

Cherwell District Council

Executive

6 July 2020

<p style="text-align: center;">Cherwell Local Plan Review: Planning for Cherwell to 2040 - A Community Involvement Paper</p>

Report of Assistant Director – Planning and Development

This report is public

Purpose of report

To seek approval of a community involvement consultation paper for a new district-wide Local Plan Review.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the community involvement consultation paper at Appendix 1 for the purpose of public consultation.
- 1.2 To approve the addendum to the Council's Statement of Community Involvement at Appendix 2 in response to the COVID19 pandemic.
- 1.3 To authorise the Assistant Director – Planning and Development to agree the start date for consultation, and any necessary presentational or other minor changes to the documents prior to commencement, with the Lead Member for Planning.

2.0 Introduction

- 2.1 On 2 March 2020, the Executive approved the latest Local Development Scheme (LDS) - the programme for preparing planning policy documents. The LDS includes the timetable for a district wide Local Plan review:

Commencement	April 2020
District Wide Issues Consultation (Regulation 18)	July - August 2020
District Wide Options Consultation (Regulation 18)	February – March 2021
Consultation on draft Plan (Regulation 18)	October -November 2021
Consultation on Proposed Submission Plan (Regulation 19)	July– August 2022

Submission (Regulation 22)	November 2022
Examination (Regulation 24)	November 2022 – June 2023 (TBC)
Examination Hearings (Regulation 24)	February/March 2023 (TBC)
Receipt and Publication of the Inspector's Report (Regulation 25)	June 2023 (TBC)
Adoption (Regulation 26)	July 2023 (TBC)

2.2 The LDS was prepared having regard to:

- i. a need ensure key planning policies are kept up to date
- ii. a need to replace the remaining saved policies of the 1996 Local Plan
- iii. a statutory requirement to review Local Plans every five years

The last Local Plan was adopted in July 2015 with one policy re-adopted in December 2016. The report of the examination of the Partial Review of the adopted Plan is likely to be received and presented to Members later this summer. The Oxfordshire Plan is a Local Plan and preparation is on-going.

- iv. a new district local plan being a potential mechanism for implementation of the Oxfordshire Plan.

2.3 A community involvement issues paper has been prepared to facilitate a public consultation in July and August in accordance with the LDS and is presented at Appendix 1 for consideration.

3.0 Report Details

3.1 A new district wide Local Plan will be prepared to meet assessed development needs for employment, housing, leisure, community facilities and infrastructure and to provide a strategy for the pattern, scale and quality of development. The Local Plan review provides the opportunity to develop newer planning policies for:

- i. responding to climate change and the Council's climate emergency declaration;
- ii. placing healthy placing shaping at the centre of the Plan;
- iii. achieving net increases in biodiversity;
- iv. the future of our urban centres and rural areas;
- v. responding to new Government policy and guidance including on design.

3.2 Significantly, it will now also be a key policy document to help support economic and social recovery in the context of COVID-19. Providing employment generating opportunities, helping the provision of new community services and facilities, supporting any necessary adaptation of our urban centres, encouraging safe, active travel and recreational opportunities, will all be important in responding to the wider consequences of the pandemic.

3.3 On 13 May 2020, the Government published planning guidance in response to the spread of COVID-19 and which encouraged plan-making:

“We continue to want to see Local Plans progressing through the system as a vital means for supporting economic recovery in line with the government’s aspirations to have plans in place across the country by 2023. We recognise the challenges that some local authorities may face, and are working on ways to address this, from actively exploring options to achieve online inspection of documents being the default position to engaging with the Planning Inspectorate on the use of virtual hearings and written submissions. We have also issued additional planning guidance on reviewing and updating Statements of Community Involvement.”

3.4 The updated guidance states:

“The government has been clear that all members of society are required to adhere to guidance to help combat the spread of coronavirus (COVID-19). The guidance has implications for local authorities and local plan-making, including how the public are engaged and the ability of authorities to comply with policies set out in their Statements of Community Involvement. This planning guidance focuses on how local authorities can review and update their Statements of Community Involvement and should be read in parallel with existing guidance on Plan-making...” (Reference ID: 61-076-201200513)

“Where any of the policies in the Statement of Community Involvement cannot be complied with due to current guidance to help combat the spread of coronavirus (COVID-19), the local planning authority is encouraged to undertake an immediate review and update the policies where necessary so that plan-making can continue. (Reference ID: 61-077-201200513)

“...The local planning authority should then make any temporary amendments that are necessary to allow plan-making to progress, and that continue to promote effective community engagement by means which are reasonably practicable. Local planning authorities are strongly encouraged to use online engagement methods to their full potential. Appropriate methods include virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on a public website. Authorities will also need to take reasonable steps to ensure sections of the community that don’t have internet access are involved and consider alternative and creative ways to achieve this. Authorities may wish to consider engaging sections of the community, that do not have internet access, through representative groups rather than directly, targeting only people in areas most affected by proposals, and allowing individuals to nominate an advocate to share views on their behalf. Consulting by telephone or in writing can also be used where this is feasible and alternatives can’t be identified. Opportunities to combine public consultations can be explored so that offline methods can be made more cost effective.

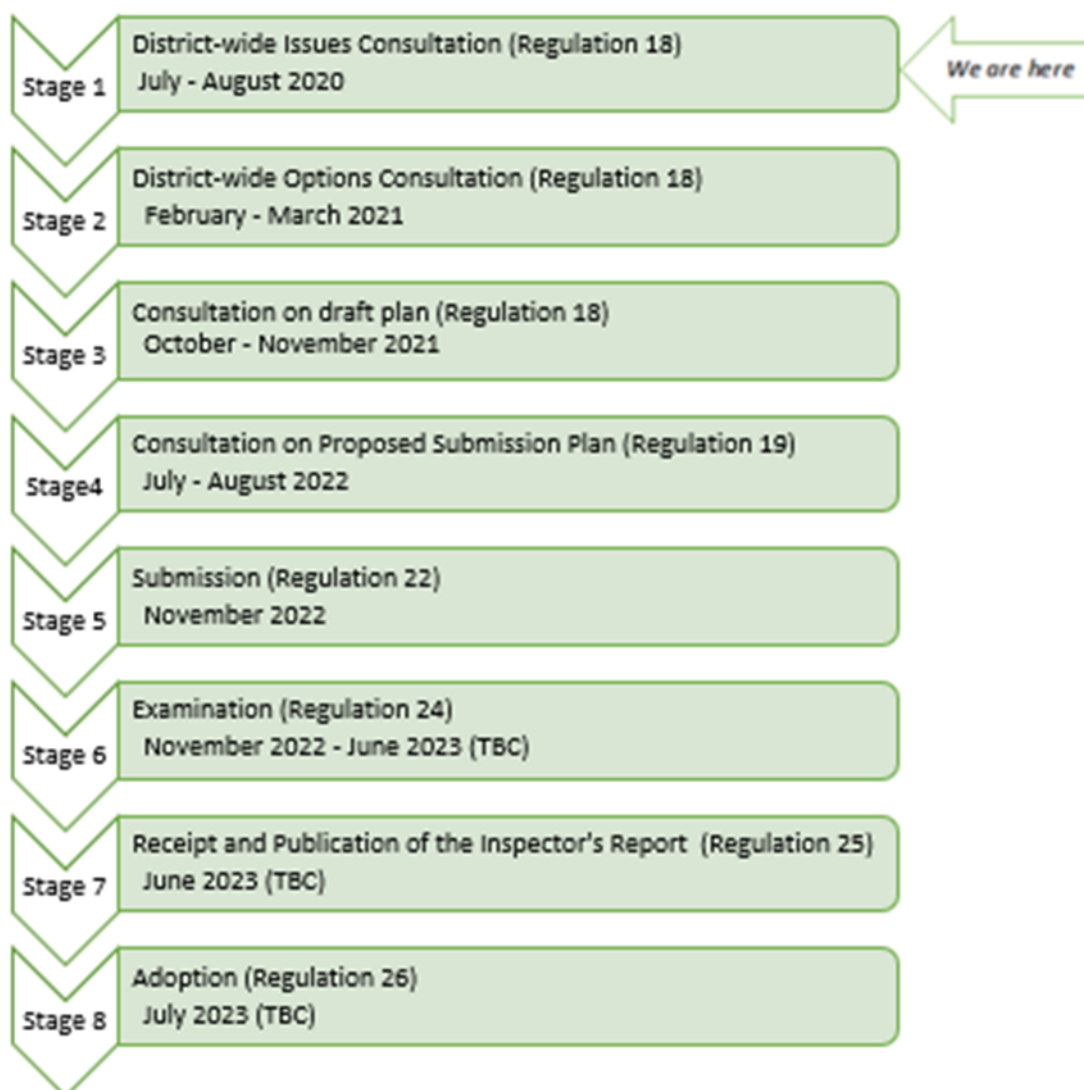
There is no requirement in legislation for local planning authorities to consult when reviewing and updating their Statement of Community Involvement, although it is good practice for authorities to inform the public of their intentions to update this document and of the changes that have been made. It is also good practice to make clear that the changes are only temporary whilst restrictions relating to COVID-19 are in place. However, where a local planning authority has made a pledge in their Statement of Community Involvement to consult on any changes, they may wish to take independent legal advice on how best to proceed.” (Reference ID: 61-078-201200513)

- 3.5 An addendum to the Council's Statement of Community Involvement is presented at Appendix 2 containing necessary changes, particularly in response to building closures.
- 3.6 The proposed community involvement paper at Appendix 1 seeks to foster public discussion on district wide planning policy issues including potential built environment responses to the pandemic and to manage recovery. It aims to open a conversation with communities and stakeholders about the future of the district, how we deliver sustainable development and on the planning policy that will be required to guide decision making. It does not contain any proposals.
- 3.7 Preparation of a new Plan will need to respond to the national context as recovery progresses and new Government policy and guidance emerges. Regionally, the Government's ambitions for an Oxford-Cambridge 'Arc' – a sweep of land between Oxford, Milton Keynes and Cambridge with significant economic potential, the continued development of East-West Rail and the development of spatial plans in adjoining areas will be influential. A statutory 'duty to cooperate' must be complied with in the interest of identifying and responding to common strategic priorities.
- 3.8 Within Oxfordshire, the joint work of the Local Planning Authorities and the County Council and other stakeholders, coordinated by the Oxfordshire Growth Board (a joint committee) will assist the achievement of a co-operative approach in preparing a new district Local Plan. The joint work on an Oxfordshire Plan will provide countywide focus and direction. It will inform new district policies and potentially identify broad locations for future development for the longer term to 2050. The innovation and investment ambitions of the Oxfordshire Local Industrial Strategy and the preparation of the new Local Transport and Connectivity Plan will be influential.
- 3.9 Locally, the delivery of the Council's existing district plans will continue and the new Plan will need to consider how it complements and improves upon what has preceded it. Local priorities will be identified. Cherwell's own housing, industrial and environmental strategies and programmes will inform new policy.
- 3.10 The consultation paper explains the plan preparation process, sets out the current national, regional and local context and begins to explore key issues and potential areas of need to generate debate. It introduces a place-based discussion for Banbury, Bicester, Kidlington and the rural areas and then frames wider issues under three key themes:
- i. maintaining and developing a sustainable local economy;
 - ii. meeting the challenge of climate change;
 - iii. healthy place shaping.
- 3.11 These are not fixed themes for the Plan. The comments received and evidence prepared will influence its structure. Contributions from communities and stakeholders will be invited to help identify the broad range of issues that will need to be considered. The proposed consultation paper also includes a 'call for sites' to inform technical work and the consideration of future policy options.
- 3.12 The paper will be accompanied by a Sustainability Appraisal scoping report (Appendix C) which includes 'baseline' information and the framework for

sustainability appraisal that will inform and accompany the Plan. This will also be made available for comment.

Next Steps

- 3.13 Should Members approve the issues paper for consultation, a six-week consultation would take place over July/August 2020. The starting date for consultation would be agreed with Lead Member for Planning and a new Members' Advisory Group, having regard to any preparation needed for additional methods of remote consultation. Some presentational improvements would be made to the paper before consultation commences.
- 3.14 Officers would use the comments received and consultation feedback to inform the identification and consideration of issues, the preparation and commissioning of evidence and in the preliminary shaping of plan objectives and options. The subsequent stages of plan preparation are shown below:



4.0 Conclusion and Reasons for Recommendations

- 4.1 An issues consultation paper has been prepared to begin community involvement in reviewing the district wide Cherwell Local Plan. Consultation is planned for July/August in accordance with the Council's approved Local Development Scheme. It is not intended that the consultation paper should capture all of the issues that will require consideration but, rather, to create discussion and invite contributions. It is the start of the plan-making process and Members are invited to approve the paper in the interest of proceeding to public engagement.

5.0 Consultation

Cllr Colin Clarke – Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to proceed at this time with the consultation paper

The consultation paper comprises an appropriate discussion document to invite public and stakeholder contributions at the start of the plan-making process. Delay would mean that the LDS programme could not be met.

Option 2: To reconsider the content of the consultation paper

As above. However, if some delay were considered to be acceptable by Members, officers could re-consider the content following instruction.

7.0 Implications

Financial and Resource Implications

- 7.1 The work arising from the preparation of the consultation paper and proposed consultation is to be met within existing budgets.

Comments checked by:

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Legal Implications

- 7.2 The preparation of Local Plans must be legally compliant. Under The Town and Country Planning (Local Planning) (England) Regulations 2012 requisite public notifications must be made and representations invited. The publication of an issues consultation will assist in demonstrating compliance.

Comments checked by:

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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

Business Plan 2020/21

The preparation of a new Local Plan will assist in meeting the business plan's strategic priorities:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

Lead Councillor

Councillor Clarke – Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Planning for Cherwell 2040: A Community Involvement Paper (draft for approval)
Appendix 2	Addendum to 2016 Statement of Community Involvement with Equalities Impact Assessment
Appendix 3	Sustainability Appraisal Scoping Report
Background Papers	
None	
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