

Cherwell District Council

Executive

Minutes of the reconvened 2 December 2024 meeting of the Executive held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 5 December 2024 at 1.00 pm

Present:

Councillor David Hingley (Leader of the Council & Portfolio Holder for Strategic Leadership) (Chairman)
Councillor Lesley McLean (Deputy Leader of the Council and Portfolio Holder for Finance, Property & Regeneration) (Vice-Chairman)
Councillor Tom Beckett, Portfolio Holder for Greener Communities
Councillor Chris Brant, Portfolio Holder for Corporate Services
Councillor Jean Conway, Portfolio Holder for Planning and Development Management
Councillor Nick Cotter, Portfolio Holder for Housing
Councillor Ian Middleton, Portfolio Holder for Neighbourhood Services
Councillor Rob Parkinson, Portfolio Holder for Safer Communities
Councillor Rob Pattenden, Portfolio Holder for Healthy Communities

Also Present:

Councillor John Broad
Councillor David Rogers

Also Present Virtually:

Councillor Dr Isabel Creed, Chair, Overview and Scrutiny Committee

Officers:

Ian Boll, Corporate Director Communities
Michael Furness, Assistant Director Finance & S151 Officer
Shiraz Sheikh, Assistant Director Law & Governance and Monitoring Officer
David Peckford, Assistant Director Planning & Development
Christina Cherry, Planning Policy, Conservation & Design Manager
Maria Dopazo, Principal Planning Policy Officer
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Stephen Hinds, Corporate Director Resources and Transformation
Holly Jones, Planning Policy Officer

78 **Reconvening of Meeting**

The Chairman welcomed Members and officer to the reconvened meeting.

79 **Proposed Cherwell Local Plan 2042**

The Assistant Director Planning and Development submitted a report to seek approval of the Proposed Cherwell Local Plan 2042 for the purpose of inviting representations.

In introducing the report, the Portfolio Holder for Planning and Development thanked the Assistant Director Planning and Development, Planning Policy, Conservation and Design Manager and all officers who had contributed to the proposed Cherwell Plan 2042 and all accompanying documents.

The Chair of the Overview and Scrutiny Committee, Councillor Dr Creed, addressed Executive to report on the deliberations of the Committee which had considered the proposed Cherwell Local Plan 2042 in detail at their extraordinary 12 November meeting and 26 November meeting, adjourned to 3 December. The Committee had agreed comments and recommendations to Executive on the content of the Plan and recommended Executive approve the proposed Cherwell Local Plan 2042 for the purpose of inviting representations under Regulations 19 and 20 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

On behalf of Executive, the Chairman thanked Councillor Creed and the Overview and Scrutiny Committee for their thorough review, comments and recommendations.

The Portfolio Holder for Planning and Development and Assistant Director Planning and Development explained that the proposed changes to the Plan arising from the Overview and Scrutiny Committee's deliberations had been considered by officers, in consultation with the Portfolio Holder for Planning and Development, and were set out at Appendix 9 to the report (annex to the Minutes as set out in the Minute Book).

The Chairman referred to correspondence from developers that had he had received and had also been sent to a number of Members, including Overview and Scrutiny Committee members, and officers and confirmed that the council had responded to all correspondence. The responses had been shared with the Overview and Scrutiny Committee.

In response to Executive comments, the Assistant Director Planning and Development provided clarification in respect on Oxford's unmet housing need and, referring to the Duty to Cooperate, confirmed there was, and would continue to be, liaison with West Oxfordshire District Council.

In considering the report, Members commended the work that had been undertaken building on and improving the previous version of the Cherwell Local Plan.

Resolved (unanimously)

- (1) That, having considered and noted the comments made by the Overview and Scrutiny Committee meetings on 12 November 2024 and 4 December 2024 (reconvening of adjourned 26 November 2024 meeting) the following change be made to paragraph 8.5. of the Proposed Local Plan:

“ We need to carefully manage development pressures in the interest of seeking housing delivery which benefits local communities, does not lead to unacceptable pressure on local infrastructure **including health care facilities which must meet the needs of our rural communities**, and can be supported by sustainable and active travel options and which does not cause damage to the environment that makes our rural areas attractive and distinctive.”

- (2) That the Proposed Cherwell Local Plan 2042 (Annex to the Minutes as set out in the Minute Book), as amended by Appendix 9 to the report and resolution (1) above, be approved for the purpose of inviting representations under Regulations 19 and 20 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- (3) That it be agreed that the Assistant Director – Planning and Development be authorised to approve the final presentation of the Plan and to make any necessary minor administrative amendments and corrections to it prior to formal publication and in consultation with the Portfolio Holder for Planning and Development.
- (4) That it be agreed that the Assistant Director – Planning and Development be authorised to publish any necessary supporting documents, including an Infrastructure Delivery Plan, and other background papers in consultation with the Portfolio Holder for Planning and Development.

Reasons

A Proposed Local Plan has been prepared in the interest of having up to date planning policies which respond positively and effectively in meeting development needs and the planning issues that the district and our local communities face. An up-to-date Local Plan is important for a plan-led approach to decision making and contributing to the achievement of sustainable development. Preparation of the Plan has been informed by three formal public consultations, continuous engagement and cooperation and evidence gathering. Officers recommend that representations now be invited under Regulations 19 and 20 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Alternative options

Option 1: To delay consideration of the Proposed Local Plan and to not invite representations at this time.

Delaying would have the advantage of waiting for the final, revised version of the National Planning Policy Framework (NPPF). However, the Government has stated, '*We propose transitional arrangements to maintain the progress of plans at more advanced stages of preparation, while maximising proactive planning for the homes our communities need*'. As the Proposed Local Plan has been prepared under the existing NPPF and can comply with the suggested transitional arrangements, officers do not recommend delay.

Option 2: To reconsider the content of the Proposed Local Plan

The Proposed Local Plan has been prepared having regard to statutory requirements, evidence and national planning policy and guidance. If Members do not agree with significant aspects of the Plan, officers would need to consider the planning reasons for any changes and the implications for the evidence base including the Sustainability Appraisal. There would be delay to the programme. Whether the Council would need to continue the Plan under the forthcoming NPPF would require consideration.

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Local Development Scheme

The Assistant Director Planning and Development submitted a report to seek approval of an updated Local Development Scheme (LDS) to produce the Council's key planning policy documents.

On behalf of Executive, the Portfolio Holder for Planning and Development thanked the Assistant Director Planning and Development, Planning, Policy Conservation & Design Manager and all officers in the Planning Policy Team and wider support for their hard work in the drafting of the updated Local Development Scheme.

Resolved (unanimously)

(1) That the updated Local Development Scheme (LDS) be approved.

Reasons

An updated LDS is a legal duty for the council as it is stated under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). It provides a programme for completion of the Cherwell Local Plan Review and a potential Community Infrastructure Levy. The LDS will be used by officers, the public, partners and developers and other stakeholders to monitor the production of documents and to plan for associated consultations. Approval of the LDS is needed to assist project management and ensure that the Council meets its statutory responsibilities for planning. The LDS will be reviewed again if there is a further, significant change in circumstances.

Alternative options

Option 1: Not to approve the LDS.

The Council has a statutory responsibility to maintain an LDS. If the Council did not prepare its own LDS the Secretary of State could impose one. Aside from legal duty, not to approve the LDS could undermine the confidence of the public and stakeholders about the Council's plan-making programme. The LDS would need to be re-presented to the Executive at a future meeting.

Option 2: To reconsider the content of the LDS.

The LDS has been prepared having regard to the Council's statutory responsibilities and current resources. It is considered by officers to be appropriate for the present and foreseeable circumstances.

The meeting ended at 1.35 pm

Chairman:

Date: