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Report

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**Representations to the
Draft Wheatley
Neighbourhood Plan
Oxford Brookes University,
Wheatley Campus, Waterperry
Road, Wheatley**

June 2017

**OXFORD
BROOKES
UNIVERSITY**

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Date: June 2017`

For and on behalf of GVA Grimley Limited

1. Introduction

Overview

- 1.1 GVA is instructed by Oxford Brookes University (the 'University') in respect of its campus site at Wheatley. The University intends to dispose of the campus and wishes to secure outline planning permission for residential development before disposing the site. The site lies within the Oxfordshire Green Belt but has been developed previously and is "brownfield".
- 1.2 The Wheatley Neighbourhood Plan Committee is in the process of preparing a Neighbourhood Plan which sets out a vision for the future of the area during the plan period 2017-2032.
- 1.3 The Neighbourhood Plan Committee recently published a draft version of the Neighbourhood Plan for consultation.
- 1.4 This document responds to that consultation. The University is broadly supportive of the aspirations of the Wheatley Neighbourhood Plan and shares the view that the redevelopment of the site presents a very significant development opportunity for the area.
- 1.5 South Oxfordshire District Council is in the process of preparing a new Local Plan. A version of the emerging document was published earlier this year. The plan includes policies and provisions which relate specifically to the Wheatley Campus site. GVA submitted a comprehensive set of representations to the emerging Local Plan on the University's behalf. A copy of the representations submitted to the Local Plan has been provided with these representations. The Local Plan representations and supporting appendices provide a comprehensive suite of information.
- 1.6 It is likely that the University will submit an outline planning application for the redevelopment of the site before the emerging Local Plan is adopted. In summary, the outline application to be submitted to the Council is likely to propose the following built development and land uses:
 - a maximum total of approximately 600 units;
 - a mixture of residential dwelling types, including 40% affordable housing;
 - local and neighbourhood facilities for sport and recreation;
 - accesses into the site from Waterperry Road and from the new road adjacent to the school to the west;

- associated landscaping, green infrastructure and public realm works;
- pedestrian and cycle links through the site in order to improve access to local facilities.

1.7 The planning application will be accompanied by an Environmental Statement which will summarise the Environmental Impact Assessment process carried out in respect of the proposals.

1.8 These representations consider the provisions of the emerging Wheatley Neighbourhood Plan and how they relate to both the provisions of the emerging Local Plan and the University's aspirations for the site.

Technical Information

1.9 In order to understand the constraints and opportunities presented by the site, GVA has assembled a team of specialist technical consultants on the University's behalf. The information prepared by these consultants has been used in the preparation of these representations and will also be used in support of an outline planning application and in representations to the emerging Local Plan. The consultant team comprises the following :

- Town Planning – GVA
- Environmental Consultants – Ramboll Environ
- Masterplanners and Urban Designers – FPCR
- Highways and Transportation Consultants – SWECO
- Ecological Consultants – EcoConsult
- Flood Risk Engineers – GVA
- Archaeological and Heritage Consultants – Asset Heritage Consulting
- Ground Condition Consultants – GVA
- Technical/Infrastructure Consultants (including noise and air quality) – Ramboll Environ
- Landscape Consultants – FPCR
- Services and Utilities Consultants – Ramboll Environ
- Socio Economic Consultants – Carney Green

The Scope of these Representations

- 1.10 In section 2 of this document we provide the background and context to the site. This includes details of its location and existing buildings that are present. The section also includes an overview of the site's history and summarises the University's on-going plans to vacate it in due course.
- 1.11 In section 3 we consider the prevailing and emerging development plan policy situation in South Oxfordshire and other material considerations that will influence the determination of a planning application. The section provides an overview of the provisions of the National Planning Policy Framework which are of relevance to neighbourhood planning and the proposals. It also provides an overview of housing needs in Oxfordshire and the cross boundary growth/duty to cooperate issues that this raises.
- 1.12 Also in section 3, we consider the emerging South Oxfordshire Local Plan, including the detailed proposals in respect of the site.
- 1.13 In section 4 we introduce and explain the University's proposals for the redevelopment of the site. The proposals formed the basis of a public consultation exercise that was recently held at the Campus site and which was well attended by members of the public and other interested parties.
- 1.14 In section 5 we provide an overview of the neighbourhood planning process including, in particular, consideration of the scope and juxtaposition of a neighbourhood plan in the wider development plan context. Also in section 5, we consider the provisions of the draft Wheatley Neighbourhood Plan.
- 1.15 In section 6 we provide commentary on the provisions of the draft Wheatley Neighbourhood Plan.
- 1.16 In section 7 we offer our conclusions.

2. The Wheatley Campus and the University's Estates Strategy

Site Location and Description

- 2.1 The campus site covers a total area of approximately 21.3 hectares (52.7 acres). The extent of the site is shown on the plan attached at **Appendix 1**.
- 2.2 The site is immediately to the north of the A40, which links Headington, on the eastern side of Oxford, with the M40. The western edge of the site is approximately 3km from the eastern edge of the urban area of Oxford (Headington to the north and Cowley to the south). To the north, the site is bounded by an agricultural field, beyond which is the village of Holton. To the east the site is bounded by Waterperry Road, beyond which are agricultural fields. The site is bounded to the south by the A40 beyond which is the settlement of Wheatley. Wheatley is a large village with a good range of facilities and amenities including convenience retail, a primary school and other public amenities.
- 2.3 To the west of the site is an education and leisure complex which comprises the Wheatley Park Secondary School and Sixth Form, the John Watson Community Special School and the Park Sports Centre. Improvements to the access into the education and leisure complex were completed recently. This work includes the construction of a road which runs to the western boundary of the Wheatley Campus site.

Site History and Development

- 2.4 A detailed examination of the history of the site has been prepared by the University's Heritage Consultants, Asset Heritage Consulting. A copy of Asset Heritage Consulting's report is appended to the University's representations to the emerging South Oxfordshire Local Plan.
- 2.5 A summary of the historic development of the site is as follows.
- 2.6 Other than the Scheduled Monument (SM) (HER 5723 & SAM 30824) there is no evidence of built development on the site prior to the mid-20th Century.
- 2.7 From the late 12th Century onwards the site was part of a deer park, associated with the Holton Park manor house (to the north-west of the site). The use of the site as part of a deer park ceased and the western part of it was developed to create a US military hospital during World War II.

- 2.8 Aerial photographs taken in August 1943 and April 1946 (Figures 1 and 2), extracted from the Archaeological Desk Based Assessment (prepared by Icknield Archaeology) show that a large number of buildings associated with the military hospital extended across the south western part of what is now the Wheatley Campus site.



Figure 1 Oblique aerial view of southern portion of site taken in 1930s (NMR SP5905/1) ©Historic England Archive (Crawford Collection).



Figure 2 Vertical view of site taken on August 19th 1943 (NMR US/7PH/GP/LOC35) ©Historic England Archive (USAF Photography)

- 2.9 It is understood that the hospital use continued on the site for many years after the end of World War II. The hospital closed fully in the 1960s. Two rows of houses associated with the hospital remain in the central part of the Campus site.
- 2.10 In 1965-66 the eastern part of the site was developed to create the "Lady Spencer Churchill College of Education" (a teacher-training college). This institution merged with Oxford Polytechnic in 1974. The Polytechnic subsequently became Oxford Brookes University. The buildings constructed for the Lady Spencer Churchill College of Education comprise the core of the existing campus site. Several of the original college buildings have been replaced over time and the campus has expanded with the erection of new buildings, hard surfaces and playing pitches.
- 2.11 The site currently comprises four general areas which are characterised as follows:
- Two residential properties and their associated curtilages – located at the eastern end of the site
 - A range of buildings used for the provision of education and for accommodation, located in the eastern half of the site. Most of the buildings were constructed before the 1980s/1990s and they include a 10 storey tower (plus a basement). These buildings are approaching the end of their planned lifespan and are increasingly difficult and expensive to maintain.
 - Two rows of residential properties located within the centre of the site (College Close).
 - Playing pitches and amenity areas. This open space is predominantly on the western side of the site.
- 2.12 Vehicular access into the site is currently taken from Waterperry Road to the east of the site. However, there is a second pedestrian access to the west which links to the road adjacent to the Wheatley Park School, the Park Sports Centre and Holton Playing Fields.
- 2.13 The Wheatley Campus is distant from the University's other campuses in Headington and Harcourt Hill. In view of this, the University currently subsidises a bus service which runs between the two campuses.

Oxford Brookes University's Estate Strategy and Plans to Vacate the Site

- 2.14 Oxford Brooks University currently has approximately 18,000 students on its register. The University's residential and teaching accommodation is split across three Oxford-based campuses. The University has an ongoing aspiration to consolidate its activities. Significant work has already been carried out and is ongoing at the Headington Campus.

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- 2.15 The campus at Wheatley is the furthest away from Oxford City Centre and the University's Headington Campus. The Wheatley Campus has some of the oldest and least fit for purpose accommodation in the entire estate. The University needs to continue to attract high calibre students and staff. This means ensuring that its excellent reputation for teaching and research is matched by a high quality estate. The University knows that the physical environment is an important factor for students when choosing where to study. Seventy seven percent of students say that high quality facilities play a significant role in their university choice. Students and staff at the University also know, from recent experience, the transformative impact of new facilities and buildings. The Abercrombie and John Henry Brookes buildings have significantly enhanced the learning environment, as well as the look and feel, of Headington Campus.
- 2.16 The University is keen to continue to invest in its estate. The University needs to move towards a student-centred, integrated and sustainable campus environment which reinforces the University's identity and guiding principles. In order to achieve this, the Board of Governors has approved a ten year estates investment plan.
- 2.17 The University has more estate than it requires and its condition in many areas is currently well below that of the sector average. As a result, the estates investment plan includes a significant programme of refurbishment activity, some redevelopment projects and the intention to move all teaching, research and support activity from the Wheatley Campus.
- 2.18 The move from, and sale of, the Wheatley Campus will bring about organisational benefits, including more opportunity for interdisciplinary working and a reduction in the size of the overall estate. The latter will bring with it associated financial benefits, saving on reduced cleaning, heating and maintenance costs, meaning that more money can be directly invested in the student and staff experience.
- 2.19 The University will relocate some functions from the Wheatley Campus to Headington in 2017 when refurbished accommodation becomes available there. The University intends to vacate the Wheatley Campus completely by 2021/22. The campus will then no longer be required for any university activities and will be disposed of by the University at the appropriate time.
- 2.20 The University's charitable status means that it has an obligation to achieve "best value" in the disposal of the site. This is likely to involve the redevelopment of the site for housing. The University is committed to pursuing this option.

3. The Prevailing Planning Policy Context

- 3.1 The Neighbourhood Plan, when made, will form part of the “development plan” for the site. The development plan, along with Government policy and guidance, will be the most significant material considerations in the determination of the planning application to redevelop the campus. Accordingly, it is important to consider these elements, beginning with an overview of the Government’s policy, as set out in the National Planning Policy Framework.

The National Planning Policy Framework

- 3.2 The National Planning Policy Framework (“NPPF”) was published on 27 March 2012 and sets out the Government’s guidance on town planning matters.
- 3.3 Underpinning the NPPF, and described as the ‘golden thread’ running through both plan-making and decision-taking, is a presumption in favour of sustainable development with an economic, social and environmental perspective. This reflects the Government’s desire for the planning system to positively and proactively support sustainable economic growth rather than act as an impediment to it.
- 3.4 Paragraph 14 of the NPPF states:

*“At the heart of the framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan making and decision taking.*

*For **plan making**, this means that:*

- *Local Planning Authorities should positively seek opportunities to meet the development need for their area;*
- *Local Plans should objectively assess needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or*
 - *Specific policies in this framework indicate development should be restricted...”*

Neighbourhood Plans

- 3.5 One of the core planning principles established in paragraph 17 of the NPPF, sets out that planning should:

“be plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans

should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency”.

- 3.6 Paragraph 183 establishes that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.
- 3.7 Paragraph 184 states that whilst this provides a powerful set of tools for local people, the ambition should be aligned with the strategic needs and priorities for the wider area. It continues by stating that neighbourhood plans should be in general conformity with the Local Plan, although local planning authorities have a responsibility to clearly set out their strategic policies and ensure an up-to-date Local Plan is in place.
- 3.8 Paragraph 184 goes on to state that neighbourhood plans should reflect local plan policies, and plan positively to support them. In respect of development, neighbourhood plans and orders should not promote less development than set out in the Local Plan, or undermine the strategic policies.
- 3.9 Once a neighbourhood plan has demonstrated general conformity with the strategic policies of the Local Plan and is brought into force, paragraph 185 confirms that the neighbourhood plan takes precedence over non-strategic policies in the Local Plan for that neighbourhood.

Housing Land Supply

- 3.10 The NPPF is deliberately focussed on the delivery of the Government’s core objective of boosting significantly the supply of new homes.
- 3.11 Paragraph 47 of the NPPF states:

“To boost significantly the supply of housing, Local Planning Authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs of the market for affordable housing in the housing market area, as far as is consistent with the policies set out in this framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements, with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land...”*

3.12 Footnote 11 to paragraph 47 establishes that in order to be considered “*deliverable*”, sites should:

“be available now, in a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and, in particular that development of the site is viable.”

3.13 Paragraph 49 establishes that failure to demonstrate a five-year supply of deliverable housing sites means that relevant policies for the supply of housing should not be considered up-to-date such that the presumption in favour of sustainable development, set out at paragraph 14 of the NPPF would apply.

3.14 Paragraph 14 states that for decision-taking “*where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.”*

The Green Belt

3.15 The NPPF confirms that the fundamental aim of Green Belt policy is to; “*prevent urban sprawl by keeping land permanently open;*” and that the essential characteristics of Green Belts are “*their openness and their permanence*”.

3.16 Paragraph 80 of the NPPF identifies the five purposes of the Green Belt, as follows:

- *“to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

3.17 There is a general presumption against inappropriate development in the Green Belt. Paragraph 87 of the NPPF states that:

*“inappropriate development is... harmful to the Green Belt and should not be approved except in **very special circumstances**”* (our emphasis).

3.18 The NPPF makes it clear that ‘very special circumstances’ will not exist unless: “*the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*”.

3.19 Paragraph 89 relates to the construction of new buildings in the Green Belt as inappropriate, except in certain circumstances. This includes the:

“partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt”.

3.20 Paragraph 83 of the NPPF confirms that Green Belt boundaries should only be altered in “exceptional circumstances” through the preparation or review of a Local Plan.

3.21 Paragraph 84 of the NPPF goes onto state that when reviewing Green Belt boundaries LPAs should take account of the need to promote sustainable patterns of development.

3.22 Paragraph 85 of the NPPF requires that when defining Green Belt boundaries LPAs should:

- *“ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
- *not include land which it is **unnecessary to keep permanently open**;*
- *where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that **Green Belt boundaries will not need to be altered at the end of the development plan period**; and*
- *define boundaries clearly, using physical features that are **readily recognisable and likely to be permanent.**” (Our emphasis)*

3.23 Green Belt policy is considered in further detail in Section 4 of this document.

Housing Need in Oxford City / Oxfordshire County and South Oxfordshire District

3.24 The City of Oxford has the least affordable housing anywhere in the UK outside London. The boundary of Oxford City Council’s administrative area is drawn tightly around the city and there are limited opportunities to expand within the existing boundaries. This is due to; the absence of undeveloped land; the risk of flooding and the presence of the Green Belt. The housing market area in which Oxford is located covers the whole of Oxfordshire i.e. Oxford City and the four other Councils which surround it, including South Oxfordshire.

3.25 The NPPF obliges Councils to prepare Strategic Housing Market Assessments (SHMA) for their housing market area. Councils must also co-operate in order to ensure that cross boundary growth issues are addressed and that the needs of the housing market area are met. The

“Duty to Co-operate” is a legal requirement, established in the Localism Act of 2011. It is also a test of “soundness” when preparing development plans.

- 3.26 In view of the above, the five Oxfordshire Councils have commissioned the “Oxfordshire Strategic Housing Market Assessment” and have also established the “Oxfordshire Growth Board” with the objective of resolving cross boundary growth issues.
- 3.27 The Oxfordshire Strategic Housing Market Assessment was published, by independent consultants, GL Hearn, in March 2014. The SHMA concludes that across Oxfordshire, there is an identified need for the provision of between 4,678 and 5,328 homes per year over the period 2011 to 2031. This range of growth would achieve three objectives:
- support committed economic growth;
 - support the delivery of affordable housing; and
 - support an improvement in the affordability of housing over time.
- 3.28 The “midpoint” in the annualised housing requirement range identified for South Oxfordshire is 775 dwellings per year. This does not include an element of supply to meet Oxford’s cross boundary growth needs.
- 3.29 Further work carried out by the Oxfordshire Growth Board apportioned the total unmet need for Oxford (a “working figure” of about 15,000 homes has been agreed) to each of the five authorities. The total figure proposed for South Oxfordshire was 4,950 homes to meet Oxford needs in addition to South Oxfordshire’s own requirement. We understand that whilst all other constituent authorities endorsed the proposed apportionment, South Oxfordshire did not.

Emerging South Oxfordshire Local Plan

- 3.30 Representations have been made to the latest draft of the emerging South Oxfordshire Local Plan. A copy of them has been submitted with these neighbourhood plan representations. A summary of the key points of relevance to the University’s site is contained below.

Housing Target and Strategy

- 3.31 The emerging Local Plan states that provision will be made to deliver at least 17,050 new homes, to meet needs arising in South Oxfordshire only during the plan period (Policy STRAT2). This equates to 775 homes per annum, which is at the midpoint of the range identified for South Oxfordshire in the SHMA.
- 3.32 In addition, Policy STRAT3 establishes that provision for around 3,750 new homes will be made to help meet part of Oxford City’s needs. This is 1,200 dwellings short of the figure identified by the Oxfordshire Growth Board. However it represents twenty five percent of the current

working figure for the likely shortfall in Oxford (15,000). In other words, it assumes that the shortfall should be split equally, four ways, between the four authorities which adjoin Oxford.

3.33 In terms of the delivery of the new homes proposed, the emerging Local Plan seeks to focus most new growth in the “heart” of South Oxfordshire. Four strategic housing allocations are proposed, as follows;

- 3,500 homes on undeveloped, Green Belt, land adjacent to the Culham Science Centre;
- 2,100 homes on undeveloped, Green Belt, land at Berinsfield;
- 3,000 homes on previously developed land at Chalgrove Airfield; and
- 300 homes on previously developed land in the Green Belt at the Wheatley Campus site.

3.34 The four allocations are expected to deliver approximately 8,475 new homes during the plan period (up to 2033). This assumes completion of the large strategic allocations.

3.35 We have concerns over whether the three larger allocations will deliver in full before the end of the plan period. Even if they do, they will not make significant contributions until later in the plan period. This presents a risk to the demonstration and maintenance of a five year supply of housing during each year of the plan period.

3.36 The Local Plan establishes that the “larger villages” (of which Wheatley is one) are expected to deliver a minimum of 1,122 homes towards the overall housing target. The Local Plan devolves the responsibility for the delivery of these new homes to Neighbourhood Plans. The Council acknowledges that this is an innovative approach and that a Planning Inspector must be convinced of its merits at the forthcoming Local Plan examination.

Proposed Policies in Respect of OBU's Wheatley Campus

3.37 Policy STRAT10 – “Land at Wheatley Campus, Oxford Brookes University” refers specifically to the site and confirms that it is a proposed strategic allocation. Nevertheless, neither the policy, nor other policies propose that the site should be removed from the Green Belt.

3.38 The policy confirms that the total area of the campus is 22 hectares and states that of this, the “existing development footprint” covers 12 hectares. The notes that accompany the policy do not explain how the development footprint figure has been derived.

3.39 The main text of the policy is reproduced below.

“Policy STRAT10 – Land at Wheatley Campus

Land at Wheatley Campus will be developed to deliver approximately 300 new homes. Proposals to develop land at Wheatley Campus will be expected to deliver:

- i. A scheme of appropriate scale and layout in a form that respects the listed building and its setting*
- ii. A layout and form which provides an appropriate buffer to protect the scheduled monument*
- iii. The retention of existing sports pitches in the north west of the site*
- iv. High quality public transport facilities and connections within and adjacent to the site*
- v. Investigation and mitigation by the developer of any contamination within the site through agreed remediation techniques*
- vi. A noise assessment including noise during construction and insulation of the development*
- vii. Appropriate vehicular, cycle and pedestrian access including safe and attractive connections with nearby communities*
- viii. Appropriate landscaping, including buffers along the A40 and an integrated network of green infrastructure*

3.40 The University supports most of the provisions of the proposed policy listed above, including i), ii), iv), v), vi), vii) and viii).

3.41 The proposals map that accompanies the emerging Local Plan confirms that the proposed residential allocation applies to the whole of the Wheatley Campus site, see figure 5 on page 24 of this report.

4. The University's Proposals

4.1 GVA is currently preparing an outline planning application for the redevelopment of the Wheatley Campus.

4.2 A summary of the proposals is as follows:

- Up to 600 dwellings, of which up to 240 would be affordable (40%).
- Range of dwellings including terraced, semi-detached, and detached houses and apartments (up to 3 storeys).
- Affordable housing will include units suitable for individuals, couples, families, and senior citizens, with both social and low-cost housing.
- Appropriate parking provision for each type of dwelling.
- Retain and enhance green infrastructure provision including improvements to wildlife habitats, native tree planting, improvements to existing ponds, creation of wildflower meadows, and sustainable urban drainage systems.
- Improvements to pedestrian and cycling infrastructure within and beyond the site, including improved links to Wheatley village.
- Provision of a secondary vehicular access to the west of the site, enabling direct access to the A40 via Holton Turn, reducing the need to travel through Wheatley village.
- Provision of sports facilities. Advice of Sport England and local stakeholders will inform community sports provision. Facilities could include a cricket pitch, football pitch(es), and tennis courts.
- Financial contributions (Section 106 funding) to local infrastructure. This funding will contribute towards the enhancement and increased capacity of existing community facilities which could include education, healthcare and transport network.

4.3 The proposals are in compliance with the emerging policy STRAT10 in South Oxfordshire Local Plan in all respects except for the total number of dwellings proposed. In summary the proposals for up to 600 dwellings:

- i. Respect the listed building (Old House to the west of the site) and its setting
- ii. Provide an appropriate buffer to the Scheduled Monument

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- iii. Enable the retention of existing sports pitches in the north west
 - iv. Could support the provision of high quality public transport facilities
 - v. Will address any requirements for mitigation of contamination through the appropriate processes
 - vi. A noise assessment has been undertaken and recommendations for mitigation incorporated into the design process
 - vii. Provide appropriate vehicular, cycle and pedestrian accesses, including identification of opportunities to improve the connections with nearby communities
 - viii. Incorporates appropriate landscaping across the site, and includes buffers along the A40 and an interconnected green network across the site.
- 4.4 Where the proposals currently differ from the emerging policy is the number of dwellings proposed. In the draft Local Plan, reference is made to 'approximately 300 homes'. The representations submitted to the emerging Local Plan demonstrate that the site has the potential to accommodate significantly more than this, without causing "*greater impact on the openness of the Green Belt*" (paragraph 89 of the NPPF) than the existing harm to openness caused by the tower and other large scale buildings on the site.
- 4.5 It should also be noted that the Local Plan does not limit new built development on the site to the footprint of the existing built development only.
- 4.6 A public consultation event was held recently, with invitations sent to residents of Holton and Wheatley, as well as Oxford Brookes University staff and a range of key stakeholders including District and Parish Councillors. This provided an opportunity to canvas a wider range of opinions and demonstrated that there is general support for the residential-led redevelopment of the site. A feedback form was prepared for the event, and the University is welcoming responses until the 4 July. Accordingly the outcomes of the consultation exercise cannot be drawn until after that time.

5. Neighbourhood Planning and the Draft Wheatley Neighbourhood Plan

5.1 "Neighbourhood Planning" was introduced by the Coalition Government through the Localism Act 2011, with the objective of giving communities a greater say in the development of their local area. Communities are empowered to draw up a Neighbourhood Plan for their area to influence the future of the places where they live and work. The general regulations governing neighbourhood planning (Neighbourhood Planning (General) Regulations 2012 (as amended)) and the regulations on the referendum stage (Neighbourhood Planning (Referendums) Regulations 2012 (as amended)) came into effect in April 2012 and August 2012 respectively.

5.2 In respect of Neighbourhood Planning the National Planning Practice Guidance (NPPG) states that:

"Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead."

5.3 The key stages in the Neighbourhood Planning process can be summarised as follows:

1. **Designating a neighbourhood area** and if appropriate a neighbourhood forum (Parish Council/ Neighbourhood Forum). This defines the geographical extent of the Neighbourhood Plan area;
2. **Preparing a draft neighbourhood plan:-**
 - a. gathering baseline information and evidence
 - b. engaging and consulting with those living and working in the neighbourhood area and those with an interest in or affected by the proposals (e.g. service providers);
 - c. engaging with landowners and developers;
 - d. identifying and assessing options;
 - e. determining whether a plan is likely to have significant environmental effects; and
 - f. preparing a "proposals" document;

3. **Pre-submission consultation (the stage reached by the WNP);**
4. **Submission** of a neighbourhood plan to the local planning authority (LPA);
 - a. LPA checks that the plan complies with all relevant legislation;
 - b. If the plan meets the relevant legal requirements the LPA publicises the plan for a minimum of 6 weeks, invites representations and appoints an independent examiner;
5. Independent **Examination** of the plan against the basic conditions; and
6. **Referendum** where people living in the neighbourhood, who are registered to vote in local elections, will be entitled to vote in the referendum. If more than 50% of people voting in the referendum support the plan, then the neighbourhood plan will be 'made' and will form part of the Development Plan for the area.

5.4 In order for a draft neighbourhood plan to reach the referendum stage it must meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are as follows

- to have regard to national policies (e.g. to significantly boost the supply of housing and to be positively prepared) and advice contained in guidance issued by the Secretary of State;
- to contribute to the achievement of sustainable development;
- to be in general conformity with the strategic policies in the development plan for the area of the authority (or any part of);
- to be compatible with EU obligations; and
- to comply with prescribed conditions and matters.

5.5 The NPPG provides further guidance on how a neighbourhood plan should meet these basic conditions. Of particular note is the basic condition which requires 'general conformity' of the neighbourhood plan with strategic policies in the Development Plan. The NPPG (Paragraph: 074 Reference ID: 41-074-20140306) states that, when considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- *"whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*

- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach".*

5.6 In this case the Wheatley Neighbourhood Plan is being progressed alongside, and potentially ahead of, the District Council's emerging Local Plan. The NPPG (Paragraph: 009 Reference ID: 41-009-20160211) makes it clear that neighbourhood plans can be prepared before, or at the same time as, an LPA is preparing its Local Plan. It also clarifies that whilst a draft neighbourhood plan must be in general conformity with the strategic policies of the development plan in force it is not necessary for a draft neighbourhood plan to be tested against the policies in an emerging Local Plan.

5.7 Nonetheless, the "*reasoning and evidence*" informing the preparation of the Local Plan is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, the Guidance specifically identifies that evidence of up to date housing needs is relevant to the question of whether a housing supply policy in a neighbourhood plan contributes towards the achievement of sustainable development.

5.8 The NPPG recommends that, in this scenario, the neighbourhood plan group (in this case the Wheatley Neighbourhood Plan Committee) and the local planning authority should discuss and aim to agree the relationship between the policies in:

- the emerging neighbourhood plan;
- the emerging Local Plan; and
- the adopted development plan.

5.9 The NPPG states that the LPA should take a proactive and positive approach, working collaboratively with a neighbourhood plan group by sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination. It goes on to state that LPAs should work with neighbourhood plan groups to produce complementary neighbourhood and Local Plans.

5.10 It is important to minimise conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies, to ensure that policies in the neighbourhood plan are not overridden by a new Local Plan. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires the conflict to be resolved by the decision maker "*favouring the policy which is contained in the last document to become part of the development plan.*" Therefore, a neighbourhood plan which is inconsistent with an

emerging Local Plan may become out of date rapidly which would mean that the neighbourhood plan would either need to be reviewed or that it would have limited weight when future planning applications are considered.

The Draft Wheatley Neighbourhood Plan

- 5.11 In December 2015, Wheatley Parish Council applied to South Oxfordshire District Council to become a “Designated Neighbourhood Area”, as required by Section 5 of the Neighbourhood Planning (General) Regulations 2012. SODC subsequently published the designation application and formally designated the neighbourhood area on the 31 March 2016. The approved neighbourhood plan area is shown in figure 3 below.

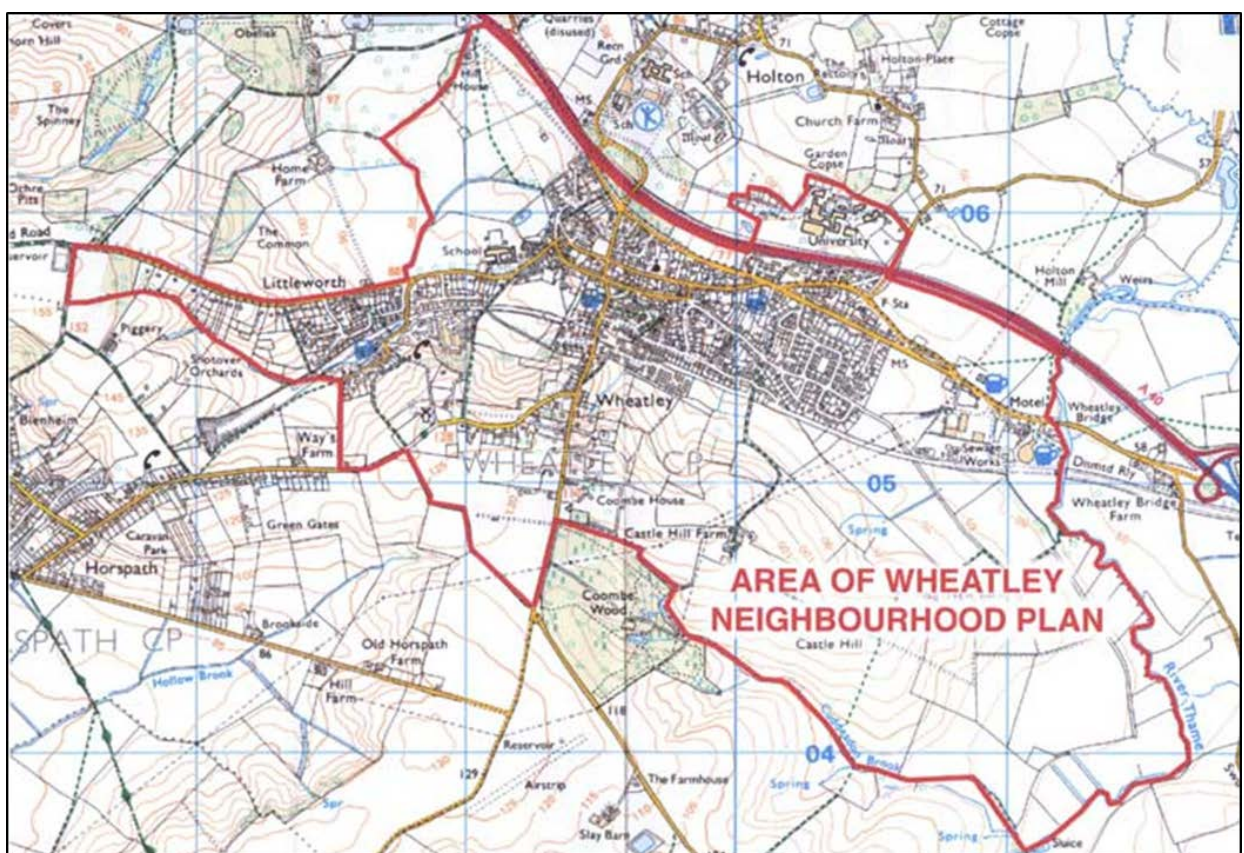


Figure 3 Extent of Wheatley Neighbourhood Plan Area

- 5.12 The designated Neighbourhood Plan area includes all of Wheatley Parish and an area of land in Holton Parish. The area of land in Holton includes what is described as the “existing built up area” (to the east) of the Wheatley Campus but excludes a significant portion of the campus site (to the west).

5.13 The preparation of the Neighbourhood Plan is being led by a Committee, which we understand was formed in January 2016. We understand that the Committee consists of 21 individuals and comprises:

- Parish Councillors from Wheatley and Holton Parish;
- The District Councillor for Wheatley; and
- Members of the public from Wheatley and Holton.

5.14 The draft Wheatley Neighbourhood Plan (WNP) is an aspirational, document which seeks to address existing issues in the village as well as accommodating new housing and employment growth.

5.15 The draft WNP acknowledges the University's plans to vacate the Wheatley campus and to dispose of the site in due course. The WNP supports the redevelopment of the 'existing built up area' of the campus and the removal of the tower which is described as a "*blight on the landscape*".

5.16 The WNP identifies only the 'existing built up area' of the Wheatley Campus as an opportunity to:

- deliver all of Wheatley's traditional housing needs;
- relocate existing, and deliver more, employment opportunities and businesses within the village, potentially through the re-use of existing buildings on the Wheatley Campus, and hence allow vacated sites to be redeveloped for housing and other uses;
- provide new and improved connections with and accessibility to facilities in the village;
- relieve existing traffic congestion on London Road by re-routing some traffic through the redeveloped campus site;
- create new community facilities;
- retain sports facilities; and
- potentially deliver 0.3 hectares of land for burials.

5.17 The draft WNP confirms that the SODC Local Plan Second Preferred Options indicates that Wheatley is allocated "*at least 300 homes*" as part of a housing development on the former Oxford Brookes University campus. The draft WNP policy H1 identifies two proposed housing allocations:

- WHE18 - The Railway Inn and BT Exchange - Housing for the elderly and public parking - 0.53 Ha; and
- **WHE25 - OBU – built form - Housing with mixed use - 12.11Ha.**

5.18 Policy SP2 WHE25, which relates specifically to the 'existing built up area' of the Wheatley Campus, proposes a list of requirements and criteria for the redevelopment of the site. It does not specifically identify the number of dwellings that the site is expected to deliver. The policy also contemplates the potential retention of some of the buildings on site for reuse as commercial and residential premises.

5.19 Policy SP3 "Contingency Sites", considers plots of land on the east of the village and alternative uses for these if they are removed from the Green Belt through the emerging Local Plan. The suggested uses include a mixture of commercial and residential development and a burial site. The broad justification for the removal of the land from the Green Belt and potential development of these 'contingency sites' relates to rationalisation / relocation of existing uses within the village. This would allow the aspirations of the WNP to be delivered if WHE18 and WHE25 don't deliver all of the objectives of the WNP.

6. Commentary on the Provisions of the Draft Wheatley Neighbourhood Plan

- 6.1 The emerging Neighbourhood Plan supports, as a matter of principle, the redevelopment of the campus site for housing. Accordingly, the University supports many of the core objectives of the emerging Neighbourhood Plan. The University has engaged with the Neighbourhood Plan Committee and the current proposals for the redevelopment of the site reflect some of the observations and suggestions made during the engagement process.
- 6.2 Nevertheless, the University is mindful that in order for the WNP to proceed to a referendum it must meet a series of legal requirements and must satisfy the 'basic conditions' set out in previous sections of these representations. We have reviewed the provisions of the draft WNP in the context of these basic conditions. In the paragraphs below we first provide our commentary on the key provisions and matters of principle raised by the draft WNP. We then go on to consider the more detailed provisions of the draft WNP and their compliance with the 'basic conditions' identified in the legislation.

Key Provisions

Geographical Area

- 6.3 The University welcomes the inclusion of part of the campus site within the Neighbourhood Plan area and the allocation of this land for housing. Nonetheless, we have some concerns regarding the geographical extent of the WNP area and the proposed allocation of the campus in the WNP.
- 6.4 The WNP area is drawn tightly around the 'existing built-up area' of the campus. As a result the WNP area and proposed allocation (WHE25) (Figure 4) exclude the western portion of the Wheatley Campus. This means that the provisions of the development plan documents (the SODC Local Plan and the WNP) will apply to the eastern end of the site whereas the provisions of only one development plan will apply to the western end.
- 6.5 Furthermore the two proposed allocations for the site (Policy WHE25 of the emerging WNP and Policy STRAT10 of the SODC Local Plan) cover different geographical areas. The effect of this is that the provisions of the WNP do not apply to proposals for development on the western end of the site.
- 6.6 Therefore, it could reasonably be concluded that the juxtaposition of the two allocations sets up a conflict between the Local Plan and the Neighbourhood Plan. In simple terms, the WNP doesn't reflect the provisions of the Local Plan because it fails to acknowledge that the entire campus site is a proposed allocation for residential development.

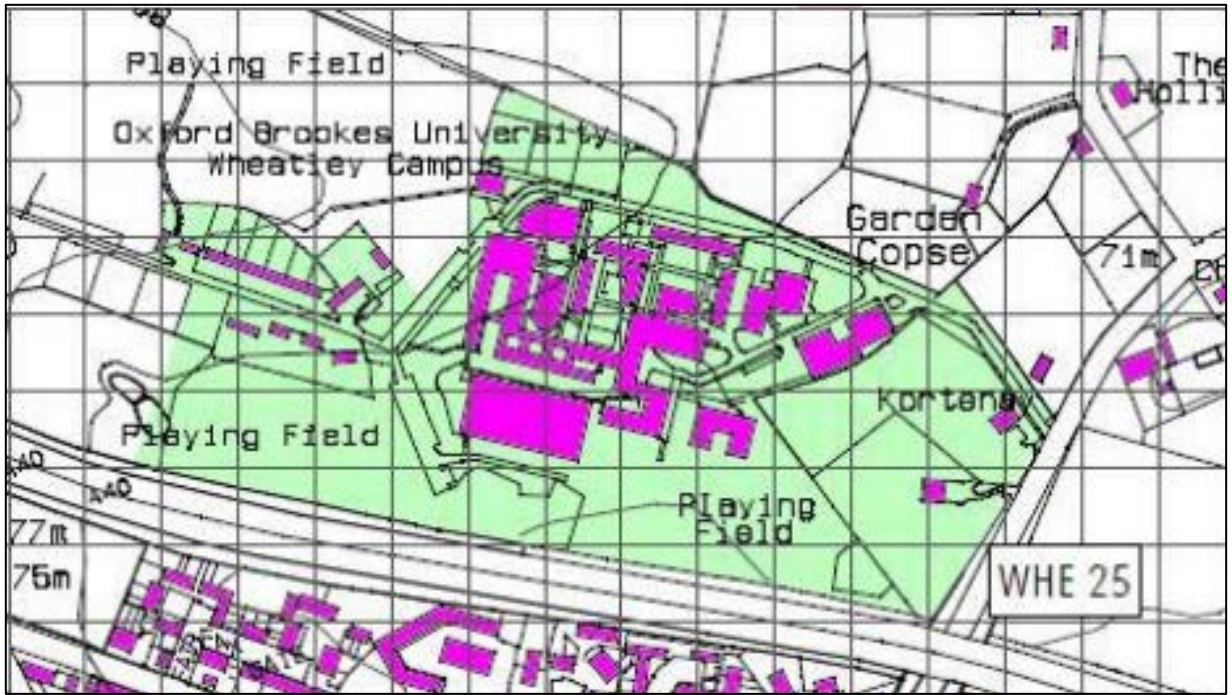


Figure 4. Extract from Draft Wheatley Neighbourhood Plan

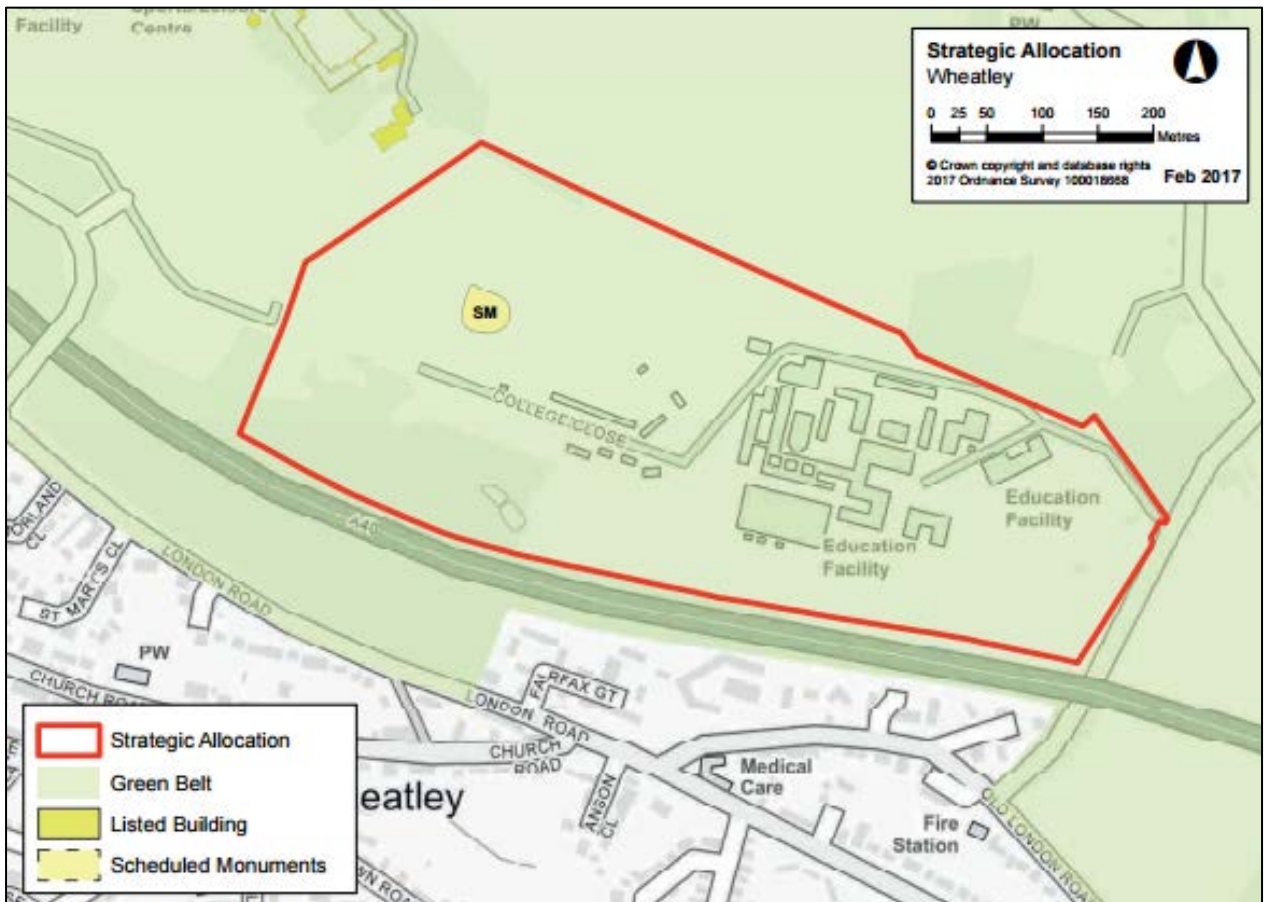


Figure 5. Extract from South Oxfordshire District Council Second Preferred Options Local Plan

6.7 We are concerned that the above situation prevents the WNP from planning positively and recognising the development potential of the whole site, as required by national policy.

- 6.8 GVA has made representations to the emerging SODC Local Plan (a copy of the representations accompanies this document), which demonstrate that the entire Campus could accommodate 550-600 dwellings whilst causing no more harm to the Green Belt than the existing buildings.
- 6.9 We conclude that the construction of between 550 and 600 homes on the site would not be "*inappropriate*", under the terms of the NPPF and 'very special circumstances' would not need to be demonstrated. Moreover, the representations to the emerging Local Plan show that the site could deliver 550-600 dwellings whilst complying with the eight criteria set out in the emerging Local Plan.
- 6.10 There are several references in draft Policy SP2 - WHE25, and its supporting text, to land outside the designated WNP area. These include the following requirements:
- the retention of playing pitches, tennis courts and indoor facilities;
 - the retention and incorporation of biodiversity features along the north and west boundaries of the site;
 - the provision of two access points (i.e. including one point of access from the west of the site outside the allocation boundary) that are linked; and
 - the protection or enhancement of the Scheduled Ancient Monument and its setting.
- 6.11 Unfortunately, as set out above, neighbourhood plans are unable to control the development of land outside of the designated Neighbourhood Area, hence the references carry no weight in the determination of a planning application in the future.

Implications of Policy SP2 - WHE25

- 6.12 Draft policy SP2 WHE25 identifies criteria for the development of site WHE 25 (i.e. the 'existing built up area', eastern end, of the campus). These include the retention of some existing buildings for commercial uses, the retention of playing pitches and tennis courts and the provision of a community hub.
- 6.13 We have reviewed the list of requirements for the redevelopment of the eastern part of the site and have looked at how much land is required to deliver them. We have also considered how much land needs to be discounted from the developable area in order to retain trees and provide sufficient areas of ecological mitigation.
- 6.14 We conclude that in order for the 'existing built up area' of the Wheatley Campus (identified in the draft WNP) to accommodate the minimum of 300 dwellings required by the emerging Local Plan in addition to all of the WNP objectives (set out in draft policy SP2 - WHE25) the

density of residential development on the site would have to be significantly higher than would be expected in a semi-rural area such as this.

- 6.15 As a consequence, the majority of dwellings would need to be apartments with a small number of terraced/ town houses. The mix of dwelling types would not be in accordance with the findings of SODC's Housing Needs Study or the Oxfordshire Strategic Housing Market Assessment, which both identify requirements for three and four bedroom family housing.
- 6.16 Redevelopment of the site in accordance with the current requirements of the draft WNP and addressing existing constraints, would not address the strategic needs and priorities of the area which have emerged from the up to date evidence base of housing need and the reasoning which supports the emerging SODC Local Plan, in accordance with para 184 of NPPF and the NPPG. Therefore, the WNP, as drafted, could fail to contribute to the achievement of sustainable development.

Green Belt Release and Contingency Sites

- 6.17 GVA has made representations to the emerging SODC Local Plan to seek the release of the entirety of the Wheatley Campus site from the Green Belt. The only way that land can be released from the Green Belt is through the preparation or review of a Local Plan. Land cannot be released from the Green Belt through the preparation of a Neighbourhood Plan.
- 6.18 If the WNP is "made" in its current form, and the site is subsequently released from the Green Belt in the Local Plan, either by the District Council or the Inspector, we are concerned that the WNP could become 'out of date' immediately as it would be based on the assumption that the site would remain in the Green Belt and that only the existing 'built up area' of the Campus could be redeveloped.
- 6.19 Policy SP3 of the WNP "Contingency Sites", considers plots of land on the east of the village and alternative uses for these on the assumption that they will be removed from the Green Belt in the emerging Local Plan. The broad justification for the removal of the land from the Green Belt relates to rationalisation / relocation of existing uses within the village if WHE18 and WHE25 cannot achieve the vision and objectives of the WNP.
- 6.20 The latest draft of the emerging SODC Local Plan appears to reflect this aspiration and proposes to release a large area of undeveloped, greenfield land in the east of Wheatley for development. However, it includes no firm proposals for what this land would be used for.
- 6.21 As set out in GVA's representations to the emerging Local Plan, we are concerned that the District Council will struggle to demonstrate 'exceptional circumstances' for the release of the 'greenfield' Green Belt land without having first maximised opportunities to deliver

development on previously developed sites in the Green Belt. This is on the basis that they are contingency sites and essentially 'back-up' options with no firm proposals.

- 6.22 The objectively assessed housing need of South Oxfordshire and the wider housing market area is yet to be debated and resolved through the examination of the emerging SODC Local Plan. This includes the resolution of South Oxfordshire's share of Oxford City's unmet housing need. In preparing its Local Plan SODC has taken a view on the contribution that the District should make to accommodating Oxford City's unmet need. However, this is yet to be tested. It is possible that SODC may need to increase provision in the District to meet a greater proportion of Oxford's housing needs. As a result, there is no certainty regarding the housing needs and level of provision required in South Oxfordshire.
- 6.23 In the context of this and national policy which seeks to "*significantly boost the supply of housing*" it appears illogical to propose the removal of large, undeveloped, parcels of land from the Green Belt, for a range of potential uses, whilst retaining a previously developed site in the Green Belt and allocating it for a limited amount of development.
- 6.24 We conclude that it must also be preferable, in green belt terms, to develop and maximise the capacity of and recognise the development potential of the entirety of a previously developed site in the Green Belt for housing rather than release undeveloped, greenfield land in the Green Belt.

Delivery of Community Aspirations

- 6.25 A public consultation event was recently held at the Wheatley Campus, which invited comments from the community on the University's emerging proposals for the redevelopment of the campus for up to 600 dwellings. The event was well attended and feedback is invited from the community until 4 July 2017.
- 6.26 It was clear from conversations with local people during the consultation event and from the comments forms received that a number of the aspirations of the WNP for the redevelopment of the site received strong support. However, several of these aspirations would only be delivered if the site is developed for up to 600 dwellings.
- 6.27 A scheme which proposed 300 dwellings on the eastern "existing built up area" of the site only would have the following implications for issues raised as significant by members of the community.

Access

- 6.28 The scheme that was recently consulted upon proposed that access would be taken from the east (existing access off Waterperry Road) and from the west (an extension of the existing road). A scheme of 300 houses would be served by the existing, eastern, access off

Waterperry Road, only. At present, approximately 3,000 students and 500 staff are based on the campus. This number of staff and students generates significant traffic movements to and from the site each day. The highways and transportation work that we have carried out to date demonstrates that the existing access could accommodate the traffic generated by 300 homes as it would be comparable with, or less, than existing traffic movements.

- 6.29 As a result, there would be no requirement to create a new access into the site from the west. Only an emergency exit could be delivered from the west and this would satisfy any highways requirements in this regard.
- 6.30 The creation of a second point of access, and hence a route through the site, has been identified by numerous parties as a significant benefit of the development of the site. A vehicular route through the site has the potential to relieve traffic congestion within the village which is highlighted by many as being a significant issue that requires resolution

Sports and Recreation Provision

- 6.31 Compliance with the current provisions of the WNP would require the retention of all of the existing sports pitches on the site. These pitches could then be made available for the use of the residents the scheme (300 houses only) and the rest of the village. Retention of all existing facilities would be a significant over provision of sports and recreation facilities for the number of dwellings/residents proposed. We have investigated the use of existing pitches by the community and conclude that it is limited to the existing cricket pitch, small artificial grass pitches and tennis courts only. There is currently no public use of any of the other pitches on the site. This has been for many years, despite the availability of the pitches for community use.
- 6.32 Accordingly, the sports and recreation package delivered by a scheme of 300 houses would involve the retention of existing pitches and facilities only.
- 6.33 We are aware of existing sports facilities in Wheatley (the Holton Playing Fields) and of the aspirations of the Trust which runs it to improve those facilities. The Playing Fields Trust has developed a business plan that has been published on its website, which identifies numerous aspirations for the improvement of existing facilities.
- 6.34 We have spoken to the Trustees of Holton Playing Fields and are looking to engage them in discussions about sports and recreation uses in the village generally. These discussions are likely to progress on the basis that the site would be redeveloped for up to 600 houses; hence there is an opportunity to make financial and other contributions towards the enhancement of existing sports facilities in the village and assist in achieving a number of the objectives of

the Trust's business plan. This is in contrast to schemes for 300 houses which would generate no such obligation to do so.

Affordable Housing

- 6.35 The 600 house scheme contemplated proposes 40% affordable housing which equates to approximately 240 units. The scheme for 300 houses would deliver a maximum of half the number of affordable houses (120). However, there are significant development costs associated with the re-development of the eastern part of the site, not least the cost of demolishing the existing tower and buildings. These costs have the potential to influence the viability of redevelopment on the eastern part of the site and hence it may be necessary to seek a reduction in the number of affordable homes in order to maintain viability.

Public Transport

- 6.36 At present the University subsidises a bus service which runs between Wheatley and Oxford. The service is used by members of the public as well as by staff and students. The University acknowledges that it will need to make provision for bus services in the area in support of its proposals. However, such a contribution must be commensurate with a scale of development proposed. Accordingly, a 300 house scheme would inevitably deliver a lower contribution toward the provision of bus services than a larger scheme.

Pedestrian Foot/Cycle Bridge

- 6.37 Various attendees at the public consultation event identified an aspiration to create a pedestrian/cycle link between Wheatley village and the campus site. The link would span the A40 and would potentially allow more direct access from the campus site to some parts of the village. However, it would not, for example, shorten pedestrian/cycle journey times from the campus to the primary school.
- 6.38 In contrast, the construction of a pedestrian / cycle bridge would significantly reduce pedestrian and cycle journey times between the eastern half of the village and the secondary schools, other schools and sports facilities on the northern side of the A40.
- 6.39 We conclude that there is no justification for the construction of a bridge to ensure the sustainability of the campus site for residential use. This is evidenced by the fact that the proposed allocation for residential development on the site in the emerging Local Plan makes no reference to a pedestrian bridge.
- 6.40 Nevertheless, if the District or County Council was to promote a pedestrian/cycle bridge over the A40, in an exercise separate from a planning application for the redevelopment of the campus, the University would have no objection to this as a matter of principle. Furthermore,

the University could possibly be required to make a contribution towards the cost of the bridge. Such a contribution would be commensurate with the number of dwellings delivered on its land and the benefit derived from the bridge. Clearly, a contribution from a site delivering 600 dwellings would be greater than for 300 dwellings.

- 6.41 In summary, we are concerned that the requirement to provide 300 homes on the eastern side of the site only would prevent the delivery of various facilities which the community has expressed a strong interest in.

Other Detailed Provisions

- 6.42 In addition to the overarching matters of principle considered above we have a number of comments on other, more, detailed provisions of the WNP.
- 6.43 **Objective S1103** of the WNP states that leisure facilities used by residents of the villages on the OBU site but outside the Neighbourhood Area should be preserved. As set out in earlier paragraphs, a Neighbourhood Plan should not include any proposals or policies relating to land outside the defined Neighbourhood Area.
- 6.44 **Policy H1** identifies the Wheatley Campus as a site where housing development would be supported subject to the site allocations policies in the WNP. The policy identifies the site as WHE25 for 'Housing with mixed use'. The District Council's emerging Local Plan Policy STRAT10 proposes to allocate the site solely for housing and identifies no need for any new employment uses, retail or community uses on the site or within Wheatley more generally.
- 6.45 The supporting text to Policy SP2 - WHE25 suggests that the 'developable area' of the site could support a density of 24dph. The density suggested is below the minimum density of 25 dwellings per hectare which is identified in the emerging Local Plan and adopted Core Strategy. The WNP does not appear to be supported by any evidence to demonstrate why a lower density of housing might be appropriate in this case.
- 6.46 **Policy SP2 – WHE25** proposes a list of requirements or criteria for the redevelopment of the eastern portion of the Campus, within the WNP area. In addition to the points made in earlier paragraphs we have a number of comments on several of these proposed requirements which are set out under the relevant criteria below:

“b) Retention of some of the land/existing buildings for light industrial or SME (Small Business Enterprise) together with adequate parking facilities”

- The above relies on the University's willingness to accommodate re-located businesses on the site and local businesses being willing to re-locate from their existing

premises to the campus. However, the campus is being actively promoted for residential development.

- This is not supported by any evidence to demonstrate the need, market demand, the economic viability and sustainability of such uses at the site.
- The potential retention of some of the buildings on site for reuse as commercial and residential premises is not supported by any commercial or planning due diligence work to demonstrate the suitability/viability of this. This requirement could result in the WNP failing to optimise the development potential of the site.
- The emerging Local Plan does not identify any requirement for 'commercial uses' in Wheatley.
- The requirement for the site to accommodate commercial uses, alongside other uses would compromise the delivery of the amount and mix of housing contemplated in the emerging Local Plan and the needs identified in the District's up to date evidence.

"d) Playing pitches and tennis courts together with indoor changing facilities"

- We are concerned about the lack of evidence to justify this. As set out in the University's representations to the emerging Local Plan, the playing pitches are used predominantly by staff and students from the University, albeit usage is low. Use of the existing pitches by members of the public is also generally low. We are concerned that the retention of all pitches and tennis courts, could be unsustainable or could compromise the viability of existing pitches at the Holton Playing Fields site, which is controlled by Wheatley Playing Fields Trust.
- We are in the process of engaging in pre-application discussions with Sport England, SODC and other local stakeholders in relation to the scope of any on-site and/or off-site sports provision and mitigation which may be required to offset the loss of pitches.

"e) A community hub comprising some retailing and community space (eg day care, transport links)"

- The WNP is not supported by any commercial or planning due diligence work to demonstrate the suitability/viability of this. It is highly unlikely that 300, or even up to 600 dwellings, would be sufficient to support and sustain a new 'community hub'.

- The emerging Local Plan does not identify any requirement for 'community uses' on the Wheatley Campus or in Wheatley more widely.

"f) Incorporates and reinforces or maintains (possibly by land use exchange) the existing landscaping, pitches, green infrastructure, and biodiversity features, particularly along the site's northern and western boundary edges"

- This is more onerous than local and national policy and appears to suggest that all green space and infrastructure should be retained regardless of the circumstances. Local and national policies identify a number of circumstances when development on open space, sports and recreational land and buildings is acceptable.
- This proposed requirement is not supported by any evidence to demonstrate the suitability and viability, therefore, the sustainability of this proposal.
- The retention of all of the existing pitches and tennis courts, for public use only, may be unsustainable or could compromise the viability of existing pitches at the Parish Council's site in the village.
- The Development Framework, prepared by FPCR, and submitted with our representations to the emerging SODC Local Plan clearly demonstrate how a substantial amount of open space, green infrastructure and biodiversity could be incorporated into the scheme.

"g) Ensures that the development has no greater impact on the surrounding environment than the existing development on the site, and that development conserves and where possible utilises existing buildings and enhances the landscape and scenic beauty of the site"

- The terminology used (i.e. the impact of the development on the surrounding environment) is unclear (e.g. whether this is limited solely to landscape impacts or other impacts such as air quality). Furthermore it is not geographically specific and would not, for example, apply to land outside the Neighbourhood Plan area.

“i) Delivers new and improved cycle and pedestrian links (to include a bridge across the A40) public transport accessibility to enhance integration with Wheatley village centre including improved pavements (especially on Church Road and Friday Lane) and pedestrian crossings on roads as necessary”

- There is no evidence that a pedestrian and cycle bridge over the A40 is necessary to make the redevelopment of the campus site acceptable in planning terms. There is no reference to a bridge in emerging Local Plan policy.
- A review of existing walking links from the site into Wheatley Village has been undertaken. This confirms that the site is in an accessible, sustainable, location for residential development. This transportation work has identified some opportunities to improve facilities, including improvements to informal crossing points by providing tactile paving and dropped kerbs and potential aesthetic improvements to the pedestrian route under the A40 to the south-east of the site. However, neither Sweco, the LPA nor the County Council, as Highways Authority, has identified any need for a bridge to be provided across the A40, to support the development of the site, as part of the emerging Local Plan.
- The policy should be clear that any improvements will only be delivered “where/ if necessary” in accordance with local and national policy.

“j) Incorporates a package of highway and junction improvements to ensure that the development is serviced by two access roads that are linked and

- ***as a minimum, has no greater impact on traffic congestion than the existing permitted development on the site at Waterperry Road and Holton Way with measures to be agreed with OCC***
- ***provides improved vehicle management for London Road and Old London Road”***
- This policy is more onerous than local and national policy. The requirement for the scheme to have “no greater impact on traffic congestion” fails to have regard to national policy. This should reflect the tests set out at paragraph 34 of the NPPF which states that development should only be prevented or refused where the residual cumulative impacts of development are “**severe**”. Furthermore, there is no need to provide a second vehicular access from the west, to support a redevelopment scheme of 300 houses contemplated in the emerging Neighbourhood Plan.

“l) Achieves point k through a geological survey to ensure the Ancient Monument is protected and to help inform the design of the site”

- This refers to a ‘geological survey’ being required to ensure the Scheduled Ancient Monument (SAM) is appropriately protected. We assume that this is an error and should refer to an ‘archaeological assessment’. A desk based archaeological assessment of the SAM has already been undertaken by Icknield Archaeology which confirms that, due to past development on the vast majority of the site, with the exception of the SAM, archaeology poses a *“relatively low challenge to the re-development of the site”*.
- We note that the SAM is outside the designated WNP area. The WNP cannot include any policies or proposals relating to land outside the designated Neighbourhood Area.

“o) Provides a detailed brief as to the method of all contamination (in particular, asbestos) removal and disposal from the buildings on the site according to agreed procedures”

- This refers to a method of ‘contamination ... removal and disposal’ being required. We assume that this should refer to a ‘remediation scheme’.
- There is no need for this to be included as a policy requirement in the WNP. This matter is controlled by legislation, national and local planning policy and could more appropriately be dealt with through the use of standard planning conditions attached to any planning permission to require a detailed remediation scheme and demolition method statement to be submitted to and approved by the LPA at an appropriate point in time.

“r) Delivers more employment opportunities”

- In addition to the points set out above in respect of criteria b), we note that, the vacation of the Wheatley Campus and its redevelopment will not result in any job losses, all staff would be redeployed. Therefore, there is no need for new employment opportunities to be provided on the site.
- We note that the development will result in the creation of jobs during the construction phase.

- 6.47 Draft **Policy H2** states that a 'Design Brief' must be produced for each of the allocated sites, *"setting out the principles for development, prior to the submission of a planning application."*
- 6.48 An outline planning application for the site is due to be submitted in late summer 2017. Therefore, an application will be submitted in advance of the adoption of the emerging Local Plan and the WNP being made. The University has consulted and will continue to actively engage with members of the Parish Council and WNP Committee throughout the preparation of the proposals for the site. However, we are concerned about the proposed requirement for the design brief to be agreed with the Parish Councils and SODC prior to submission of an application. This is onerous and could potentially result in the unnecessary delay of and potentially undermine the sustainable redevelopment of the site.
- 6.49 We also note that one of the issues identified for consideration in any Design Brief: *"Removal and disposal of asbestos in accordance with current legislation"*, is not a relevant planning matter.
- 6.50 **Policy SC11** states that there will be *"no net loss of recreational space, educational facilities, high quality sports, leisure, healthcare and social facilities"*. This policy fails to have sufficient regard to paragraph 74 of the NPPF which identifies a number of circumstances in which it might be appropriate for development to take place on land or buildings used for open space, sports and recreation. This policy is also not supported by any evidence of the need for all such facilities to be retained or replaced.
- 6.51 Moreover, as set out above, the playing pitches are used predominantly by staff and students from the University and usage is low. Accordingly, we are concerned that the retention of all of the existing recreational space and reports facilities on site, for public use only, could be unsustainable or could compromise the viability of existing pitches at the Holton Playing Fields in the village. Nonetheless, the draft proposals which have been developed by FPCR show that a significant amount of open space (approximately 4.9 acres) would be provided as part of the scheme which could be used by new and existing residents of Wheatley and Holton.
- 6.52 **Policy B1** relates to burial provision. It states that no new developments will be supported until a suitable site for an additional burial ground is identified and confirmed. This policy could prevent or delay sustainable development in the village and potentially undermine the delivery of much needed housing in the village, if a suitable site for a burial ground is not identified.
- 6.53 It is also not clear whether the Wheatley Campus would be expected to provide burial space. Paragraph 9.45 of the WNP suggests that the OBU site could provide burial space. However, this is not identified at Policy SP2 WHE25. This lack of clarity potentially prevents the WNP from

allowing planning decisions to be made with a high degree of predictability, in accordance with paragraph 17 of the NPPF.

7. Conclusions

- 7.1 The University strongly supports and shares the WNP Committee's view that the campus site presents a significant opportunity for the village. It is recognised by all parties that the site can accommodate new housing growth and that the site is an appropriate, sustainable, location for new dwellings.
- 7.2 The University has engaged with the Neighbourhood Plan Committee and representatives from Holton and Wheatley Parish Council in respect of both the emerging Neighbourhood Plan and the University's proposals for the site. The University has also engaged the local community in the preparation of its planning application.
- 7.3 The University remains committed to continued engagement with the WNP Committee in the preparation of the emerging Neighbourhood Plan.
- 7.4 Despite the University's broad support for the Neighbourhood Planning exercise which is ongoing in Wheatley, it has some concerns over the current form of the Neighbourhood Plan. These concerns are summarised broadly as follows.

The Wider Planning Context

- 7.5 The housing needs of South Oxfordshire and the contribution that the District must make towards Oxford City's unmet housing needs is still to be tested and resolved through the examination of the emerging Local Plan. Nevertheless, it is inevitable that SODC will be obliged to deliver at least 2,500 houses towards Oxford's housing target.
- 7.6 The restricted geographical area of the WNP does not reflect the significant development potential of this previously developed site. Indeed, the WNP is arguably more restrictive than Green Belt policy (because it does not recognise that new buildings can be constructed on any part of a previously developed site providing that there is no additional harm to openness) and is contrary to national policy which seeks to significantly boost the supply of housing and address the strategic needs of the wider area.
- 7.7 Therefore, we conclude that the emerging WNP does not reflect the wider planning policy context and in particular, the significant housing needs of the District and the wider unmet housing needs arising from Oxford City.
- 7.8 The campus site provides an opportunity to deliver a significant number of new homes, early in the plan period, without the inherent delay created by the installation of new infrastructure. This sets it apart from the larger strategic allocations which require the construction of major new infrastructure before large numbers of new dwellings can be delivered.

- 7.9 GVA concludes that the campus site, as a whole, could be developed for up to 600 dwellings without any additional harm to the Green Belt. In the context of the housing needs of the District and wider area it is clear that the potential of this previously developed site should be maximised and the emerging WNP should reflect this.

The Extent of the Neighbourhood Plan Area

- 7.10 The exclusion of approximately half of the Wheatley Campus from the Neighbourhood Plan area raises several issues. Firstly, the Neighbourhood Plan cannot seek to direct or influence development on the western part of the site because to do so would be contrary to the terms under which the Neighbourhood Plan should be prepared.
- 7.11 Perhaps of greater significance is the potential conflict between the provisions of the Neighbourhood Plan and the emerging Local Plan. The Neighbourhood Plan, as drafted, seeks to focus all of the development aspirations for the Wheatley Campus site within the existing built up area of the site. This is at odds with the emerging Local Plan allocation which does not state that new, built, development on the site must be restricted to the existing built up part of it.
- 7.12 In theory, there is no reason why a scheme could not be brought forward which complies with both plans. In simple terms, such proposals would apply one set of criteria to the eastern half of the site and another set of criteria to the western half. However, we maintain that such a situation is unnecessarily complicated, to the detriment of the overall design solution for the site.

Conflict with the Emerging Local Plan

- 7.1 Without Prejudice to the previous paragraphs, we conclude that the proposals for the redevelopment of the site in the emerging Neighbourhood Plan conflict with policy STRAT10 of the emerging SODC Local Plan. This is regardless of the geographical area of the Neighbourhood Plan.
- 7.2 For example, the emerging Local Plan allocation makes no mention of the following:-
- the provision of employment development on the site;
 - the retention of some of the existing buildings on the site;
 - the provision of a shop and/or a community hub;
 - the provision of a second vehicular access into the site from the west; and
 - a pedestrian and cycle bridge over the A40 into the site;
- 7.3 All of the above are requirements of the emerging Neighbourhood Plan.

- 7.4 We conclude that the Neighbourhood Plan proposes the introduction of several provisions which go beyond the scope of the Local Plan and are not justified by robust technical information or evidence base.

Green Belt

- 7.5 The University maintains that all of the campus site falls within the definition of “previously developed land” contained within the NPPF. Full details of this are included in the representations to the emerging SODC Local Plan. This view appears to be supported by the fact that the residential allocation for the site in the emerging SODC Local Plan includes the entire campus.
- 7.6 Green Belt Policy, contained within the NPPF, clarifies beyond doubt that the re-development of previously developed sites in the greenbelt is not “inappropriate” providing that there would be no greater harm to openness than existing. The NPPF refers to redevelopment on “part or all” of previously developed sites in the greenbelt. It does not state that redevelopment should be on existing built up parts of previously developed sites only.
- 7.7 The University maintains that the existing tower and other large buildings on the site have a very significant, negative, impact on the openness of the greenbelt. Accordingly, the University maintains that the removal of these buildings would be a significant benefit to both the openness of the greenbelt and to the landscape character of the area in general. The removal of the tower is specifically referred to as of benefit in the emerging WNP.
- 7.8 We maintain, that it would be inappropriate, in planning terms, to limit all new development on the site to the “previously developed” part of it (i.e. on the eastern side). We have submitted detailed evidence in respect of; volume; landscape impact and the five purposes of designating greenbelt which demonstrate that the 600 house scheme proposed would have no greater harm to the openness of the greenbelt than the existing development.
- 7.9 We appreciate that the Neighbourhood Plan area does not extend beyond what the Committee considers to be the envelope of the “previously developed” area of the site. Nevertheless we maintain that re-providing a similar volume of development on the eastern side of the site only, which by definition would have no greater harm to the openness of the greenbelt, would not be a positive outcome for the village. This is despite the fact that such a proposal would comply fully with greenbelt policy.

Community Aspirations

- 7.10 It is clear from engagement carried out with the local community that the site presents numerous opportunities aside from the delivery of housing. However, the University is

concerned that adherence to a maximum number of 300 dwellings will inevitably remove the opportunity to deliver these benefits.

- 7.11 For example, a 300 house scheme would not need a second vehicular access; would not generate the need to make contributions towards existing sports and recreational facilities in the area; would deliver a limited amount of social and affordable housing and would make a very limited, if any, contribution towards a pedestrian and cycle bridge (if the District or County Council wish to promote a bridge in due course).
- 7.12 Finally, we will continue to engage with the Neighbourhood Plan Committee and welcome the opportunity to discuss these representations, and amendments to future drafts of the document, in due course. At that time we will also be able to present the detailed findings of the community consultation exercise that we have carried out.

GVA

June 2017