

INTRODUCING THE OXFORDSHIRE PLAN 2050

COTSWOLDS CONSERVATION BOARD RESPONSE

25 MARCH 2019



The Cotswolds Conservation Board submitted its response to this consultation via the [Oxfordshire Plan 2050](#) on-line questionnaire.

DISCUSSION POINT 1 – VISION FOR THE OXFORDSHIRE PLAN

DOES THE DRAFT VISION MEET YOUR ASPIRATIONS FOR THE FUTURE OF OXFORDSHIRE?

No.

The Cotswolds Conservation Board ('the Board') supports a number of the aspirations of the draft vision, including:

- *the integrity and richness of the county's historic character and natural environment are valued and conserved;*
- *healthy lifestyles and sustainable travel options;*
- *resilient to climate change;*
- *the wellbeing of residents and workers is enhanced.*

However, the vision has not adequately addressed the following issues:

- Areas of Outstanding Natural Beauty (AONBs);
- biodiversity;
- mitigating the impacts of climate change; and
- affordable housing.

AONBs

The vision does not adequately address the county's three Areas of Outstanding Natural Beauty (AONBs) – Cotswolds, Chilterns and North Wessex Downs - which cover 25% of the county. The AONBs merit explicit reference in the vision for the reasons outlined below.

AONBs are landscapes whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them¹. The National Planning Policy Framework (NPPF) (paragraph 172) gives AONBs – alongside National Parks - the '*highest status of protection*'².

¹ Department for Environment, Food and Rural Affairs (Defra) (2015) *Areas of Outstanding Natural Beauty: Landscape Protection and Enhancement Support Scheme (England) 2015-17*. Application to European Commission.

² NPPF, paragraph 172 (in the context of conserving and enhancing landscape and scenic beauty).

The purpose of AONB designation is to conserve and enhance the natural beauty of the AONB. Public bodies - including local planning authorities (LPAs) – have a statutory duty to have regard to this purpose³. This duty is known as the ‘duty of regard’. The expectation of the duty of regard is that adverse impacts on AONBs will be avoided or mitigated where possible. The guidance relating to the duty of regard includes the following best practice for public bodies:

- consider the duty of regard at several points, including during initial thinking;
- provide written evidence that they have had regard;
- ensure that decisions affecting AONBs are properly considered and recorded in high level policy documents;
- set out actions that they have taken to comply with the duty of regard.

LPAs also have the statutory power to ‘*take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty*’ of AONBs⁴.

These factors all contribute to the fact that the AONBs – and their statutory purpose - should be addressed at all stages and at all levels of the Oxfordshire Plan 2050, including explicit reference in the vision. Given their national significance, AONBs should be distinguished from other landscape issues.

Additional factors that lead to this conclusion include:

- the policies of the NPPF which:
 - exempt AONBs from the;
 - presumption in favour of development being permitted; and
 - the provision of objectively assessed needs⁵;
 - give great weight to conserving and enhancing landscape and scenic beauty in AONBs⁶;
 - limit the scale and extent of development in AONBs⁷;
 - do not permit major development in AONBs⁸.
- the fact that:
 - the AONBs are an important part of what makes Oxfordshire so special and make it a desirable place to live and work;
 - the natural beauty and special qualities of the AONBs are the foundation on which much of Oxfordshire’s tourism industry is based, attracting visitors and supporting jobs.

³ Section 85 of the Countryside and Rights of Way Act 2000.

⁴ Section 84 of the Countryside and Rights of Way Act 2000.

⁵ NPPF, paragraph 11 and footnote 6.

⁶ NPPF, paragraph 172.

⁷ As above.

⁸ NPPF, paragraph 172 (‘...*except in exceptional circumstances and where it can be demonstrated that the development is in the public interest*’). The national and local authority-wide ‘need’ for housing should not be considered as ‘exceptional circumstances’, otherwise the purpose of AONB designation will be completely undermined.

Biodiversity

The significant and ongoing decline in biodiversity – at an international, national and local level – is one of the most importance issues that we face. Wild Oxfordshire’s ‘State of Nature 2017’ report has clearly demonstrated this in an Oxfordshire context. As such, this is an issue that should be explicitly addressed in the vision.

One of the top priorities of the Oxfordshire Plan 2050 should be to halt and reverse this significant and ongoing decline. This should be delivered in line with the principles that were set out in the Lawton Report⁹:

- **Better:** existing wildlife sites¹⁰ should be protected, in line with national policy and guidance, and be brought into good condition through effective management.
- **Bigger:** the size of existing wildlife sites should be increased.
- **More:** more wildlife sites should be created.
- **Joined:** connectivity between wildlife sites should be improved by creating new wildlife corridors and ‘stepping stone’ sites and the provision of green infrastructure (in effect, creating coherent and resilient ecological networks). The pressure on wildlife sits should be reduced by improving the wider environment, including the provision of less intensively managed ‘buffer zones’ around wildlife sites.

In addition, proposals that are likely to have an impact on biodiversity should provide a significant net-gain in biodiversity, particularly with regard to priority species and habitats.

Mitigating the impacts of climate change

The vision currently states that ‘*new developments are ... resilient to climate change*’. Resilience relates to the ability to withstand or recover from climate change – in other words, adapting to climate change. However, it does not relate to mitigating the impacts of climate change. It is essential that the vision addresses mitigation as well as adaptation. Also the resilience to climate change shouldn’t just relate to new development, it should apply to the whole county, including existing development.

Affordable housing

The provision of genuinely affordable housing¹¹ to meet existing needs within Oxfordshire should be one of the top priorities for the Oxfordshire Plan 2050. This is true for the county as a whole, but especially so for the county’s AONBs, where the desirability of living in these outstanding landscapes contributes to inflated house prices and where national planning policy limits the scale and extent of development.

The vision doesn’t currently refer to ‘affordable housing’. Instead it currently states:

- *A wide range of secure and good quality housing options are within reach for all.*

‘*Within reach for all*’ is a very ambiguous phrase and it is not clear if it relates specifically to the affordability of the housing. The vision should be much more explicit about the provision of affordable housing.

⁹ Lawton, J.H., et al (2010) *Making Space for Nature: a review of England’s wildlife sites and ecological network*.

¹⁰ ‘Wildlife sites’ include the hierarchy of nature conservation designations, nature reserves, irreplaceable habitat and other priority habitat.

¹¹ The charity Shelter uses the following definition as a ‘rough guide’ for what constitutes genuinely affordable housing: where the amount that you pay in rent or mortgage is less than 35% of net household income.

ARE THERE ANY CHANGES YOU WOULD LIKE TO SEE TO THE VISION?

The Cotswolds Conservation Board ('the Board') recommends that the following changes are made to the vision.

AONBs

For the reasons outlined above, the following sentence, relating specifically to AONBs, should be added to the vision:

- *The natural beauty of the county's Areas of Outstanding Natural Beauty is conserved and enhanced.*

Biodiversity

For the reasons outlined above, the following sentence, relating specifically to biodiversity, should be added to the vision:

- *Declines in biodiversity have been halted and reversed and wildlife is now thriving.*

Mitigating the impacts of climate change

For the reasons outlined above, the phrase '*... and resilient to climate change*' should be removed from the vision and the following sentence should be added:

- *The county is an exemplar in climate change mitigation and adaptation.*

Affordable housing

For the reasons outlined above, the phrase '*within reach*' should be changed to '*genuinely affordable*'. The full sentence should now read as:

- *A wide range of secure and good quality housing options, which are genuinely affordable for all.*

DISCUSSION POINT 2 – ASPIRATIONS FOR THE OXFORDSHIRE PLAN

DO YOU FEEL WE'VE IDENTIFIED THE RIGHT ASPIRATIONS FOR OXFORDSHIRE?

No.

The Cotswolds Conservation Board is in broad agreement with the aspirations in the consultation document. However, the Board recommends that a number of changes are made to these aspirations, in particular, for Ambition 1 (Protect Environmental Quality).

Ambition 1 (Protect Environmental Quality)

The Board recommends that Ambition 1 should be changed to:

- *Protect, conserve and significantly enhance environmental quality.*

The reasons for this recommendation are outlined below.

Protecting environmental quality is a desirable ambition. However, it is not nearly ambitious enough.

The current wording (i.e. protect) indicates that the ambition is to defend the current environmental quality and, potentially, to prevent this environmental quality being harmed. Whilst this is an essential component in addressing environmental issues, it does not address the fact that many of the county's environmental assets have been degraded or have declined over many decades.

For example, there have been – and continue to be - significant declines in biodiversity at an international, national and local level. Also, the scale and extent of development in the county's three AONBs has degraded the natural beauty and special qualities of these outstanding landscapes.

To address this ongoing degradation of - and significant declines in – environmental quality, it is essential that comprehensive measures are taken to significantly enhance the environmental quality of the county. This should be an integral part of any future development, for example, through the delivery of net-gains for biodiversity.

With regards to the issue of 'net gain' a lot of attention is currently focussing on net-gains for biodiversity. However, one of the aspirations of the Government's 25 Year Environment Plan is to ensure that development delivers wider-reaching environmental net-gains. The Oxfordshire Plan 2050 should seek to deliver these 25 Year Environment Plan aspirations.

WHERE DO YOU THINK THE BALANCE SHOULD LIE IN PRIORITISING THESE ASPIRATIONS?

The Oxfordshire Plan 2050 and associated policies and programmes are currently focused on – and prioritising – growth and development. Whilst some growth and development within the county is probably necessary, having an over-riding focus on these issues is completely inappropriate.

As outlined in paragraph 7 of the National Planning Policy Framework (NPPF), '*the purpose of the planning system is to contribute to the achievement of sustainable development*'. Paragraph 8 of the NPPF expands on this by stating that '*achieving sustainable development means that the planning system has three overarching objectives [economic, social and environmental], which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)*'.

By focussing primarily on '*growth needs*' and '*development ambition*', rather than addressing all three sustainable development objectives equally and in a mutually supportive way, the Oxfordshire Plan 2050 / Joint Strategic Spatial Plan (JSSP) is failing to address the purpose of the planning system and the requirements of the NPPF and is not delivering genuinely sustainable development.

To redress this issue, the 'environmental objective' that is required to deliver sustainable development should feature much more prominently in Oxfordshire's over-arching strategic planning.

In terms of the 'social objective' of sustainable development, the priority should be the provision of genuinely affordable housing, based on robust evidence of existing need.

In terms of the 'economic objective' of sustainable development, a key focus should be to identify ways of building a strong and competitive economy in ways that also help to deliver significant environmental benefits (i.e. mutually supportive).

DISCUSSION POINT 3 – OXFORDSHIRE PLAN OBJECTIVES

DO YOU FEEL THE DRAFT OBJECTIVES ARE APPROPRIATE FOR THE PLAN?

The Cotswolds Conservation Board ('the Board') acknowledges that the draft objectives provide some worthwhile goals for the delivery of the vision and the ambitions. However, the draft objectives try to cram too many issues into too few objectives. In particular, key environmental issues (such as climate change, biodiversity and AONBs) should be addressed by their own, individual objectives.

Further comments on specific objectives are provided in response to the next questions.

ARE THERE ANY CHANGES OR OTHER OBJECTIVES THAT YOU WOULD LIKE TO SEE?

Ambition 1 – Objectives 1 and 2

One of the Board's key concerns relating to Objective 1 and 2 is that these environmental objectives are framed in the context of growth, economic success and investment. Environmental objectives should be valid in their own right and not be reliant on the extent to which they contribute to this growth and economic success. For this reason, the Board recommends that references to growth and economic success should be removed from these objectives, unless these references are framed in such a way that demonstrates how growth and economic success can help to deliver the environmental objectives.

With regards to the issue of cramming too many issues into too few objectives, the Board recommends that, as a minimum, the following issues are addressed by their own, specific objectives:

- **AONBs:** AONBs merit their own objective for the reasons outlined in response to Question 1. The Board recommends that the AONB objective should be as follows:
 - *To conserve and enhance the natural beauty of the county's three Areas of Outstanding Natural Beauty (AONBs).*
- **Biodiversity:** Biodiversity merits its own objective for the reasons outlined in response to Question 1. The Board recommends that the biodiversity objective should be as follows:
 - *To halt and reverse declines in biodiversity by protecting existing biodiversity assets, creating coherent and resilient ecological networks and ensuring that development delivers significant net-gains for biodiversity.*
- **Climate change:** Climate change merits its own objectives for the reasons outlined in response to Question 1. The climate change objective should be as follows:
 - *To mitigate and adapt to the impacts of climate change, such that Oxfordshire is resilient to these impacts..*

Ambition 4 – Objective 7

The Board is pleased to see an objective relating specifically to affordable housing. However, given the variety of definitions for affordable housing, the objective should make it clear that it relates to genuinely¹² affordable housing. The reference to ‘*selected economic aspirations*’ should be moved to a separate objective.

A distinction should be made between meeting current (affordable) housing needs and the (affordable) housing provision that would be required with the proposed levels of growth. The proposed additional housing provision and levels of growth should be dependent on the environmental capacity of the county to accommodate this level of housing and growth. This is particularly true in the AONBs, where housing provision should be based on:

- the capacity of the AONB landscape to accommodate that need; and
- robust evidence of need arising from within the AONBs.

The Board recommends that Objective 7 is changed to:

- To meet the County’s current housing needs, particularly affordable housing.

The Board recommends the following, additional objective:

- To ensure that the delivery of housing provision and growth in Oxfordshire is not at the expense of environmental assets and that it delivers significant environmental net-gains.

SHOULD THEY BE BOLDER? OR MORE SPECIFIC?

Please refer to the Board’s response to the previous two questions under Discussion Point 3.

DISCUSSION POINT 4 – SPATIAL SCENARIOS

DO YOU AGREE WITH THE COMMENTARY RELATING TO THE SPATIAL SCENARIOS ILLUSTRATED, OR DO YOU THINK THERE ARE IMPORTANT CONSIDERATIONS WE HAVE MISSED?

Yes / No.

The Cotswolds Conservation Board would not support any spatial scenario that resulted in major development in the AONBs or which resulted in development having significant adverse impacts on the purpose of AONB designation, including the setting of the AONB.

DO YOU CONSIDER THERE ARE ANY OTHER POTENTIAL SPATIAL SCENARIOS WE SHOULD CONSIDER?

Yes.

The Oxfordshire Plan 2050 should be based on a spatial scenario which explicitly rules out major development in the county’s AONBs and which ensures that development – including development in the setting of the AONBs - will not have significant adverse impacts on the purpose of AONB designation.

¹² See Footnote 11 (re. Shelter’s definition of affordable housing).

ARE THERE ANY SPATIAL SCENARIOS YOU THINK WE SHOULD AVOID (PLEASE PROVIDE REASONS IF YOU CAN)?

Yes.

The Oxfordshire Plan 2050 should avoid spatial scenarios which allow major development in the county's AONBs and / or other development that would have significant adverse impacts on the purpose of AONB designation.

DISCUSSION POINT 5 – INFRASTRUCTURE ISSUES

DO YOU AGREE WITH THE COMMENTARY RELATING TO THE MAIN INFRASTRUCTURE ISSUES?

No.

The Cotswolds Conservation Board ('the Board') supports the provision of sustainable transport options (e.g. options that encourage and facilitate car-free travel) and appropriate forms of renewable energy.

However, the Board is concerned that the 'commentary' does not adequately address the potentially significant adverse impacts of this infrastructure provision on the county's environmental assets, such as the AONBs. Even where new infrastructure, such as new / improved roads and rail schemes, is located outside the AONBs it can still potentially have significant adverse impacts on the natural beauty of the AONBs. For example, the infrastructure might result in increased traffic movements in – and adjacent to – the AONBs, with an associated adverse impact on tranquillity.

The Board is also concerned that the 'commentary' does not address the provision of green infrastructure. This is an essential component of overall infrastructure provision. In many cases there would be scope to integrate 'grey' infrastructure and 'green' infrastructure into the same scheme, for example, through:

- the provision of separate cycle / pedestrian lanes and other recreational facilities;
- enhancing ecological networks;
- the provision of sustainable drainage systems.

ARE THERE ANY CHANGES OR OTHER ISSUES THAT YOU WOULD LIKE TO SEE REFERRED TO?

Yes.

Based in the information provided in the previous question, the Board recommends that infrastructure schemes within the AONBs (or their setting) should take a landscape-led approach whereby they demonstrably contribute to conserving and enhancing the natural beauty of the AONBs.

The Board also recommends that the Oxfordshire Plan 2050 adequately addresses the issue of green infrastructure and leads to significant improvements in green infrastructure provision.