

Annex: Local Plan 2012 update

1. Introduction

1.1 This report updates the Executive on the progress made to complete the Local Plan 2012.

1.2 The report includes an update on:

- a) The Public Consultation held in the Autumn 2012
- b) Additional Evidence received since December 2012
- c) Proposed Plan Changes
- d) An update on Sustainability Appraisal issues
- e) The need for additional consultation on a limited number of issues
- f) The latest timetable for completion of the plan and proceeding to examination.

1.3 The report also includes:

- Appendix A - List of development policies which will apply to all development in Cherwell District.
- Appendix B - List of proposed development sites.
- Appendix C - Local Plan Evidence Base
- Appendix D - Table of Representations received
- Appendix E - Proposed revised maps for Banbury, Bicester and Kidlington

2. Background

2.1 General

2.2 The context for the development of the Local Plan remains set by the national planning system, the Regional Spatial Strategy and the local evidence base.

2.3 The Regional Spatial Strategy (RSS) remains in force unrevoked and is not expected to be revoked until June/July 2013 at the earliest. Until revocation has taken place, the Council has a legal duty to conform to the RSS (as set out in the CALA 3 High Court judgement).

2.4 The planning system was reformed in 2012 with new primary legislation, regulations and the publication of the National Planning Policy Framework. The publication of the Growth and Infrastructure Bill heralds further changes. Many of the changes have complex implications.

2.5 Cherwell District has an out of date Local Plan which needs updating and lacks a 5 year land supply and is therefore exposed to potential development in locations it does not support.

2.6 CDC is required to complete a plan which is 'sound' in terms of current planning guidance, capable of being accepted by the Planning Inspectorate for Examination and not being found wanting in terms of process followed or how evidence supports the proposals made.

2.7 In view of the complexity of some of the issues we are considering from evidence and representations received, we propose some limited refinement

to the Proposed Submission Local Plan consulted upon in August – October 2012.

- 2.8 Some major development site details need to be refined as a consequence of new and emerging evidence. In some cases development management discussions on sites have provided clarifications.
- 2.9 The strategy for the Local Plan has an explicit urban focus, with the proposed growth concentrated at the two towns, as the most sustainable locations capable of absorbing new growth, rather than the villages, the least sustainable locations. However, the Plan allows for a small level of growth in rural parts of the District to meet local needs. The proposed village growth figure is a residual figure based on level of growth at towns but having regard to the need to meet rural housing needs.
- 2.10 The recession is also creating a stronger demand for employment generation which is supported by the proposed plan.

2.11 Public Consultation

- 2.12 The Council has sought to prioritise the production of a Local Plan for Cherwell District and is progressing with a challenging timetable to Plan Adoption. The Proposed Submission Local Plan was publically consulted upon between 29th August 2012 and 10th October 2012. This period included a series of exhibitions, consultation events and a local press briefing.
- 2.13 An update report was presented to District Executive on the 3rd December 2012 which provided an initial overview of the issues arising from the public consultation. The report also present the next steps with regard to the completion of the evidence, an updated Sustainability Appraisal, the legal support that has been engaged, the Local Development Scheme and an updated timetable.
- 2.14 This report seeks to develop the initial summary further by presenting a table of all the individual comments received during the consultation period (**Appendix D**) alongside conclusions on the proposed changes to the Plan. It does not include responses made specifically in relation to the detail of the draft Bicester Masterplan which is a separate document and must be completed in accordance with the Local Plan. Those responses will be reported to the Executive in due course.
- 2.15 *Further Analysis of Representations*
- 2.16 The Local Plan has received a high number of responses from four broad groups; local residents, Town & Parish Councils, infrastructure providers and landowners / developers. In total about 200 organisations and individuals made comment on the Plan (excluding two action groups with multiple signatures), equating to approximately 2000 individual comments / points.
- 2.17 *Local Residents Groups*
- 2.18 Three specific action groups; Hanwell Fields Development Action Group (HFDAG), Bicester (and villages) Against Sham Eco-town (BASE) and Adderbury Conservation Action Group (ACAG) have submitted

representations to the Cherwell Local Plan alongside the Campaign to Protect Rural England (CPRE) a national group.

2.19 *Adderbury Conservation Action Group*

2.20 The ACAG has sought clarification regarding the status of the 'Green Boundaries to Growth' (Policy ESD.15), the status of Adderbury within Policy Villages 1 which the group considers should be a Category A settlement and not subject to excessive growth and highlighted pressures on their local school.

2.21 *Bicester (and villages) Against Sham Eco-town*

BASE are concerned with the rapid expansion of Bicester and in particular the proposed Eco-Town in North West Bicester (Policy Bicester 1). They do not consider Eco-town is viable and therefore undeliverable and that in sufficient public consultation or public meetings have been carried out by the Council. They strongly object to Policy Bicester 1; as the scale of development is over 1,000 acres with a site capacity likely to be near 8,000 homes rather than advertised 5,000 homes given modern density standards.

2.22 They consider there is no requirement to allocate an eco-town if a better way of meeting future needs exists. Surplus MOD land is preferred for residential growth close to railway stations. The South East Plan target is only 5,000 dwellings at Bicester, why have more? Additional car trips will be generated, there is unlikely to be 5,000 new jobs and new shops on the edge will damage town centre.

2.23 The group have also raised concerns at the level of consultation undertaken, the lack of any environmental appraisal, consideration of alternatives or public Inquiry. They note that 100% of development will be on agricultural farm land when alternative sites are available on brownfield land. They believe that this development would harm Bicester and nearby villages, more vehicles on the road and shortfall in school places.

2.24 *Campaign to Protect Rural England*

The CPRE are generally supportive of the overall Vision, Objectives and Strategy of the Plan and in particular the policies that seek the protection of the countryside. Concerns are raised however on the reliance of the South East Plan targets and growth proposed at Bicester. They note the Council's brownfield target is not particularly ambitious. All policies in Chapter B.3 Ensuring Sustainable Development are supported and in particular Policies on Oxford Green Belt and Green Boundaries to Growth. The CPRE generally support the strategy for placed based policies but suggest Shipton-on-Cherwell quarry as a possible site. Further clarification is sought for the limited Kidlington Green Belt review. Other points of issue relate to Infrastructure delivery, monitoring, quality of maps and resourcing.

2.25 *Hanwell Fields Development Action Group*

2.26 The HFDAG is active in the opposition to the allocation of North of Hanwell Fields (Banbury 5) & Southam Road (Banbury 2). The HFDAG submitted two separate letters undersigned by 90 & 60 signatures respectively. The letters of objection seek to de-allocate both sites from the Plan which they consider

are located in unsustainable locations for Banbury's growth, citing the lack of education capacity, limited employment opportunities, traffic, requirement for a health care facility, distance from shops and expected anti-social behaviour as reasons. The group also expresses concerns at proposed development breaching the 'natural' boundary of Dukes Meadow Drive a northern boundary to the town.

2.27 Other issues of concern with Banbury 2 include the high visual impact on local landscape and surrounding properties, increased flood risk and noise pollution, loss of agricultural land, the urbanisation of Banbury and the fact that proposed housing is not located near existing residential development.

2.28 The group has also raised procedural concerns relating to the reliance on the South East Plan numbers, consistency with the NPPF, lack of public consultation and Banbury Masterplan, errors within supporting evidence and inconsistencies with earlier documents. A detailed analysis of other housing numbers and other Banbury sites has also been undertaken.

2.29 *Statutory Consultees and Key Stakeholders*

2.30 The District Council should have due regard to Statutory Consultees and infrastructure providers when preparing its Plans. The 3rd December 2012 update report usefully summaries the views of Oxfordshire County Council & Oxford City Council under the duty to cooperate as well as the three main environmental agencies; English Heritage, Natural England & Environment Agency who must be consulted upon Sustainability Appraisal. This report seeks to expand upon the summary of the Districts Town and Parish Councils as well as key infrastructure providers the Highways Agency, Network Rail, Thames Water and Western Power Distribution.

2.31 *Banbury Town Council*

Banbury Town Council is generally supportive of the Plan but believes that good transport links are essential to growth and would like to see a South East Relief Road as well as the proposed Inner Relief Road seen is vital to capacity issues. The Town Council support a 30% target for affordable housing but highlight applications just below this target. Support Area Renewal (Policy BSC.5), the relocation of Banbury Canalside Gypsy site & concern at the deficiency of Open Space provision in the Town (Policy BSC.10).

2.32 There is strong support of the Green Boundaries to Growth Policy, particularly at Salt Way and Crouch Hill as well as Policies ESD.16-18. The Town Council strongly support development at Banbury Canalside as the main brownfield option for the town although delivery is a concern. Allocation of Hardwick Farm, Southam Road is supported. Concern expressed at the hope value attached to the land between the cemetery and the M40 for Hardwick Hill Cemetery Expansion which they would like to see as a specific allocation. Preference for future greenfield residential development is given to West of Bretch Hill, with concern raised at the extension to Bankside Phase 2 because of traffic congestion. Although respecting the need for further growth the Town Council are apprehensive about proposed development at North of Hanwell Fields.

2.33 Support is given to Banbury 6 – Employment Land West of M40 but concern is raised at its potential for B8 rather than more desirable B1 and B2. Policy Banbury 7 – Strengthening Banbury Town Centre is supported as well as Land at Bolton Road which can be used to create connections with Parsons Street. Support the Spiceball Development Area as a culture quarter for a new library and theatre / Cinema. They would like to see community woodland on the fringe of Banbury.

2.34 *Bicester Town Council*

Bicester Town Council welcomes the production of the Bicester Masterplan and the opportunity it presents to address existing infrastructure deficiencies in the town. Concern is raised regarding inconsistencies between the Bicester Masterplan and the Bicester chapter in the Local Plan. Bicester Town Council also wishes to draw attention to identified need for new allotment land and burial ground extension (Policy 9: Burial Site in Bicester). Strongly support jobs led development but would like to see further employment land allocated in the Local Plan as reflected in the Masterplan, with a general view that employment land should be focused in the South East and residential in the West and North.

2.35 Bicester Town Council would also like to see all residential development contributing towards affordable housing and not just schemes of 10 or more. Support approach to transport provision but would like to see more integration with the Evergreen 3 east to west rail and its electrification including the use of rail freight, although concern is raised at capacity of London Road level crossing. Site specific comments relate to North West Bicester where concern is raised at the timing and provision of services which also apply to Graven Hill and South west Bicester Phase 2. Strong support is given to Bicester Business Park, Policies Bicester 4 – 8 & Policies Bicester 10-12.

2.36 *Kidlington Village Council*

2.37 The Village Council accept the Local Plans principles that housing development at Kidlington should be limited to local needs only within the existing Green Belt however they object to Kidlington being allocated a Category A village. Kidlington is considered to have a larger more complex housing need and the Village Council do not consider the proposed 259 dwellings is based on sufficient evidence of future housing needs. The Village Council argues that the Plan contains an underestimation of the Kidlington population. The Plan should seek a minimum total growth target of 13,400 dwellings reflecting RSS housing figure.

2.38 The Village Council are particularly supportive of the proposed Kidlington Masterplan but would like reassurance that it will include an up to date reassessment of local housing need. Kidlington Village Council have raised concern that site below 10 dwellings will not contribute towards affordable housing requirements and instead recommend that this is reduced to three. Support is given to the extension to the West side of Oxford Road although consider the proposed 2,500sqm threshold for retail impact assessment is set to high. Concern is raised at the miscalculation of existing retail floor space which should show under trading. Welcome the proposed selective Green Belt Review at Langford Lane which will allow for the development of approximately 11.3ha of employment land for high tech industry. Although

would like to see the review opened up to residential development to reflect the jobs created.

- 2.39 The Council would like the Plan to qualify the degree of growth proposed at London Oxford Airport within its existing boundaries. Supportive of proposals for a new train station at Water Eaton Park but would expect review of evidence for Station at new Technology Park and at Lyne Mead in Kidlington.

2.40 *Parish & Ward Councils*

Many of the Districts Parish & Ward Councils have made comment on the Local Plan¹. In general the outlining Parishes to Banbury & Bicester have expressed concerns at the potential impact at growth on the rural setting of adjacent villages, traffic in respect of rat running, capacity issues of school provision and visual impact. The proposed Green Boundaries to Growth (Policy ESD.15) is generally supported in principle although several anomalies have been identified. Bodicote Parish Council has expressed anxiety at the potential for coalescence with Banbury.

- 2.41 Wendlebury Parish Council in particular has concerns regarding the location of the proposed Southern Link Road at Bicester and resultant rat running.
- 2.42 Several of the Parish Councils have expressed concerns at their categorisation within Policy Villages 1 although the smaller villages are generally supportive. Many of the Parish Councils have sought further clarification as to the distribution of housing amongst the grouped settlements as set out in Policy Villages 2 as this is considered unclear. General support is given to the proposed Affordable Housing Policy and threshold of 3 dwellings.
- 2.43 Merton Parish Council have sought exclusion of land from the Green Belt. Bletchington Parish Council are proposing to prepare a Neighbourhood Plan. Some criticisms have been expressed at the CRAITILUS study and the lack of an up to date SHLAA and SHMA. The protection of RAF Bicester for leisure purposes is advocated by Caversfield & Stratton Audley Parish Council.

2.44 **Key Agencies**

2.45 *Environment Agency*

- 2.46 The EA reviewed the updated Level 2 Canalside Strategic Flood Risk Assessment. When they commented on the previous version of the report they raised concerns with a number of fundamental issues in relation to, amongst other things, the functional floodplain and the assessment of flood risk and hazard across a range of flood events. The current version of the report addresses these fundamental issues and they no longer consider that that Policy Banbury 1: Banbury Canalside is unsound.

¹ Adderbury Parish Council, Ambrosden Parish Council, Bucknell Parish Council, Bletchington Parish Council, Bloxham Parish Council, Bodicote Parish Council, Caversfield Parish Council, Chesterton Parish Council, Cropredy Parish Council, Fritwell Parish Council, Finmere Parish Council, Gosford and Water Eaton Parish Council, Launton Parish Council, Milcombe Parish Council, Merton Parish Council, Middleton Stoney Parish Council, South Newington Parish Council, Stoke Lyne Parish Council, Stratton Audley Parish Council, Wendlebury Parish Council, Wroxton & Balscote Parish Council & The Astons and Heyford Ward.

2.47 *Highways Agency*

2.48 In the first instance the Highways Agency would recommend more sustainable measures to reduce the need to travel are explored in the first instance with large infrastructure improvements such as the Bicester South East relief road and Banbury Inner relief road explored as a last resort. They note that it is currently unclear how these projects are to be delivered or what their affect on the Strategic Road Network will be?

2.49 The Plan is also considered not clear about funding or delivery of key transport schemes noted within the document. There is concern that the Infrastructure Delivery Plan (IDP) is only in Draft. The Highways Agency are broadly supportive of Eco-town development (Policy Bicester 1) but have concerns as to the operation of M40 Junctions 9 & 10 when Eco-town is developed. Concern expressed that the Integrated Transport and Land Use Studies for Banbury, Bicester and the rest of Cherwell Rural Areas are out of date. Questions regarding the package of infrastructure measures needed for each study area therefore remaining outstanding.

2.50 The Local Plan should provide clarification as to the operation of M40 J11 and whether the proposed development in the district can be accommodated on the key junction that provides access to Banbury. The Highways Agency are content that M40 Junction 9 can mitigate development at Graven Hill site. Welcome proposed improvements to works and new infrastructure but require update of the transport and land-use study evidence base. Concern that no detail has been provided on the improvements to M40 J9 or mitigation of J10 & J11 in the draft IDP.

2.51 *Utilities*

2.52 *Thames Water*

2.53 Whilst the levels of growth in the Local Plan are not considered to be unmanageable, infrastructure upgrades will be required at Bicester in particular and developers should work with Thames Water to draw up water and drainage strategies. The exact scale and location will be determined once there is a clear phasing plan. Thames Water support the aims of water neutrality at the Bicester Eco-town (Policy Bicester 1) but suggest Policy ESD 6 should include reference to sewer flooding and an acceptance that flooding could occur away from the flood plain as a result of development where off-site infrastructure is not in place ahead of development.

2.54 *Western Power*

2.55 Western Power own a number of strategic electricity distribution circuits in the District and expect developers to contribute to the cost. If needed Western power would normally seek to retain the position of certain electricity circuits. There are considered no restrictions in terms of the position of new development and its overhead lines but advise that these are taken into account

2.56 *Developers / Landowners*

2.57 The development industry is promoting a large number of residential and employment sites on the edges of Banbury and Bicester as major locations

for growth as well as some smaller scale proposals in the rural villages and at Kidlington in the Green Belt.

- 2.58 The development industry in general are supportive of the Plan's strategy to direct most growth towards Banbury and Bicester as the most sustainable locations for growth however some of them have expressed concern at the lack of sustainable growth proposed in some of the villages, particularly with regard to affordable housing provision, infilling, brownfield sites, small scale employment opportunities and support for rural services².
- 2.59 Many of the main developers promoting sites in the District have sought to raise objections to the lack of an up to date SHMA and SHLAA which they consider to be essential pieces of evidence in support of the Local Plan and have criticised the Council for not allowing sufficient public consultation on this evidence, often quoting NPPF paragraph 47 'use the evidence base to ensure that the Local Plan meets the full, objectively assessed needs for market and affordable housing'.
- 2.60 Although there was general support in principle for the retention of the South East RSS housing figures in Cherwell it was still felt by many developers that the Local Plan should still adopt locally derived housing figures.³ The South East Plan is considered to only plan for reasonable levels of housing and not to boost significantly as suggested by the NPPF and the South East Plan evidence is also considered is out of date and based on earlier household projections.
- 2.61 The Local Authority would instead be expected to test higher housing figures related to 2011 Census data and later housing projectors. In short the proposed housing target should be based on; population growth, the economy, military changes, labour force ratio, market factors, housing hold projections / demographics, infrastructure and flexibility.
- 2.62 Several developers also raised viability concerns regarding Affordable Housing Policy (BSC.3), the detailed Infrastructure Needs within the Placed Based Policies and the Renewable Energy Requirements set out under ESD.2-4. The lack of a finalised IDP was also noted as a concern.

3.0 Implications for the proposed Local Plan

- 3.1 As the detailed assessment shows, many contradictory positions were advanced by different respondents, which is not a surprise given the different interests being consulted over levels and locations of growth. The Planning Policy team has considered the points made. Some respondents offered text refinements that can easily be accommodated to achieve greater clarity in the document. Most of the points offered concerned points of detail or individual concern, very few responses challenged the premises on which the Plan has been developed and structured.
- 3.2 Across all of the responses two main themes emerge which we have addressed by considering text changes and showing more clearly how the

² Barton Willmore on behalf of Archstone Land, Kemp & Kemp on Behalf of Berkeley Homes (Oxford and Chiltern) Limited & Framptons on behalf of Mintondale Developments

³ CALA Homes, Woolfbond Planning on behalf of Miller Strategic Homes, Barton Willmore on behalf of Taylor Wimpey UK Ltd Marrons on behalf of Hallam Land Management & Boyer Planning on behalf of Bloor Homes (Western) Ltd

evidence base has informed the content of the plan and the locations for growth.

- 3.3 Some issues raised are effectively early indications of the challenges that CDC will need to be prepared to address at the Plan Examination in 2013.
- 3.4 At Banbury concerns at North of Hanwell Fields, Southam Road, West of Bretch Hill are being considered with the benefit of new landscape evidence which is the process of being finalised. This includes the refined identification of green buffers and where necessary the scope for mitigation.
- 3.5 These responses illustrate the challenge facing Banbury, which is that wherever development is located at the edge of the town there are topographical limits and significant constraints which need to be balanced with the advantages of development in each location.
- 3.6 At Bicester concern relates to the impact of proposed relief road on the village of Wendlebury. The Bicester Movement Study has now considered a full range of route options an alternative route option avoid direct impact on Wendlebury. Although the Local Plan allows for consideration of a proposed relief road, any specific proposals will be pursued outside of the main Local Plan process.

4.0 Additional evidence

- 4.1 A substantial evidence base is nearing completion since the last update report in December 2012 and the following additional studies have either been completed or are at an advanced stage.

Table 1: Evidence Update

Title	Comment
i. SHLAA (Peter Bretts)	Final draft under review. Completion expected end of Feb / early March
ii. Infrastructure Delivery Plan (CIL Knowledge)	Draft received. Part 1 expected completion end of Feb/early March. Part 2 (further cost analysis) to follow. The Infrastructure Delivery Plan, sets out what infrastructure is judged necessary through the plan and on the key development sites.
iii. SHMA Study (Bob Line)	Complete and published
iv. Bicester Masterplan (White Young Green)	Final Draft to follow Local Plan. The Bicester Masterplan sets out details of how the town might develop in an integrated manner. It cannot formally completed and adopted until after the adoption of the Local Plan, as while forming part of the evidence base for the Local Plan in its draft form, to be adopted it needs to conform to the adopted Local Plan, i.e. follow it.
v. Bicester Movement	Complete. The Bicester Movement Study considered the route options for the proposed Relief Road and other

Study (White Young Green)	transport matters facing Bicester as it grows.
vi. Banbury Masterplan (White Young Green)	Draft. The Banbury Masterplan considers the growth of Banbury and provides greater clarity about the role and capacity of the Town Centre sites – Bolton Road, Spiceball and Canalside, though it does not itself allocate sites (the role of the Local Plan), it provides important advice about how development sites might be integrated with the existing town. It will not be formally completed and adopted until after the adoption of the Local plan to ensure it remains in conformity with it. The Masterplan has an important role to play in demonstrating how Canalside can be delivered as a development area, taking full account of the upgrade of the railway line and the opportunity this creates for resolving Bridge Street access.
vii. Banbury Movement Study (White Young Green)	Complete. The Banbury Movement Study considers transport matters facing Banbury as it grows.
viii. Green Buffer Study (LDA)	Draft received. Near completion . The study provides greater clarity over the role and location of the proposed green buffers at each town.
ix. Landscape sensitivity and capacity assessment Bicester & Banbury - update	Draft under review. Near completion by WYG. These studies update the Halcrow study 2010
x. Banbury Environmental / Landscape Study	Draft under review. Considers wider landscape issues at Banbury. Completion by LDA expected soon
xi. Gypsy & Traveller Study	Complete and published. This is a study that examines how the new Plan can meet the needs of Gypsies and Travellers as set out in the NPPF.

Table 2: To be Completed Shortly

Title	Comment
xii. Habitats Regulations Assessment (Stage 1 - Screening) of Proposed	Update to accompany sustainability assessment is due by the start of the proposed additional consultation period.

Submission Local Plan	
xiii. Canalside Viability Study	Tender Docs Issued
xiv. Refresh of Affordable Housing Viability Study	Refresh of 2010 study

Note – Tenders have been issued for the Kidlington Framework Masterplan and its completion will inform the Local Neighbourhoods DPD which follows the completion of the Local Plan

5.0 Proposed Plan Changes

5.1 Arising from the representations received and the additional evidence, the following changes to the Local Plan are proposed for further consideration and testing including where necessary through the Sustainability Appraisal

Theme One

- Make sure it is clear that new business and commercial investment will be supported
- Plan will support University investment as playing a vital role in the strengthening of the economy of the District.
- Introduce greater flexibility of 'B' uses to assist with site promotion.
- Proposal to strengthen the Town Centre is underpinned by a new Retail analysis
- Takes account of rail investment HSLOS, East-west rail and Evergreen three
- Growth at Bicester and associated Movement Study shows need for a relief road. The new WYG options appraisal has considered alternative route options which require further testing and will be developed separately from the Local Plan process.

Theme Two

- Revised policies for housing mix and strong support for community self build.
- Renewal Areas - alignment with 'Brighter Futures for Banbury' programme, initially in wards at Banbury. Gives planning basis for urban regeneration programmes.
- Updated Gypsy and Traveller policy to take account of recently published needs assessment.
- Education policy updated to include new education provision including special schools.

Theme Three

- Guidance on the Energy policies ESD 1-5 has been published to provide guidance on how the plan might be interpreted.
- Green buffers on the edge of Bicester and Banbury to safeguard important gaps and avoid coalescence between town growth and

surrounding villages. Updating of maps accordingly (see appended drafts subject to further testing). Where a green buffer is not shown, protection is provided by the policy against development in the open countryside.

- Oxford Canal is recognised as a major linear connection now has a Conservation Area designation

Bicester

- Reflected on emerging landscape evidence and amended proposed Town Maps to take account of emerging Green Buffer proposals.
- Clarified phasing proposed for Bicester East in context of new information about site deliverability.
- Additional small sites for employment will be identified through Local Neighbourhoods DPD.
- Town Centre - make clear the proposed extension of the town centre is to be confirmed through the work on the Local Neighbourhoods DPD.
- Review phasing of sites in housing trajectory having regard to latest information on deliverability.

Banbury

- Reflected on emerging landscape evidence and testing previous evidence in view of contested sites. Testing assumptions for individual sites. Emerging evidence suggests the need for some site refinement at Banbury which will need to be tested through the Sustainability Appraisal. The town has a choice as to where growth is directed - whether to the south or the north. Banbury Southam Road east side is connected to the employment site. But west of Warwick Road is no longer a reserve site and south of Salt way are not supported in the light of emerging landscape evidence.
- Town Centre - make clear the proposed extension of the town centre is to be confirmed through the work on the Local Neighbourhoods DPD.
- Bolton Road - change to retail plus residential and commercial.
- Spiceball - change to culture, cinema, retail and renewed Mill with improved connectivity to the town centre.
- Canalside – viability study is underway. Development area contains a number of development options including wharfs on canal, use of river. Need for buildings/features marking arrival.
- North of Hanwell Fields – review implications of emerging landscape assessments of edge of Banbury and current planning application for its potential to increase the proposed level of housing growth with appropriate level of mitigation.
- Southam Road – the emerging landscape assessments consider that land to the west of Southam Road has more development challenges than the eastern part of the development area.
- Banbury Movement Study – being published to update the BANITLUS.
- SPDs will follow completion of the Local Plan.
- Town Maps take account of emerging Green Buffer proposals.
- Review phasing of sites in housing trajectory having regard to latest information on deliverability.

Kidlington

- Refer to preparing a Kidlington Framework 'Masterplan' to address the specific issues faced by Kidlington and its green belt constraint.
- Refer to opportunity to strengthen economy of the town by maximising the role of Oxford University and the its strategic location between Bicester and Oxford on the A34, taking advantage of the new transport investment in improved rail links to Oxford and Bicester including a new Water Eaton station. Planning to conduct a limited green belt review at Kidlington to secure additional high value employment growth.

Villages

- The plan limits growth at the villages as they are less sustainable locations than the 2 towns. Housing distribution figures to be updated taking account of latest completions and permissions and to consider the effect of recent planning decisions and appeals.
- Where villages prepare (and complete) a Neighbourhood Plan they will form part of the statutory Development Plan and have considerable weight in guiding limited growth in villages to the location supported by the community.

6.0 Sustainability Appraisal – Update

6.1 The Strategic Environmental Assessment (SEA) Directive requires responses to consultation to be taken into account during the preparation of the plan or programme and before its adoption or submission to a legislative procedure. Consultation on the Sustainability Appraisal took place alongside the Local Plan between 29th August – 10th October 2012.

6.2 CDC received direct responses to the SA from 16 individuals and organisations resulting on 56 comments on the SA. It should also be considered that, comments received only on the Local Plan will ultimately affect the SA too if they result on changes to the Local Plan.

6.3 Organisations responding

- Berrys on behalf of Gleeson Developments Ltd
- Bioscan
- Cropredy Parish Council
- David Lock Associates on behalf of Gallagher Estates
- English Heritage
- Framptons on behalf of Barwood Developments
- HFDAG
- Hives Planning on behalf of Oxford Diocesan Board of Finance / trustees of the Adderbury and Milton Feoffee Charity
- Natural England
- Oxfordshire County Council
- Rapleys LLP

6.4 Individuals responding

- Mr R. Bratt

- Mr. J Colegrave
 - Ms K Jones
 - Ms C Nunn
- 6.5 The Consultation Bodies⁴ for the purposes of the SEA Directive are the Environment Agency, Natural England and English Heritage.
- 6.6 English Heritage main comments relate to the potential effect of development on the historic environment in Bicester; potential harm to Achester Roman Town and the Wretchwick Deserted Medieval Settlement in particular.
- 6.7 Natural England confirmed they did not have any comments to make on the SA report and the Environment only made comments to the Local Plan.
- 6.8 The County Council provided comments on the archaeology and ecology of specific sites.
- 6.9 The main comments from other consultees relate to the following:
- Lack of information on the selection of sites through the progression of the Local Plan and whether the SA process to date has adequately justified the progression/rejection of development sites. The sites questioned were: Salt Way/Wykhams Park Farm (omission site), West of Bretch Hill (Banbury 3), Hardwick Farm/Southam Road (Banbury 2), and North of Hanwell Fields (Banbury 5).
 - Whether the SA demonstrates that the growth proposed for Banbury in the Local Plan is the most appropriate strategy when considered against reasonable alternatives
 - Support for the limited number of dwellings proposed for villages. Future work (through Local Neighbourhoods DPD) should reflect current population, type and mix of housing and materials to reflect village characteristics; and
 - Need for further evidence to assess the sustainability of sites and inform mitigation measures in Banbury due to Banbury's topographical and capacity constraints to growth.
- 6.10 *Potential changes to the Local Plan and its evidence*
- 6.11 Where matters of soundness are raised through consultation on the Local Plan, or materially significant issues arise from new evidence, any proposed changes to the Plan should be appraised and the SA report updated, or a supplementary report produced. Changes that are not significant will not require further sustainability work.
- 6.12 Presently the main identified areas of proposed change in the Local Plan or its evidence which could potentially affect the Sustainability Appraisal are:
- Emerging landscape and environmental evidence affecting the assessment of sites and the identification of sites including Green Buffers;

⁴ Those authorities which, because of their environmental responsibilities, are likely to be concerned by the effects of implementing the plan or programme, and must be consulted on the scope and level of detail of the information to be included in the Environmental Report.

- Latest housing completions and permissions; and
- Changes to town centre policies (Bicester 5 and Banbury 7) and housing mix policy (BSC4).

6.13 However, as a number of pieces of evidence are presently being finalised, a further check for any other necessary changes will need to be made.

6.14 *Potential effect of main issues raised through SA consultation and Local Plan changes*

6.15 At the present time it is considered that the emerging evidence (particularly on landscape), together with the responses to the consultation and updates to baseline information such as housing completions and permissions are likely to have an effect on the appraisal of the sites/policies listed below. Whether this will alter the result of the Sustainability Appraisal and whether other sites/policies will be affected cannot be ascertained until the evidence is finalised and all sites proposed and rejected through the Local Plan process are reassessed.

Sites where the Sustainability Appraisal is likely to be affected	
Sites in the Proposed Submission Local Plan	Sites not in the Proposed Submission Local Plan
Bicester 1 North West Bicester/Eco town (Howes Lane, Lords Lane)	Land West of Warwick Road (BAN 4 in the Draft Core Strategy 2010)
Bicester 8 Bicester Airfield	Way (BAN 4 in Options for Growth 2008)
Bicester 11 North East Bicester Business Park	Wykham Park Farm and South of Salt
Bicester 12 Bicester East	Land west of Bloxham Road (BAN 5 (a) in Options for Growth 2008)
Banbury 1 Banbury Canalside	Land east of the M40 (BAN7 in the Supporting Report to Options for Growth 2008)
Banbury 2 Hardwick Farm/Southam Road	South East of Hanwell (BAN 9 in the Supporting Report to Options for Growth 2008)
Banbury 5 North of Hanwell Fields	South of Thorpe Way (BAN 10 in the Supporting Report to Options for Growth 2008)
Banbury 8 Land at Bolton Road	

6.17 None-site specific policies presently affected by proposed changes arising from new or emerging evidence or consultation responses are ESD 15 Green Boundaries to Growth, Bicester 5 Strengthening Bicester Town Centre, Banbury 7 Strengthening Banbury Town Centre and BSC4 Housing Mix.

6.18 In Sustainability Appraisal terms it is considered that changes to Bicester 5, Banbury 7 and BSC 4 are unlikely to give rise to any significant negative effect and it is unlikely that further assessment will be required.

6.19 The Sustainability appraisal of Plan policy ESD 15 will depend on the outcome of final landscape and environmental evidence.

6.20 *Next steps for the SA*

6.21 The Sustainability Appraisal is currently being updated with an updated baseline evidence and a clearer review of options rejected to date. Policies will be reassessed on the basis of this baseline including sites previously rejected. Alongside this assessment will be an updated Habitats Regulation Assessment.

6.22 The amended Sustainability Appraisal report will be consulted upon alongside the 'focused consultation' on the Local Plan Proposed Submission.

6.23 These new documents will be available from the CDC Website.

7.0 Proposed Additional 'Focused' Consultation

7.1 In preparation for the Examination of the Local Plan, the officers have received advice from Counsel on the final stages of plan completion and the implications of the proposed changes arising from new evidence and representations.

7.2 The Plan must be considered 'sound' at Examination to be adopted by the Council and Counsel's advice is now shaping how we proceed to complete Plan drafting and the next steps we take.

7.3 A number of changes are proposed to the draft Cherwell Local Plan arising from a combination of responses received to the consultation on the plan (Aug – Oct 2012), and some arise from evidence being completed since the plan was consulted upon. Most of the proposed changes are relatively minor, but a small number of policy changes are regarded as *major* and judged by our legal advisers to be '*significant material changes*' to the plan.

7.4 In addition, changes may be required to the site yield on sites following the receipt of additional evidence. The total amount of growth proposed in the Local Plan for the District up to 2031 is not proposed to change and remains 16,750 (RSS compliant) but these changes are again judged to be '*significant material changes*' to the plan.

7.5 At present, 3 necessary major policy changes are proposed for further testing:

- Policy ESD15: Green Boundaries to Growth – The production of additional evidence to define more clearly the purposes and boundaries of the green buffers, a key policy proposal within the 2012 Local Plan draft. Changes are proposed in the interests of maintaining Banbury and Bicester's distinctive identity and setting; protecting the separate identity and setting of neighbouring settlements which surround the two main towns; preventing coalescence and protecting gaps between the two towns and their surrounding settlements; protecting the identity and setting of valued features of landscape and historical importance that are important in shaping the long term planning of the towns; and protecting important views (see draft maps appended).

- Policy BSC4: Housing Mix – arising from the representations received it is proposed to revise the proposed policy to be less rigid as it is impeding site negotiations.
- Policy SLE2: Securing Dynamic Town Centres and Bicester 5: Strengthening Bicester Town Centre – representations had noted that the proposed Local Plan text and maps for strengthening town centres appeared to imply that CDC may be looking to increase by 3 fold the area of the town centre in Bicester. This would diffuse the town centre first policy were it to be an approach that is adopted. It is proposed to make it clear that there is an area of search for expanding the town centre.

7.6 The vast bulk of the Plan is expected to be unchanged, though some minor points of clarification are proposed through out it as ‘minor’ changes. Additionally, potential changes to site yields and will need to be considered in the context of final landscape evidence.

7.7 The proposed changes to strategic housing sites are:

- Bicester 12: East Bicester – Pre-application discussions confirm that the site could be brought forward earlier than originally proposed as a readily deliverable site, with appropriate mitigation.
- Banbury 2: Banbury: Hardwick Farm, Southam Road (East and West) – the emerging landscape assessments consider that land to the west of Southam Road has more development challenges than the eastern part of the development area. It is proposed to retain the overall development boundary but to review the overall amount of development considered on the western part.
- Banbury 5: North of Hanwell Fields – Review implications of landscape assessments of edge of Banbury, and current planning application, for potential to increasing the proposed level of housing growth with appropriate mitigation

7.8 The legal advice we have received is to rerun the Sustainability Appraisal to take account of these proposed and policy and site changes (which has begun by our retained consultants Environ) and re-consult on these few major changes to the Local Plan. This is not a full consultation on the whole Plan and its strategy as conducted in autumn 2012. This additional consultation will also enable those points raised by key Agencies and Stakeholders to be considered and shown to have been addressed prior to the completion of the Local Plan (e.g. new Town Movement Studies which address concerns of the Highways Agency)

7.9 Re-consultation is a regular feature of plan making.

7.10 Proceeding to sign off and submission of the Local Plan without undertaking this additional ‘focused’ consultation would entail a major risk of being judged to be ‘unsound’ at the start of the Plan Examination and not being allowed to proceed, given the findings of our own evidence.

7.11 *The additional ‘focused consultation’*

- 7.12 This will entail public consultation (including with key stakeholders) on a table of changes - the 'focused changes' - together with other minor changes , with an explanation of why they are needed.
- 7.13 A 6 week period of consultation is required, with a period thereafter to compile the responses and report to Executive and Full Council together with the final proposed Local Plan for adoption and submission to the Secretary of State.

8.0 Timetable for Completion

- 8.1 In the light of the legal advice the timetable for completing the Local Plan through to submission is as detailed below:

Date	Issue
4 th March	Executive meeting. Report with Representations & overview of Local Plan change issues.
11-15 th March	Letters out to stakeholders with table of major (and minor) changes on which they are to be consulted upon.
	Revised (updated) Sustainability Appraisal put on to CDC website at start of consultation.
Monday 18 th March – Friday 26 th April	Consultation on Plan changes and Sustainability Appraisal starts and last 6 full weeks
	In this period – 2012 Annual Monitoring Report to be published by CDC.
29 th April 29th – 3 rd May	Compilation of responses received by CDC. Note: Late responses will <i>not</i> be accepted.
3 rd May - 8 th May	Report on consultation will be prepared as annex to report for Full Council on the Local Plan. Preparation of Final Local Plan taking account of consultation responses and Sustainability Appraisal.
15 th May at earliest	Council – Final Plan sign-off and submission to the Secretary of State.
To be agreed with PINs	Commencement of Examination

9.0 Conclusion

- 9.1 The Local Plan is its final stage of preparation. Consultation responses on the Proposed Submission Local Plan August 2012 have been considered by officers and the Council's evidence base is nearly complete.
- 9.2 Consideration of the new evidence and the comments received on the Plan has concluded that a small number of significant changes are required. The clear legal advice received by officers is that these changes need to be

consulted upon alongside an updated Sustainability Appraisal. The SA will consider the effects of the changes and will take into account the final pieces of evidence.

- 9.3 The consultation will be a 'focused consultation' on the significant changes for a 6 week period. Other minor changes will be separately identified. Following the consultation, the representations received will be summarised and the Plan with final amendments will be presented to full Council for formal approval so that it can be submitted to the Secretary of State for Examination.

List of Appendices

- Appendix A - List of development policies which will apply to all development in Cherwell District.
- Appendix B - List of proposed development sites.
- Appendix C - Local Plan Evidence Base
- Appendix D - Table of Representations received
- Appendix E - Proposed revised maps for Banbury, Bicester and Kidlington