

Cabinet Report

Report of Head of Planning

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Local Plan 2031 Part 2 – Inspector’s initial post hearing letter

Recommendations

that the Council responds to the Planning Inspector presiding over the Local Plan 2031: Part 2 Examination confirming that Option 2, as set out below, is supported. A draft letter to the Planning Inspector is attached along with a proposed modification to Core Policy 8b: Dalton Barracks and a simple summary signposting to the existing evidence base (Appendix 1).

Inspector’s Option (Option 2):

“Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site (s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan”.

Purpose of Report

1. The Council received an initial Post Hearing letter from the Planning Inspector presiding over the Local Plan 2031: Part 2 Examination dated 30 October 2018.
2. This report provides a high-level summary of the Inspector’s comments in that letter relating to the proposed allocation at Dalton Barracks and the options he has asked the Council to comment on and recommends a course of action to respond to the Inspector by his deadline (20 November 2018).

3. The proposed response to the Inspector and the recommendations in this report relate only to the Inspector's question, which concerns the proposed allocation at Dalton Barracks, as follows:

“At this stage I am seeking the Council's response as to how it wishes to proceed with regard to the Dalton Barracks proposal in the light of this letter”.

4. The Inspector's letter does not provide an opportunity for the Council to raise any other matters.

Corporate Objectives

5. The Local Plan is central to the achievement of the following strategic objectives in the 2016-2020 Corporate Plan:
 - a strong local economy
 - housing for people who need it.
6. Extensive public consultation was carried out to inform the plan in accordance with the Council's Statement of Community Involvement that helps to meet the following Corporate Objectives:
 - Positive and constructive work with community groups
 - Communities involved in decisions about development and other things affecting their local area.

Background

7. The Vale of White Horse District Council submitted their Local Plan 2031: Part 2 to the Secretary of State in February 2018. This plan is currently subject to Examination by the Planning Inspector Mr David Reed. Three weeks of public hearing took place during the summer this year and concluded on 6 September 2018.
8. The Part 2 plan complements the Local Plan 2031: Part 1, which was adopted in December 2016 and sets out the housing need for the Vale up to 2031. The Part 2 plan has four main purposes, which set out:
 - i) policies and locations for housing for Vale's proportion of Oxford's housing need up to 2031, which cannot be met within the City boundaries
 - ii) policies for the part of Didcot Garden Town that lies within the Vale of White Horse
 - iii) detailed development management policies to complement the strategic policies as set out in the Local Plan 2031 Part 1, and where appropriate replaces the remaining saved policies of the Local Plan 2011, and
 - iv) allocations of additional development sites for housing.
9. The Inspector's Post-Hearing letter confirms the following key points:
 - i) the preparation of the plan has met the Duty to Co-operate
 - ii) that the plan does not meet the tests of soundness without some modification. The Inspector has made it clear that he will advise of modifications in due course
 - iii) the proposed allocation at Dalton Barracks needs further consideration (see below)
 - iv) the Part 1 plan remains in force and sets the overall strategy for Part 2
 - v) that the Part 2 plan has no remit to revisit the Objectively Assessed Need for the Vale (20,560 dwellings) as set out in the Part 1 plan

- vi) that the Oxfordshire Growth Board process to identify and apportion unmet housing need for Oxford is “objective” and “robust” in terms of both quantum and its apportionment.
 - vii) the figure of 2,200 dwellings, as identified by the Growth Board and set out in the Part 2 plan, for unmet need for Oxford to be addressed within the Vale “should be used” as the basis for meeting this need in the period 2019-2031
 - viii) the total housing requirement for the Vale should therefore be amended to 22,760 dwellings (as stated in the Part 2 plan)
 - ix) that the approach to allocating the unmet need for Oxford to be addressed within the Vale within the Abingdon/ Oxford Sub-Area, as set out in the Part 2 plan, is “sound”, and
 - x) in relation to safeguarding land for Park and Ride sites at Cumnor and Lodge Hill and for a Bus Lane between Lodge Hill and Hinksey A34 junctions, that “There is sufficient evidence to justify safeguarding land for these purposes”.
10. Notwithstanding that the proposed allocation at Dalton Barracks needs further consideration (see below), this is a positive response overall.
11. The Inspector also indicates a few areas where modifications will be required, including:
- i) that two parcels of land at or close to Dalton Barracks should remain within the Green Belt (Starveall Farm located behind the ribbon development along Whitecross and the MOD Playing Field located on the operational site of the barracks) (see Map – **Appendix 2**)
 - ii) the proposal for a public transport and cycle link between Lodge Hill and Dalton Barracks is not justified and should be “deleted”, and
 - iii) that the proposed adjustment to the sub-area housing requirement figures should not be taken forward. The figures set out in the Part 1 plan for Abingdon/ Oxford (5,438) and Western Vale (3,173) areas should remain and that the South East Vale area should be reduced to (11,949). These figures still add up to the Objectively Assessed Need as set out in the Part 1 plan.
12. The Inspector has not invited any comments on these matters and so they are not matters for discussion. The Council anticipates that the Planning Inspector will share his recommendations for any further modifications that he considers will be appropriate in due course. Any proposed modifications will therefore be reported to Cabinet and Council separately and will also be subject to a minimum period of six weeks public consultation.

Options

Proposed Allocation at Dalton Barracks: Summary and Options

13. The Council’s proposal for this site (in short) was to seek to release the whole site from the Green Belt, but only allocate a relatively small quantum of development in the plan period up to 2031 (around 1,200 dwellings / longer term site capacity potentially up to 4,500 dwellings).
14. The Inspector considers that this approach is ambiguous. In particular:

“Without exceptional circumstances for this proposal in the Green Belt being demonstrated the LPP2 cannot be found sound, and these exceptional circumstances

cannot exist unless there is a sufficient body of evidence that the site is actually developable and able to satisfactorily accommodate a new settlement of up to 4,500 dwellings in due course”.

15. The Inspector also expressed concerns regarding the proposal to adopt a Supplementary Planning Document that would provide for a comprehensive development framework for the whole site rather than simply in respect of the allocation of 1,200 dwellings. He considered that such an SPD would exceed the lawful remit of a Supplementary Planning Document as it would go beyond the proposals in LPP2.
16. The Inspector has identified three options:
 1. Update the evidence base to support an unambiguous proposal at Dalton Barracks for a new settlement of up to 4,500 dwellings, albeit on the basis that only an estimated 1,200 dwellings would be completed during the current plan period. Another approach would be to prepare an Area Action Plan for the whole site rather than an SPD
 2. Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site (s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan, and
 3. Delete the site altogether and put forward replacement allocations elsewhere.
17. In terms of the Inspector’s options, the implications for the Council can be summarised as follows:
 - 1. Justify a proposal for a 4,500-dwelling new settlement.**
18. Whilst the Council may still consider that there is potential for development at Dalton Barracks in the longer-term, the evidence supporting the Part 2 plan as submitted, is focused on 1,200 homes being delivered in the plan period up to 2031. It was always assumed that any longer-term development would be supported by further detailed evidence to be prepared in the future.
19. Longer-term development at this site could potentially continue up to the mid 2040’s, perhaps to 2050 and would clearly require a different scale of evidence than that currently available to justify 1,200 homes up to 2031. In terms of highway evidence as an example, the Oxfordshire transport model currently only covers the period up to 2031 and so it is currently unclear how longer-term highway impact could be tested at the present time.
20. On this basis, it is considered that this option would cause significant delay to the Part 2 plan process and that significant further work would be needed before a timetable could be identified. If the Inspector’s options 2 or 3 were selected, the Council would retain the option of considering the longer-term potential for development at Dalton Barracks through a future local plan process. This would ensure that there is more time available to prepare the wider evidence needed to justify a larger scheme should the Council decide to pursue this option in the future.
21. The preparation of an Area Action Plan (AAP) would effectively defer all matters relating to the proposed allocation to a future local plan process and would be likely to also require additional site allocations in the short term (as per Option 3).

2. Allocate a specific site for 1,200 dwellings

22. The original proposal, as set out within the Part 2 plan, as submitted to the Secretary of State in February 2018, was for 1,200 dwellings in the plan period up to 2031, albeit the Council had been seeking to also look to the longer term. This has been subject to substantial detailed work and consultation and has already been subject to detailed discussion during the examination hearings. The proposed scheme could be amended to reflect the Inspector's letter (for example, removing the MOD playing fields) and any references to the potential for longer term development could be removed. Whilst the Council is satisfied the submitted evidence is robust and proportionate for plan making purposes, some additional information will be prepared in an effort to address the detailed questions in the Inspector's letter concerning transport impacts and air quality. Officers will advise the Planning Inspector separately on the timetable for preparing this work.
23. The potential for longer-term comprehensive development at the Dalton Barracks site could still be considered and planned in the future, if the Council wished to pursue this option, albeit this would be a matter for a future local plan process.
24. The proposed SPD for this site would be limited to a revised allocation and modifications made, if necessary, to ensure the role of the SPD was clearly limited to providing additional guidance only.

3. Delete the Dalton Barracks proposal and identify alternative sites

25. It was necessary for the Council to consider a large number of sites (over 400) to inform the preparation of the Part 2 plan and a number of short-listed sites were assessed in some detail. The sites included in the Part 2 plan represent those the Council considers are the most appropriate overall, taking into account a wide range of evidence, including Sustainability Appraisal and consultation. The plan, as submitted, was approved by Cabinet and Council on 22 and 27 September 2017 respectively and represented what the Council considered is the most appropriate strategy for sustainable development overall.
26. Introducing any alternative and entirely new sites at this stage would require additional work and would be likely to delay the plan process by several months. Given that the Council was not proposing to support the delivery of any more than 1,200 homes within the plan period at Dalton Barracks; it is not considered appropriate to pursue this option further. The Council will of course need to consider a wide range of alternative sites through any future local plan process as it will, in due course, need to plan beyond the current plan period to 2031.

Financial Implications

27. The Vale of White Horse Local Plan 2031: Part 2 was submitted to the Secretary of State in February 2018 following approval by Cabinet and Council. Any financial implications of selecting Option 2 would be met by the existing budget. As the alternative options could lead to further delay, these may lead to increased financial implications. The work will be met from the existing staff resource and Planning Policy Budget.

Legal Implications

28. Officers have consulted with the Council's legal representatives who have not identified any issues relating to the proposed approach to support Option 2.

Risks

29. Option 2 is considered to minimise any risks for the reasons set out in this report. As the alternative options could lead to greater delay, these also have greater associated risk. The Council has a legal obligation to maintain an up-to-date Local Plan. An up-to-date plan ensures the Council maintains a plan led approach to development thus minimising the risk of speculative or less sustainable development.

Other implications

30. No other implications are identified

Conclusion

31. It is recommended that the Council respond to the Planning Inspector confirming that Option 2, as set out below, is supported, for the reasons set out in this report. A draft letter to the Planning Inspector is attached along with a proposed modification to Core Policy 8b: Dalton Barracks (**Appendix 1**) and a simple summary signposting to the existing evidence base to assist the Inspector (**Appendix 2**).

Inspector's Option (Option 2):

"Allocate a specific site (or sites) at Dalton Barracks for the housing proposed during the plan period, with the Green Belt designation deleted from the site (s) concerned and no more. In this case there would be no presumption that any further development would take place on the wider site unless brought forward and justified in a future local plan".

Appendices

- Appendix 1: Draft letter to the Planning Inspector with a proposed modification to Core Policy 8b: Dalton Barracks and Summary signposting existing evidence base.
- Appendix 2: Sites referred to within the Planning Inspector's letter to remain within the Green Belt.