states that great weight should be given to conserving landscape and scenic beauty in AONBs and exceptional circumstances must be demonstrated to justify allowing major development. Paragraph 116 states that consideration of such applications should include an assessment of the need for the development and its impact on the local economy, the cost of, and scope for, developing elsewhere outside the designated area (e.g. in the Carteron Sub-Area), or meeting the need for it in some other way, and any detrimental effect on the environment and the landscape. The Council appears to seek to justify this by indicating that development is of necessity within the AONB given the widespread extent of

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1 Nathaniel Lichfield & Partners, Start to Finish, How Quickly to Large-Scale Housing Sites Deliver? November 2016
2 Appeal Ref: APP/D3125/W/16/3143885
the AONB encompassing almost the whole of the sub area: however, that is not a reason to increase housing within the sub area, especially when Carterton is unconstrained as a reasonable alternative and where there is a clear ‘needs’ case for development.

It is considered as a direct consequence of this that the role of Carterton has not been sufficiently supported and significantly undermined throughout the plan, and its unique potential, its affordability (and unique regeneration needs) in the district have been overlooked in preference of further development at Chipping Norton and rural service centres. Of which, these are heavily constrained (as identified by the SA) by countryside policies, with the AONB necessitating development to be justified by exceptional circumstances. These are stringent tests, which demand an evidence-based and explicit consideration of reasonable alternatives, including sites outside of the AONB.

WODC has not taken into consideration the existing prominence of the Main Service Centre’s (MSC’s) and their ability to readily accommodate development given the existing built form. In particular, Carterton has the capability to accommodate substantial growth (David Wilson Homes have delivered an average of 157 homes per annum in Carterton in the last 9 years), and is relatively unconstrained in comparison to other settlements in the District, yet WODC is not promoting sufficient land for development, which will compromise the primary function and overarching role of Carterton. Indeed, recent jobs growth (an additional 2,500 jobs from RAF Lyneham since the 2011 Census) linked to changes at RAF Brize Norton (and the BRES data from 2011-2015), has not been taken into account by WODC in determining housing land allocations across the district, and this influences the soundness of the overall housing distribution, and must therefore be addressed as a priority. The Inspector’s Interim conclusions (IN015) (paragraph 6.8) accepted that there would be further employment growth associated with the changes at RAF Brize Norton and that these were not included within the justification for the Committed Economic Growth Scenario. WODC’s current strategy continues overlooking the employment growth at Carterton since the 2011 Census and the potential for this to continue, especially where the town is supported by appropriate increases in its housing stock.

At a strategic level, Carterton is acknowledged to be the second largest settlement in West Oxfordshire and one of the most sustainable locations for growth as set out within the Council’s own evidence, yet the sub area has been undermined though the Proposed Modifications in the Local Plan which fail to apportion any uplift in housing to the sub-area whilst instead increasing proposed housing delivery in Chipping Norton (the district’s third largest settlement) via a sizeable uplift in numbers at Tank Farm SDA (despite landscape, AQMA, ecological and infrastructure constraints) and Burford/Charlbury Sub Area despite the coverage of the AONB and the great weight that must be attributed to it, and at Woodstock, which impacts upon the setting of a World Heritage Site at Blenheim Palace.

We now consider that the spatial strategy of the ‘three towns’ focus recognised as the most sustainable approach is now inconsistently applied to the settlement hierarchy. This is central not only to the robustness of the SA process but also calls into question the soundness of the plan in that the Proposed Modifications are not justified either in terms of the most appropriate strategy or when considered against the reasonable alternatives such as additional growth at Carterton, nor is the draft Plan consistent with national policy in that insufficient weight has been given to the AONB and World Heritage considerations or air quality.

Minimise the need for development within the Cotswolds AONB whilst recognising that some development is necessary

It is considered that additional and or alternative sites should be brought forward in the least constrained locations and these should be included within the Plan to ensure the delivery of new homes in a sustainable location which would support the regeneration of towns and offer a much-needed support role for the military, employment and businesses alike.

Carterton has not only been identified as a MSC but is also relatively unconstrained and, as set out in the Carterton Town Master Plan, it is a settlement in West Oxfordshire where further development will be particularly and plainly beneficial - to help regenerate the town centre and make the most of RAF
Brize Norton as an economic asset. The town is not subject to any specific policies that would indicate that development should be restricted\(^3\).

The SA Addendum does not demonstrate to any satisfactory degree that exceptional circumstances exist to justify allocation of land within the AONB. Instead, the assessment of effects on the landscape character and historic environment in the relevant SA appraisals is deemed to be mitigated through later development management criteria. This is considered to be a misguided approach to assessing the merits of proposed allocations, which necessitates consideration against all reasonable alternatives within the sub area and wider District as a whole. We also question whether WODC has considered the precautionary principle within this policy making structure as detailed in the previous section, that WODC have not sufficiently justified the uplift in housing numbers in the AONB and as a subsequent reduction in the overall housing numbers in the MSC’s. We do not therefore consider that the Modified Local Plan reflects the emphasis on the MSC to ensure consistency with the strategy assessed as the most sustainable through the SA.

Paragraph 14 of the Council’s Note on Legal Compliance confirms that:

"In accordance with Article 5(1) of the SEA Directive and regulation 12(2) of the SEA Regulations, the environmental report must identify, describe and evaluate the likely significant effects of the reasonable alternatives to the plan taking into account the objectives and geographical scope of the plan."

Moreover, Paragraphs 32 and 33 assert that:

"...the non-strategic sites assessed were those that were identified as “best aligning with the Spatial Strategy and being the most sustainable”.

Finally, the SA Addendum screens the proposed policy modifications for significance. Where significant changes have been proposed, a summary of the SA findings for each of those policies, including any proposed mitigation measures, is set out.”

The Council accepts that the SA requires further work and is therefore deficient in respect of the "Grey Sites" as reasonable alternatives to the proposed non-strategic allocations (Paragraph 56), and that further consultation will be undertaken.

Our concern extends further than this and we consider that the Non-Strategic housing allocations are not informed by robust evidence, in areas which are highly constrained and exceptional circumstances have not been demonstrated (e.g. there is no evidence or topic paper in this regard to explain the relevant tests, how these tests were applied, and the decisions subsequently made). The Council appears to seek to justify development in the Burford/Charlbury area\(^4\) by indicating that development is of necessity within the AONB given the widespread extent of the AONB encompassing almost the whole of the sub area\(^5\): However, that is not a reason to increase housing within the sub area when other sub-areas in West Oxfordshire are less constrained i.e. Carterton, which is also one of the three towns which has been identified as an appropriate focus for growth through the SA.

Given the deliverable opportunities to address housing need in those parts of the district outside of the AONB, recognising that there will still be 800 homes in the sub area, there have been no exceptional circumstances given for the inclusion of additional land within the AONB for development in the draft Local Plan. All four housing allocations within the AONB have not been assessed by the

\(^3\) NPPF, paragraph 14, Footnote 9
\(^4\) paragraph 9.6.34f of Submission Draft Including Proposed Modifications, November 2016
\(^5\) paragraph 9.6.34f of Submission Draft Including Proposed Modifications, November 2016
recent landscape assessment in the SA Addendum Report despite being within the AONB and on greenfield land. This is a major omission.

**Realise the benefits and economies of scale that are associated with larger strategic sites such as the provision of additional affordable housing, strategic infrastructure and improved viability**

A key concern is that there is too high a reliance on development which will deliver after 2021 within the plan as a whole (Housing Land Supply Position Statements October 2016 (HOU16)\(^6\) and May 2017 (HOU21)). The extremely low delivery during the first 10 years of the plan risks exacerbating affordability challenges district wide and places further stress on housing need in both the district and the wider Oxfordshire housing market. In Carterton alone, the proposed Local Plan allocations will deliver only 81 homes in the period to 2021. This is not an effective or sound proposal. We have previously advised that Kilkenny Farm (North Carterton) can deliver 300 units within this period, if allocated.

It is recommended that the current allocation of large scale strategic sites must start delivering as soon as possible within the plan period and that these have to be complemented by additional allocations which can assist in providing a constant and consistent supply of housing throughout the entire plan period, thereby allowing greater flexibility to ensure overall numbers are achieved.

**The evidence base to support housing site selection**

Although DWH and Bloombridge's concerns with West Oxfordshire's conclusions on each of the six points listed in paragraph 8.7 of EXAM007 are set out above, there are other matters highlighted in the Representations and Statements to the Examination regarding whether the authority has a robust and evidenced based approach to the selection of housing sites. A review of the robustness of the evidence base is essential since paragraph 8.7 of the Site Selection Paper (EXAM007) emphasises how this informed the Council's selection of housing sites.

Both the Note on Legal Compliance (EXAM008) and the Additional Paper on Preferred Option in Absence of Five Year Land supply (EXAM011) refer to a list of "Grey" sites which are listed in the Site Assessment Topic Paper (EXAM007). Paragraph 55 of EXAM008 indicates that the "grey" sites are those that the SHELAA recognises have some development potential. Whilst EXAM007 does not include reference to "grey" sites, from reviewing its contents, as the sites listed in table 6 (non-allocated sites, with the reasoning amplified with respect of AONB sites in table 11) are considered suitable in the SHELAA (HOU17b), these must be the "grey" sites. However, as explained in DWH and Bloombridge's original representations to the Main Modifications, as large parts of the district are not affected by the AONB constraint i.e. around Carterton, there are clearly other suitable areas which should be considered as having development potential. As explained earlier in this statement, DWH and Bloombridge's view of the unsuitability of the AONB for residential development reflects the advice in paragraph 115 of the NPPF.

Consequently, although the SHELAA (HOU17b) has therefore potentially considered how the AONB constraint which has restricted suitability of residential sites could be addressed, DWH and Bloombridge note that it does not provide a similar review of how other constraints to development i.e. planning policies could be amended to ensure these are likewise resolved as required by section ID: 3-022-20140306 of the PPG, even though this is implied by paragraph by paragraph 5.10 of EXAM007. WODC must therefore revise the SHELAA to ensure it is consistent with the advice in the NPPF and PPG and then provide an updated site assessment indicating how any constraints (including policies) can be addressed.

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\(^6\) The Housing Land Supply Position Statement October 2016 (HOU16) indicates only 1,035 homes out of 8,169 dwellings on proposed allocation sites in the draft Plan will occur prior to 2021: that is a paltry 12.6% or 207dpa. This will only address a little over half of the current backlog let alone what is needed going forward.
In undertaking the necessary reassessment of sites which demonstrate how constraints (including those associated with planning policy ones) can be addressed, the number of suitable sites will increase and consequently there will be a greater opportunity to increase housing delivery in the short term.

DWH and Bloombridge’s representations to the Main Modifications and Statements to the Examination highlight how the Council’s landscape evidence (Kirkham, 2012 (LAN3)) indicates additional growth can be accommodated in Carterton below the 110m contour. Given the Council’s rejection of growth in North Carterton on landscape grounds (unlike schemes within the AONB which West Oxfordshire considered can be mitigated without a similar assessment), it is not considered that the authority’s evidence base supports their own appraisal of sites. This further supports the need to review the SHEELA in a consistent manner which details how any constraints (particularly policy ones) can be addressed.

The SHEELA Appendix 3\(^7\) still fails to recognise the Air Quality Management Area (AQMA) in Chipping Norton, and does not address the inevitable impacts that the development will have on the AQMA. The draft allocation has severe air quality implications for Chipping Norton and in the absence of landscape and ecology assessments and an up to date air quality assessment it is impossible to conclude that the proposal will not cause undue harm to the landscape, ecology and to the town centre AQMA in terms of air quality.

Furthermore, and with regard to the land north of Banbury Road, Woodstock allocation (EW1e), the SHEELA Appendix 3\(^8\) correctly identified that allocation lies within the important view corridor for Blenheim WHS, yet there is no assessment of impact on what should be a key consideration. The SHEELA concludes that the site is ‘developable’ in the absence of a landscape assessment and without any reference to the mitigation methods to omit the impact of the WHS.

Since the SHEELA does not currently detail how the various constraints limiting the suitability of sites can be addressed contrary to the advice in the NPPF and Planning Practice Guidance, DWH and Bloombridge do not consider that the authority has a robust and evidence based approach to the selection of housing sites.

We ask that this letter is provided to the Inspector for his consideration.

Yours sincerely,

NICK PATERSON-NEILD
Director

cc. I. Blair, Esq. - DWH
    R. Cutler, Esq. - Bloombridge

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\(^7\) West Oxfordshire Strategic Housing and Economic Land Availability Assessment (SHEELA) 2016 APPENDIX 3
\(^8\) West Oxfordshire Strategic Housing and Economic Land Availability Assessment (SHEELA) 2016 APPENDIX 3