

Cherwell District Council

Executive

7 November 2016

Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Need Options Consultation Paper

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek approval of an Options Paper for the Partial Review of Local Plan Part 1 for formal public consultation.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the Oxfordshire Growth Board's decision to apportion 4,400 homes to Cherwell District in the interest of meeting Oxford's agreed unmet housing need.
- 1.2 To approve the Options Paper (Appendix 1) for formal public consultation.
- 1.3 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the Options Paper before formal consultation commences.
- 1.4 To authorise the Head of Strategic Planning and the Economy to produce a summary booklet to support public consultation.

2.0 Introduction

- 2.1 The Cherwell Local Plan Part 1 (July 2015) was adopted on 20 July 2015 which plans for growth to fully meet Cherwell's development needs to 2031.
- 2.2 In the Local Plan (para. B.95), the Council committed to work which seeks to address the unmet objectively assessed housing need from elsewhere in the Oxfordshire Housing Market Area (HMA), particularly from Oxford City. In accordance with the Council's Local Development Scheme (LDS), a Partial Review of the Local Plan is being prepared for that purpose. The Local Plan commits the Council to completing that Review by 20 July 2017 – two years from the date of plan adoption.

- 2.3 A proposed 'Options' consultation paper is presented at Appendix 1 for approval. It follows an Issues Paper that was presented to Members on 4 January 2016 and on which public consultation took place from 29 January to 11 March 2016. This report to the Executive is supported by five appendices. Due to their size, two appendices (nos. 4 & 5) have been placed in the Members' Room and are available on-line.
- 2.4 The requirement for the Partial Review of the Local Plan was considered during the Local Plan Examination in 2014. Having considered the need for housing identified in the Oxfordshire Strategic Housing Market Assessment 2014 (the 'SHMA'), the Government appointed Planning Inspector who examined the 'soundness' of the Cherwell Local Plan Part 1, noted (in paragraph 62 of his report):
- "...It is essential for clarity and soundness that the Council's firm commitment to help meet the needs of Oxford city as part of the countywide housing market area, jointly with other relevant authorities including through the Oxfordshire Growth Board, as well as in respect of the Oxford and Oxfordshire City Deal (2014), is formally recorded in the plan..."*
- 2.5 His Non-Technical Summary states:
- "Add a formal commitment from the Council, together with other relevant Councils, to undertake a joint review of the boundaries of the Oxford Green Belt, once the specific level of help required by the city of Oxford to meet its needs that cannot reasonably be met within its present confines, is fully and accurately defined"*
- 2.6 All of Oxfordshire's rural district Councils, together with the County Council, have accepted that Oxford cannot fully meet its own housing needs principally because the city is a compact, urban area surrounded by designated 'Green Belt'. The six Councils work together cooperatively, on an on-going basis, through what is known as the Oxfordshire Growth Board. The 'Oxfordshire Growth Board' is a Joint Committee under the Local Government Acts 1972 and 2000 and pursuant to the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 2.7 A report, considered by the Oxfordshire Growth Board in November 2014, noted that there was *"general agreement that there is limited capacity within the city to accommodate this number of dwellings and therefore there will be a significant potential shortfall which will need to be provided in neighbouring districts"*. The Oxfordshire Councils collectively committed to consider the extent of Oxford's unmet need and how that need might be sustainably distributed to the neighbouring districts so that this can be tested through their respective Local Plans.
- 2.8 The commitment in the Cherwell Local Plan states (paragraph B.95), *"...If this joint work reveals that Cherwell and other Districts need to meet additional need for Oxford, this will trigger a partial review of the Local Plan, to be completed within two years of adoption, and taking the form of the preparation of a separate Development Plan Document for that part of the unmet need to be accommodated in the Cherwell District..."*
- 2.9 Since November 2014, a joint programme of work has been undertaken by the Oxfordshire Growth Board. This work programme was recently completed for the purpose of apportioning Oxford's unmet housing need. On 26 September 2016, having considered the outputs from that programme, the Oxfordshire Growth Board

decided on an apportionment of approximately 15,000 homes to the district and city councils. Cherwell District has been asked to consider the accommodation of 4,400 homes in addition to its existing Local Plan commitments (some 22,840 homes) by 2031.

- 2.10 The potential accommodation of these 4,400 homes is now being tested through the Council's statutory Local Plan process. Consultation on an Issues Paper earlier this year has provided a foundation for the identification and initial consideration of development options. The purpose of the proposed Options Paper presented at Appendix 1 is to obtain feedback from local communities, the development industry and other stakeholders on these options and on the work that has been undertaken so far. The Options Paper will be used as the basis of public and stakeholder engagement. A summary booklet will be prepared.
- 2.11 The proposed Options Paper is a 'Regulation 18' consultation document (under the the 2012 'Local Planning' regulations). As such it does not set out proposed sites or policies. The production of evidence is continuing, which together with the feedback the Council receives, could lead to the revision of options and/or the development of new options. All evidence, and the outcome of consultation and engagement, will be used to develop a Proposed Partial Review document (Regulation 19) which will include detailed proposals and on which representations will be invited in May and June 2017, following Member approval.

3.0 Report Details

Oxfordshire Growth Board

- 3.1 In November 2014, the Oxfordshire Growth Board agreed a programme of work for addressing the unmet need arising from the Oxfordshire Strategic Housing Market Assessment (SHMA) which would help the Local Planning Authorities meet the Duty to Co-operate whilst protecting the 'sovereignty' of individual Councils over their Local Plans.
- 3.2 The work programme, summarised below, culminated in a decision of the Growth Board on 26 September 2016 to apportion Oxford's unmet housing need to the individual district Councils as follows:

Table 1: Oxfordshire Growth Board Apportionment of Oxford's Unmet Housing Needs	
District	Apportionment - No.of Homes (Net)
Cherwell	4400
Oxford	550
South Oxfordshire	4950
Vale of White Horse	2200
West Oxfordshire	2750
Total	14850

- 3.3 South Oxfordshire District Council did not agree at the Growth Board to the apportionment but engaged fully and cooperatively throughout the process including

in the preparation of the work programme, final report and recommendations to the Board.

3.4 The work programme was supervised by a 'Post-SHMA' Project Team of council officers which reported to the Oxfordshire Growth Board via an 'Executive Officer Group' and which was supported by the Growth Board's Programme Manager. The projects informing the apportionment are set out below.

Oxford Green Belt Study

3.5 Consultants were commissioned by the Oxfordshire Growth Board to assess how parcels and areas of land within the Oxford Green Belt perform against the five purposes of Green Belts, as set out in NPPF:

- 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.

3.6 In commissioning the study, it was made clear that should individual Councils consider that there were 'exceptional circumstances' for making alterations to the existing Green Belt boundaries (the test within the National Planning Policy Framework), these changes, including any allocations of land for development, would be taken forward through the respective Local Plan-making process.

Oxford Spatial Options Assessment

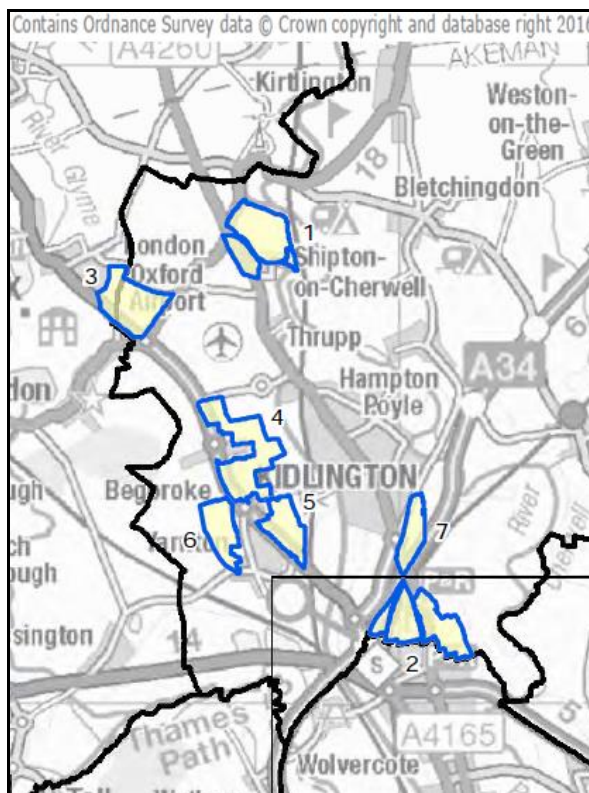
3.7 Consultants were commissioned by the Oxfordshire Growth Board to carry out a Spatial Options Assessment for meeting Oxford's unmet housing need up to 2031. The overall aim was to provide a criteria-based sustainability analysis of the spatial options which could be used as guidance and evidence in determining how the unmet need could best be distributed across the county. Thirty-six options identified by the six Oxfordshire Councils were assessed.

3.8 The sustainability of each option was assessed but the final report does not make specific recommendations about which options should or should not be taken forward as allocated sites. The spatial options were also assessed for their deliverability and viability. Although similar in principle and purpose to a statutory Sustainability Appraisal (SA), the assessment does not constitute a formal appraisal as would be prepared for a Local Plan.

3.9 The spatial options within Cherwell that were considered by the Oxfordshire Growth Board are listed below and their locations shown in an extract from a map within the study:

1.	Shipton-on-Cherwell Quarry	87 hectares
2.	Land North of Oxford	89 hectares
3.	Land at Woodstock	71 hectares
4.	Land at Begbroke	92 hectares
5.	East of Yarnton	43 hectares
6.	West of Yarnton	43 hectares
7.	South East of Kidlington	34 hectares

Figure 1: Extract from Oxford Spatial Options Assessment



High Level Transport Assessment of Spatial Options

- 3.10 A high level assessment of the transport implications of potential development at the 36 assessed spatial options was commissioned. Each spatial option was assessed against a set of transport related measures related to the availability and use of public transport; accessibility to Oxford; traffic conditions and road safety; and proximity to areas where transport investment is expected and where transport investment is needed for other strategic development. This work was also used to help inform the viability component of the Oxford Spatial Options Assessment.

Education Assessment of Spatial Options

- 3.11 The County Council produced a report setting out the findings from a high level assessment of the implications for the provision of primary and secondary school places of the development of the 36 potential spatial options. The report considered existing and projected school capacity, including new schools already planned to support growth allocated in existing and emerging local plans. It examined the location of the spatial options in relation to existing and already planned new capacity, issues impacting on the planning and delivery of new school provision and the assumptions used in assessing the education implications of the spatial options. It records an assessment of the education implications of the spatial options both individually and cumulatively.

Final Apportionment

- 3.12 The apportionment of 4400 homes to Cherwell was based on a conclusion that strategic development could potentially be accommodated in the following three areas:
- Area 2 - immediately to the north of Oxford (to the South of the A34) – 2,200 homes
 - Area 4 - in the vicinity of Begbroke (to the west of Kidlington and north of Yarnton) – 1,650 homes
 - Area 7 - to the south-east of Kidlington (north of the A34) - 550 homes

- 3.13 The report to the Oxfordshire Growth Board notes that the spatial options that underpin the apportionment should only be viewed as an input to the apportionment process rather than an output; that subsequent Local Plan work may bring other sites forward; and, that it is for each of the District Councils through their Local Plans to allocate sites sufficient to meet their share of Oxford's unmet need. It also notes that the housing figures for each spatial option only represent estimates of what might be achievable and that the capacity of sites may change through local assessment.

Draft Memorandum of Co-operation

- 3.14 The apportionment, agreed to by five of the six Oxfordshire councils (and set out in Table 1 above) is being confirmed in a Memorandum of Co-operation which is in the process of being signed by the Leaders of the five authorities. The draft Memorandum, which was presented to the Growth Board on 26 September 2016 and amended to reflect the decision of the Board, is attached to this report at Appendix 2. It includes the following text:

"This apportionment is based upon a common assumed start date of 2021 for the commencement of development after the adoption of the respective Local Plan review or Local Plan update/refresh. This assumption does not preclude earlier delivery, but does recognise the complexity of the issues being considered and has sought to factor in reasonable lead times to enable options to come forward and to be fully considered through the Local Plan process."

The Programme does not identify, propose, recommend or seek to identify, propose or recommend any site or sites for additional housing within any district. Each LPA [Local Planning Authority] will remain responsible for the allocation of housing sites within its own district and through its own Local Plan process."

"The five authorities that form signatories to this Memorandum agree that the figures...represent the agreed apportionment, by district of the agreed level of unmet housing need for Oxford, in order to meet the overall objectively assessed need for additional housing within the Oxfordshire Housing Market Area to 2031."

Partial Review of Local Plan Part 1 – Options Paper

- 3.15 The Spatial Options considered by the Growth Board are among many other options now being considered as part of the statutory process of partially reviewing the adopted Cherwell Local Plan Part 1 (2011-2031). The proposed Options consultation paper presented to Members for approval at Appendix 1 is not a plan but sets out the current options being considered through the Partial Review process.

Proposed Consultation Matters

- 3.16 The Options Paper describes and seeks comments on five key matters:

- 1) *The level of housing we are being asked to accommodate - 4,400 homes*
Whilst the Council now has an identified level of housing that it is being asked to deliver, it is necessary to test whether this scale of additional development would be sustainable and deliverable through the Local Plan process.

2) *Draft vision and objectives*

Having previously consulted on issues, initial thinking on a draft vision and objectives is presented for helping to meet Oxford's unmet housing needs. The draft vision and objectives may evolve as further evidence is produced and in response to consultation on the Options Paper.

3) *'Areas of Search'*

As part of the on-going assessment of options, 'Areas of Search' have been identified across the whole district to help structure the process for determining the most sustainable broad locations for accommodating housing for Oxford. Areas of Search across the whole district have been examined because the draft vision and objectives are not fixed and must continue to be tested. Furthermore, although the housing need arises from Oxford, there exists an Oxfordshire wide housing market area which must be considered. The Options Paper reports on the initial assessment of the Areas of Search which includes consideration of the relationship to Oxford as well as the potential social, economic and environmental effects of additional development on Cherwell.

4) *Potential Strategic Development Sites*

The areas of land that are presently being considered as possible strategic development sites for accommodating housing for Oxford are presented in the Options Paper having regard to our minimum size criterion (two hectares) in order to identify sites that potentially could accommodate at least 100 homes (the strategic site threshold applied in the adopted Local Plan Part 1). The Options Paper includes initial assessment of the potential strategic development sites that lie within the Areas of Search that are presently shown to be most sustainable

The Options Paper seeks comments on all of the sites identified for each Area of Search. They are listed in tables in Section 6 of the Options Paper and location plans are included within the paper at Appendix 1. The sites that are subject of detailed assessment and the assessments themselves may change in response to consultation and further evidence.

5) *Emerging evidence base*

The Options Paper describes the evidence produced so far and the further evidence to follow. It seeks comments on the process officers are engaged with.

3.17 Options and questions are set out throughout the document. There may be other options that need to be considered as work continues and the options identified so far may need revision or refinement.

Feedback on the earlier consultation on issues

3.18 In January 2016, the Council published a consultation paper which highlighted issues requiring consideration in undertaking the Partial Review. Comments and discussion of the issues were invited and a 'call for sites' was made.

3.19 The representations and site submissions received in response to the previous Issues Paper and the wider 'call for sites' have been considered and are now available on-line (www.cherwell.gov.uk/planningpolicy). A Statement of Consultation, which summarises the issues raised and the outcome of workshops held with our Town

and Parish Councils, is presented to Members at Appendix 3. The Statement will be published in support of the Options consultation. An extensive schedule of the comments received in relation to each question is available as Appendix 4 and will also be published in support of the Options consultation.

- 3.20 All comments and submissions have been considered in preparing the Options Paper presented at Appendix 1.

Evidence

- 3.21 The evidence and key documents we have taken into account in preparing the Options Paper is listed within Appendix 6. Preparation of the Options Paper has been supported by an Initial Sustainability Appraisal (Appendix 5 to this report). The evidence list excludes other strategies and data that we are required to consider in preparing the Partial Review and in undertaking a Sustainability Appraisal.
- 3.22 Further evidence that we currently expect to complete or produce is also listed in Appendix 6. Some of the studies listed are already being prepared or are in the process of being commissioned. Other evidence may be required as we consider issues, options and undertake further consultation.
- 3.23 Officers are still preparing evidence and testing options at this 'Regulation 18' stage of this 'Partial Review' having regard to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The consultation responses to, and engagement on, the Options Paper will be an important part of that process.

Next Steps

- 3.24 Upon approval of the Options consultation paper, officers will undertake formal consultation for a period of at least six weeks (some additional time will be accommodated due to the Christmas period). They will continue to engage with stakeholders and, as the evidence base is completed, they will prepare a detailed plan containing a proposed vision, objectives, strategy and policies informed by a completed Sustainability Appraisal. That Proposed Submission document will be presented to Members for approval. Following approval, formal representations will be invited. Those responses will be presented to Members with a Submission Partial Review Document for approval. Upon approval, the Partial Review of the Local Plan will be submitted for examination by a Government appointed Inspector.

Timetable

- 3.25 In summary, the current, revised timetable for completion of the review is shown in Table 5. An updated Local Development Scheme will be presented to Members for approval in 2017.

Table 5: Timetable	
Stage	Dates
Consultation on Issues Paper (Regulation 18)	January - March 2016
Consultation on Options Paper (Regulation 18)	November 2016 - January 2017
Consultation on Proposed Submission Document	May - June 2017

(Regulation 19)	
Submission (Regulation 22)	July 2017
Examination (Regulation 24) (estimated)	July 2017 - March 2018
Adoption (Regulation 26) (estimated)	April 2018

4.0 Conclusion and Reasons for Recommendations

4.1 An Options consultation paper for the Partial Review of the adopted Cherwell Local Plan Part 1 (2011-2031) is presented for approval at Appendix 1. The Options Paper presents alternatives on how Cherwell District might accommodate its 'share' of the unmet housing need arising from Oxford, as apportioned by the Oxfordshire Growth Board. The Options Paper concerns: 1) the level of housing the district is being asked to accommodate; 2) a draft vision and draft objectives; 3) 'areas of search'; 4) potential strategic development sites; and, 5) the emerging evidence base. The Executive's approval of the Options Paper is sought to proceed to public consultation.

5.0 Consultation

5.1 Internal briefing: Councillor Colin Clarke, Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

6.1 To delay the Options Paper to enable further evidence to be considered

A consultation now will provide officers the opportunity to consider whether the options / alternatives identified are reasonable, to acquire further information in testing options/alternatives, and to meet the deadline for Submission for examination (20 July 2017). A delay would make it very difficult to meet the two year review programme that the Council has committed to within paragraph B.95 of the adopted Cherwell Local Plan 2011-2031 (Part 1).

6.2 To reconsider the content of the Options Paper

The Options Paper has been produced having regard to national policy and guidance, the county-wide work for the Oxfordshire Growth Board, public consultation on issues, site submissions, engagement with prescribed bodies, emerging evidence and Local Plan Part 1. It is considered by officers to be an appropriate consultation document.

7.0 Implications

Financial and Resource Implications

There are no direct financial implications arising from this report. The cost of preparing the Partial Review is met from existing resources.

Comments checked by:
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Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

The preparation of the Partial Review is an obligation that arises from the adopted Cherwell Local Plan (2011-2031). The Options Paper has been prepared in accordance with the requirements detailed in the regulations for preparing Local Plans.

Comments checked by:
Nigel Bell, Team Leader – Planning & Litigation, tel. 01295 221687,
Nigel.Bell@Cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision -

Financial Threshold Met - No

Community Impact Threshold Met - Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2016-17 as follows:

- A district of opportunity
- Safe, green, clean
- A thriving community
- Sound budgets and customer focused council

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Options Paper for the Partial Review of the Cherwell Local Plan
Appendix 2	Cherwell District Council, Oxford City Council, Vale of White Horse District Council and West Oxfordshire District Council – Draft Memorandum of Cooperation
Appendix 3	Statement of Consultation (October 2016)
Appendix 4	Schedule of Representation Responses to Partial Review Issues Consultation (January-March 2016) (published on-line)
Appendix 5	Initial Sustainability Appraisal (October 2016) (published on-line)
Appendix 6	Tables of supporting and expected evidence
Background Papers	
Available on-line at http://www.cherwell.gov.uk/index.cfm?articleid=11346 and www.cherwell.gov.uk/planningpolicy	
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