SOUTH OXFORDSHIRE CORE STRATEGY

National Planning Policy Framework

Representations Submitted on Behalf of Prudential Property Investment Managers by Roger Miles Planning Limited

May 2012
NATIONAL PLANNING POLICY FRAMEWORK

1. This submission has been prepared on behalf of Prudential Property Investment Managers (PRUPIM) and responds to the Inspector’s request for comments on the National Planning Policy Framework (NPPF) and its implications for the South Oxfordshire Core Strategy. As the Inspector is aware, PRUPIM’s interest relates to housing issues and specifically to the allocation of the Slade End Farm site as the strategic development site at Wallingford.

2. The NPPF replaces, with immediate effect, almost all Planning Policy Statements, Planning Policy Guidance, Minerals Policy Statements and Minerals Policy Guidance, Circular 05/2205 dealing with Planning Obligations and various Letters to Chief Planning Officers. It sets out the principles and policies with which Local Plans and planning decisions more generally will be expected to accord. Annex 1 of the NPPF confirms that the policies in the framework are material considerations which local planning authorities should take into account from the day of its publication, and in the preparation of plans. It is further acknowledged that both adopted and emerging plans may need to be revised to take account of the policies within the framework.

3. As part of the test of soundness, Development Plan documents must be consistent with national policy. Whilst the NPPF largely carries forward existing planning policies, albeit in a less detailed form, it also introduces the presumption in favour of sustainable development, and makes adjustments to some specific policies. In order to be found sound therefore, the South Oxfordshire Core Strategy must be consistent with the general principles and policies as set out within the NPPF (paragraph 151).

4. Guidance issued by the Planning Inspectorate to Inspectors dated 27th March 2012 indicates that:

“The policies in the Framework need to be applied from the day of publication, while ensuring that progress is maintained in the decision-making process without allowing any significant delay.”

5. Any significant amendments required to achieve consistency with the NPPF will need to be subject to appropriate consultation.

GENERAL ISSUES

Presumption in Favour of Sustainable Development

6. The NPPF introduces a presumption in favour of sustainable development. Comments have been requested by the Inspector on whether the model policy prepared by the Planning Inspectorate should be included within the Core Strategy to ensure consistency with national guidance.

7. Whilst SODC’s Core Strategy should be consistent with national policy, it has been common practice that, Core Strategies do not need to repeat national policy. The model policy prepared by the Planning Inspectorate repeats in large part the guidance set out at paragraph 14 of the NPPF. The inclusion of such a policy is therefore considered unnecessary, and will not of itself ensure that the Core Strategy
reflects the presumption in favour of sustainable development. It is also clear from paragraph 15 of the NPPF that policies in Local Plans will be expected to provide guidance on how the presumption will be applied locally. The model policy drafted by the Planning Inspectorate provides no further guidance on this issue and therefore if proposed to be inserted into the South Oxfordshire Core Strategy should be modified to address the applicability of the presumption locally.

8. The South Oxfordshire Core Strategy has not been prepared on the basis of a presumption in favour of sustainable development. Its starting point has been the targets and provisions of the South East Plan and the clearly stated intention to seek to limit development in the District to those levels. Whilst the Core Strategy may be underpinned by the principles of sustainable development, this is not the same as a presumption in favour of sustainable development. The inclusion of the model policy would not alter this starting point.

9. It is also clear however that the failure to adopt and maintain an up to date development plan is likely to lead to delays in the release of sites proposed to be allocated and, potentially, unplanned development within South Oxfordshire. Given the stage that has been reached in the Core Strategy process and the investment that has been made to date by all parties, a pragmatic approach is suggested which would see the adoption of the South Oxfordshire Core Strategy and the release of much needed land for development, which would be consistent with the general aims and provisions of the NPPF. If necessary, and as the application of the NPPF and the presumption in favour of sustainable development becomes clearer over time, a further review of the Core Strategy or Local Plan could be undertaken.

**Delivering a Wide Choice of High Quality Homes**

10. The NPPF aims to boost significantly the supply of housing with Local Plans required to meet in full “the objectively assessed needs for market and affordable housing”, as far as is consistent with the policies set out in the framework. It is clear from the evidence base that the emerging South Oxfordshire Core Strategy will not meet in full the needs for market and affordable housing. The Housing Needs Assessment (CD 09/03) identifies an annual shortfall of 883 units in the market sector and 530 units of affordable housing per annum (paragraph 14.4.2). This compares to a proposed annual requirement for all new housing in the Core Strategy of 547 dwellings per annum.

11. However, other policies and provisions within the NPPF seek to balance the physical and environmental impacts of development with meeting overall needs. This is effectively the same approach as adopted during the preparation of the South East Plan which was subject to extensive consultation and debate and consideration by the EIP Panel, and set the overall housing requirement for South Oxfordshire District. The balance may have shifted in favour of the provision of more housing where it would accord with the principles of sustainable development, however, the practical application of the guidance in the NPPF has yet to be tested through the development plan, application and appeal processes.

12. Given the stage the Core Strategy has reached in the plan preparation process, and the lack of an up to date development plan to guide new development in the district, it
is considered appropriate to progress the Core Strategy towards adoption on the basis of the current housing requirement. However, given the clear intent of the NPPF to boost the supply of housing land to meet local needs, an early review of the strategy would be appropriate and should be flagged in the Inspector’s report.

13. In terms of five year supply, as a minimum, South Oxfordshire District Council should now be looking to provide an additional buffer of 5% in the five year supply figures. However, given the consistent under delivery of new housing within South Oxfordshire over recent years, there is an argument that a 20% buffer should be provided to increase the prospects of achieving the planned supply consistent with paragraph 47 of the NPPF. However as the NPPF provides no guidance on, or definition of “persistent under delivery”, and it appears from recent Government statements that no further clarification will be provided at the national level, this will inevitably be open to interpretation.

14. The NPPF also indicates that an allowance for windfall sites can be made within the five year supply if compelling evidence that such sites consistently become available is available. The issue of windfall sites has already been debated at the South Oxfordshire Examination in the context of advice within PPS3 which indicated that allowance for windfall sites should not be included in the first ten years of land supply unless Local Planning Authorities could provide robust evidence of genuine local circumstances that prevented specific sites being identified. The test is clearly different now, and it will be for the District Council and the Inspector to determine whether compelling evidence is available and whether the inclusion of a windfall allowance should impact on the housing supply figures.

WALLINGFORD

15. At the heart of the NPPF is the presumption in favour of sustainable development. Paragraph 7 indicates that there are three dimensions to sustainable development: economic, social and environmental which should not be undertaken in isolation but should be sought jointly and simultaneously through the planning system. It is PRUPIM’s view that the allocation of Site B, Slade End Farm, at Wallingford meets the aims and objectives of the NPPF and affords the opportunity to deliver sustainable development in Wallingford. Having regard to the evidence base as provided by the District Council and the various respondents to the consultations on the Core Strategy, and the policies and provisions of the NPPF, the Inspector should reconsider his preliminary findings that the allocation of the Slade End Farm site is unsound, and should confirm the site as the strategic allocation for Wallingford.

Promoting Sustainable Transport

16. The NPPF acknowledges that transport policies have an important role to play in facilitating sustainable development and indicates that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 of the NPPF indicates the need for Transport Assessments or Statements to support new development and advises that decisions should take account of whether:
“the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;

Safe and suitable access to the site can be achieved for all people; and

Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

17. A comprehensive transport strategy has been developed for the Slade End Farm site which seeks to promote the use of public transport and walking/ cycling over the use of the private car. The package of public transport measures proposed as part of the development has already been set out in detail in PRUPIM’s response to the Mid-Examination Proposed Modifications. In essence, this package of measures affords the opportunity to provide a fast, frequent bus service from the Slade End Farm site to Wallingford and Didcot, the main employment centre and growth area within South Oxfordshire, and an hourly service to Oxford. In addition, the proposed diversion of two existing bus routes maintains the 400m walk distance to bus stops for existing residents, but significantly extends the coverage of the 400m walk distance isochrome to parts of west Wallingford not currently served by public transport. The package will also enhance the viability of the existing bus service between Didcot and Wallingford which is known to be struggling.

18. Allocation of the Slade End Farm would therefore maximise the opportunities for enhanced bus provision to serve Wallingford and the wider area.

19. The proposals for the Slade End Farm site also include the provision of safe and suitable accesses for all people designed to “give priority to pedestrian and cycle movements” in line with the requirements of paragraph 35 of the NPPF. The package includes for the provision of both new and improved footpath/cycle links from the development to key facilities and services within Wallingford. The proposed improvements to the existing Public Rights of Way have been demonstrated to be deliverable and will enhance the existing network. Paragraph 75 of the NPPF requires that “planning policies should protect and enhance public rights of way and access” and that local authorities “should seek opportunities to provide better facilities for users”. This is precisely what is offered by the Slade End Farm development.

20. In terms of vehicular access points to the proposed development on the Slade End Farm site, these are located on the western and northern edge of the development and are intended to encourage residents to make short distance trips by more sustainable modes of transport than the private car. It has also been demonstrated that these proposed accesses meet appropriate standards and provide safe access onto the existing highway network.

21. In summary therefore, and in line with the core planning principles set out at paragraph 17 of the NPPF, the Slade End Farm development has been designed to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling in an area which can deliver sustainable development.
Promoting Healthy Communities

22. The NPPF acknowledges the role the planning system can play in facilitating social interaction and creating healthy, inclusive communities in consultation with community groups and individuals. Paragraph 70 indicates that to deliver the services and facilities needed by the community, planning policies and decisions should:

- “plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.”

23. PRUPIM has sought to work with the key service providers to develop a scheme for the Slade End Farm site consistent with the aims of creating a healthy, inclusive community. The proposed development is intended to provide a range of housing types and sizes including specialist accommodation for the elderly in the form of an Extra Care facility which will provide a range of facilities and services, many of which can be made available to the community as a whole.

24. In respect of sports and social provision, PRUPIM has, with input from the District Council, Wallingford Sports Trust and Wallingford Town Council, developed a sustainable and deliverable solution to providing enhanced sports and social facilities to serve both the Slade End Farm development and the wider Wallingford community. The various options available for providing additional sports pitches to meet needs identified through the open space assessment have already been detailed in PRUPIM’s submission on the Mid-Examination Proposed Modifications and clearly identify opportunities associated with the Slade End Farm development which cannot be delivered if Site E were to be identified as the strategic allocation for Wallingford.

25. The integrated approach which has been developed with the key stakeholders affords the opportunity to enhance the social facilities available on the Sports Trust site and to provide a positive link between existing and proposed new development. It is proposed that the existing club house be used as a community hall and meeting place for residents of the Slade End Farm development and the wider Wallingford community during the day time, when the facility is currently under used, with the new primary school providing the same function out of school hours and at weekends when the club house is more intensively used. The provision of safe, secure and attractive footpath/cycleway links between the two facilities is an important element of this strategy which seeks to make best use of available resources and integrate the new development with existing sports and social provision within Wallingford. Such an approach would accord fully with the principles of sustainable development and the provisions of the NPPF, and offers benefits which cannot be delivered by the development of Site E.
Conserving and Enhancing the Natural Environment

26. The approach to conserving and enhancing the natural environment remains largely unchanged from that set out in the now superseded PPS7 with a requirement that the intrinsic value and beauty of the countryside be recognised. There has been no suggestion that the Slade End Farm site has any intrinsic value.

27. Whilst much of the detail previous included in PPS7 no longer applies, the NPPF does indicate at paragraph 125 that:

“...planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

28. It is clear that the proposed crossings of Bradford’s Brook to provide pedestrian/cycle access for Site E and in particular the proposals for lighting, raise conflicting issues of safety and nature conservation which are potential inconsistent with guidance in the NPPF.

Conserving and Enhancing the Historic Environment

29. Local planning authorities are encouraged to set out a positive strategy for the conservation and enjoyment of the historic environment (paragraph 126). Wallingford is an important historic settlement and local tourist attraction. The conservation and enhancement of the historic environment of Wallingford should therefore be a key issue in determining the nature and scale of future development in the town.

30. SODC has commissioned an appraisal of the Wallingford Conservation Area by independent consultants. This recommends an extension of the Conservation Area boundary to include the Reading Road area which lies immediately adjacent to the eastern edge of Site E. Whilst this is a draft document and will need to be subject to appropriate consultation prior to any amendment being made to the Conservation Area boundary, it is a relevant factor in determining the most appropriate location for new development in Wallingford.

Facilitating the Sustainable Use of Minerals

31. The NPPF advises that as minerals are a finite resource and can only be worked where they are found, “it is important to make best use of them to secure their long-term conservation” (paragraph 142), and when determining planning applications should “give great weight to the benefits of the mineral extraction, including to the economy” (paragraph 144).

32. As the Inspector is aware, Oxfordshire County Council has confirmed that land south of Wallingford at New Farm Barn is to be identified as a minerals extraction site in the emerging Minerals and Waste Core Strategy. Whilst this allocation will be subject to soundness testing through the Examination process, workable gravel deposits do exist in this location, and development on Site E in Wallingford could impact on the ability to make best use of this resource, contrary to the general policies and provisions contained within the NPPF. By comparison, development of the Slade End Farm site will have no material impact on the ability to exploit the available resource.
Overall Conclusions

33. The South Oxfordshire Core Strategy has not been prepared on the basis of a presumption in favour of sustainable development consistent with the provisions of the NPPF, although the principles of sustainable development may be argued to underpin the development of the Core Strategy. The inclusion of the model policy as drafted by the Planning Inspectorate in the Core Strategy will not address this issue and will not provide local guidance on how this presumption will be applied. If the model policy is to be inserted, then it needs to be modified to address its local applicability.

34. It is also clear that whilst the adoption of the Core Strategy will boost the supply of housing land in the short term, it will not meet in full the objectively assessed demands for both market and affordable housing in the area.

35. There are clearly therefore some areas where the South Oxfordshire Core Strategy is not entirely consistent with the NPPF. Whether these areas of inconsistency are of such significance to render the Core Strategy unsound is a matter for the Inspector to determine. In our view, an adopted Core Strategy with a clear recommendation for early review to increase the supply of housing land, would better accord with the policies and principles set out in the NPPF, than a further delay to the adoption of the Core Strategy which would only serve to increase uncertainty and stifle development in the district in the short term.

36. In respect of Wallingford, and the allocation of a strategic development site, development of the Slade End Farm site would be in accordance with the general principles and policies set out in the NPPF.