

LDS December 2018

**CHERWELL DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
December 2018**

(draft for approval by Executive)

DRAFT

CONTENTS

Section	Page
1. Introduction	4
2. Key changes since the last LDS	4
3. Existing Development Plan	4
4. Existing Supplementary Planning Documents	5
5. Non-Statutory Local Plan	5
6. Statement of Community Involvement	5
7. Annual (or Authorities) Monitoring Reports (AMRs)	6
8. Future Neighbourhood Development Plans	6
9. Planning Policy Documents to be prepared by the Council	6
Appendix 1: LDS Timetable	

DRAFT

1. Introduction

The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended by s.111 of the Localism Act (2011)) that the Council prepares and maintains an LDS.

The LDS must specify:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee;
- the timetable for the preparation and revision of the development plan documents; and
- such other matters as are prescribed.

Development Plan Documents must be prepared in accordance with the LDS.

This LDS was approved by the Council's Executive on **(INSERT DATE WHEN APPROVED)** 2018 and revises that previously approved on 6 November 2017. It updates the programme for the production of the Council's key planning policy documents.

2. Key changes since the last LDS

Key changes since approval of the last LDS in November 2017 include:

- the submission of the Partial Review of the Cherwell Local Plan 2011-2031 for examination on 5 March 2018
- on 15 March 2018 a Housing and Growth Deal was agreed between Government and the six Oxfordshire Councils which included a commitment to producing an Oxfordshire wide Joint Statutory Spatial Plan (JSSP)
- the introduction of a new statutory requirement to review local plans and statements of community involvement every five years (from the date of their adoption)
- the adoption of additional supplementary planning documents (SPDs) for Developer Contributions and a Cherwell Design Guide for residential development
- publication of a new National Planning Policy Framework (NPPF 2) in July 2018 with revised Planning Practice Guidance (PPG)

These changes have informed preparation of this LDS. A further update of the LDS may be needed in 2019.

3. Existing Development Plan

As at November 2018, the existing statutory Development Plan comprises:

- the Cherwell Local Plan 2011-2031 (Part 1) adopted in July 2015 (incorporating the re-adopted Policy Bicester 13)

- the saved policies of the adopted Cherwell Local Plan 1996 that have not been replaced (see Appendix 7 of the adopted Local Plan)
- the Hook Norton Neighbourhood Plan formally 'made' on 19 October 2015
- the Bloxham Neighbourhood Plan formally 'made' on 19 December 2016
- the Adderbury Neighbourhood Plan formally 'made' on 16 July 2018.
- the Oxfordshire Minerals and Waste Local Plan (Part 1 – Core Strategy) (adopted by the County Council on 12 September 2017)
- the saved policies of the Oxfordshire Minerals and Waste Local Plan 1996 (adopted by the County Council) that have not been replaced

The **Cherwell Local Plan 1996** was adopted in November 1996 and policies were saved from 27 September 2007.

The **Cherwell Local Plan 2011-2031 (Part 1)** was completed and adopted by the Council on 20 July 2015. It incorporates Policy Bicester 13 re-adopted on 19 December 2016. The Plan presently comprises the main strategy document containing strategic development sites and policies.

The **adopted Policies Map** – a map of Cherwell which illustrates geographically the application of the policies in the adopted Development Plan (other than Minerals and Waste policies prepared by the County Council). An Interactive Adopted Policies Map is available on-line at www.cherwell.gov.uk.

4. Existing Supplementary Planning Documents

Supplementary Planning Documents (SPDs) provide further detail to Local Plan policies. They are statutory documents but do not form part of the Development Plan. The following SPDs have been completed to add further detail to the adopted Cherwell Local Plan 2011-2031:

- North West Bicester SPD – adopted on 22 February 2016
- Banbury Masterplan SPD – adopted on 19 December 2016
- Kidlington Masterplan SPD – adopted on 19 December 2016
- Developer Contributions SPD – adopted on 26 February 2018
- Cherwell Residential Design Guide SPD adopted on 16 July 2018

5. Non-Statutory Local Plan

The Council also has a Non-Statutory Cherwell Local Plan 2011. Originally produced as a replacement for the adopted Local Plan 1996, the Plan was subject to first and second draft deposit stages and pre-inquiry changes were incorporated. However, the decision was taken by the Council to discontinue work on the plan on the 13 December 2004 and withdraw it from the statutory local plan process before the Public Inquiry. To avoid a policy void the Non-Statutory Cherwell Local Plan 2011 was approved by the Council as interim planning policy for development control purposes on the 13 December 2004. Over time, its policies are being superseded by new planning documents.

6. Statement of Community Involvement

The Council's Statement of Community Involvement (SCI) sets out how communities and stakeholders can expect to be engaged in the preparation of planning documents and in the consideration of planning applications. The SCI was consulted upon from 29 January to 11 March 2016 and adopted by the Council on 18 July 2016.

7. Annual (or Authorities) Monitoring Reports (AMRs)

These are produced each year to monitor progress in producing Local Development Documents and the implementation of policies. They are published on-line and supported by the publication of additional monitoring information as required.

8. Future Neighbourhood Development Plans

Neighbourhood Plans can be produced by Town or Parish Councils or other relevant bodies to set out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular, specified neighbourhood area. They are not prepared by the District Council but are submitted to it ahead of independent examination and a referendum. They are not legally defined as Development Plan Documents but do become part of the statutory Development Plan once they have successfully passed a referendum.

In addition to the 'made' Hook Norton, Bloxham and Adderbury Neighbourhood Plans (see section 3), the following Parishes presently either have designated Neighbourhood Areas, have made applications for an area to be designated, or are actively preparing plans:

- Deddington
- Mid-Cherwell (11 Parishes)
- Weston-on-the-Green
- Bodicote
- Stratton Audley
- Merton.

9. Planning Policy Documents to be prepared by the Council

Planning policy documents that the Council is or will be working on are as follows:

1. **Partial Review of Cherwell Local Plan 2011-2031 (Part 1)** – submitted to Government for examination on 5 March 2018. Consultation took place on an Issues Paper from 29 January 2016 – 11 March 2016, on an Options Paper from 14 November 2016 – 9 January 2017 and on a Proposed Submission Document from 17 July 2017 to 10 October 2017. A preliminary hearing took place on 28 September 2018. The Partial Review will contain a supplemental planning strategy and strategic development sites in order for the district to contribute in meeting the identified unmet housing needs of Oxford city. Upon adoption by the Council it will become part of the statutory Development Plan.
2. **Oxfordshire Joint Statutory Spatial Plan (JSSP)** – a new countywide strategic plan prepared jointly by the six Oxfordshire Councils through the Oxfordshire Growth Board. The JSSP will be prepared under Section 28 of the Planning and Compulsory Purchase Act 2004 which enables two or more local planning authorities to agree to prepare a joint Local Plan. A Local Development Scheme, Scoping Document and draft Statement of Community Involvement for the JSSP are being considered by each individual Council (including Cherwell District Council's Executive on 1 October 2018). Work on the Plan has commenced. Upon adoption by the Council it will become part of the statutory Development Plan.
3. **Cherwell Local Plan Review** – a review of the adopted Cherwell Local Plan 2011-2031 to ensure key planning policies are kept up to date, to assist implementation of the JSSP and to replace the remaining saved policies of the 1996 Local Plan.

4. **Supplementary Planning Documents (SPDs)** – Banbury Canalside SPD - under preparation. This will provide additional detail to assist the implementation of Policy Banbury 1 of the adopted Cherwell Local Plan 2011-2031.

Note: the Bicester Masterplan is now to be prepared as a series of action plans.

5. **Community Infrastructure Levy (CIL) Charging Schedule** – work on a potential Levy commenced in February 2015. It comprises a schedule of charges for contributions to off-site infrastructure, payable by developers. Consultation on a preliminary charging schedule was undertaken from 12 February to 25 March 2016. A draft charging schedule was consulted upon from 14 November 2016 to 9 January 2017. An independent national review ‘*A New Approach to Developer Contributions*’ was published in October 2016. On 7 February 2017, the Government published the housing white paper *Fixing our Broken Housing Market* in which it was announced, “*The Government will examine the options for reforming the system of developer contributions including ensuring direct benefit for communities, and will respond to the independent review and make an announcement at Autumn Budget 2017*” (para. 2.29). Work on a potential CIL was put on hold in anticipation of further guidance but is now proposed to re-start.

The programme for preparing these documents is set out in the schedules below. The Council is expected to produce documents in accordance with the schedules. If significant changes in circumstances occur, the LDS will be reviewed.

Schedule 9.1	Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford’s Unmet Housing Needs	
Strategic or Local Policies	Strategic Policies	
Subject Matter	Partial review of Part 1 of the adopted Cherwell Local Plan 2011-2031 to help meet the identified unmet housing needs from elsewhere in the Oxfordshire Housing Market Area and arising infrastructure requirements. Builds upon countywide joint working and follows the ‘Post SHMA Strategic Work Programme’ agreed by the [Shadow] Oxfordshire Growth Board on 20 November 2014. On 26 September 2016, the Oxfordshire Growth Board approved an apportionment of Oxford’s unmet housing need (approximately 15,000 homes) to the Oxfordshire District Councils. Cherwell has been asked to accommodate an additional 4,400 homes (2011-2031).	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Agreed Countywide Post-SHMA work programme	20 November 2014
	Formal Commencement (adoption of Local Plan Part 1)	20 July 2015
	District Wide Issues Consultation (Regulation 18)	29 January 2016 – 11 March 2016
	Countywide working on identifying the unmet need and apportionment	Completed 26 September 2016
	District Wide Options Consultation	14 November 2016 – 9 January

	(Regulation 18)	2017
	Preparation of Proposed Submission DPD	January 2017 to July 2017
	Consultation on Proposed Submission DPD	17 July – 10 October 2017
	Submission (Regulation 22)	5 March 2018
	Examination (Regulation 24) (TBC)	March 2018 onwards
	Examination Hearings (Regulation 24) (TBC)	28 September 2018 onwards
	Receipt and Publication of the Inspector's Report (Regulation 25) (TBC)	April 2019 (estimate)
	Adoption (Regulation 26) (TBC)	May 2019 (estimate)
	Notes: Hearing dates and subsequent programme subject to confirmation from the Planning Inspectorate.	
Management Arrangements	Overseen by Assistant Director - Planning Policy and Development. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees; consultancy support as required; Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.2	Oxfordshire Joint Statutory Spatial Plan <i>(note: programme replicated from the JSSP Draft LDS August 2018)</i>	
Strategic or Local Policies	Strategic Policies	
Subject Matter	The JSSP will identify the overall quantum of housing and economic growth within Oxfordshire to be planned for to 2050 and their distribution across the county, strategic priorities, and strategic infrastructure necessary to deliver the spatial strategy.	
Geographical Area	Oxfordshire	
Status	Joint Development Plan Document (DPD)	
Timetable	Formal commencement	31 January 2018
	Early Stakeholder Engagement	October 2018 TBC
	Consultation on Preferred Strategy Options (Regulation 18)	February / March 2019
	Consultation on Proposed Submission Draft Plan (Regulation 19)	October / November 2019
	Submission (Regulation 22)	March 2020
	Examination (Regulation 24)	Expected September 2020 TBC
	Receipt and Publication of Inspector's Report	December 2020
	Adoption (Regulation 26)	March 2021 (subject to examination)
	Notes: Examination dates and subsequent programme subject to confirmation from the Planning Inspectorate and views of Inspector.	
Management Arrangements	Overseen by the Oxfordshire Growth Board -a joint committee of the six local authorities, together with key strategic partners - including Oxfordshire's two universities and OxLEP - set up to facilitate and enable joint working on economic development, strategic planning and growth, including housing. CDC Input: Overseen by Assistant Director - Planning Policy and Development. Regular reports to CDC Executive.	
Resources Required	Oxfordshire Growth Board: A JSSP Sub Group and a specific JSSP Project Team will be established and support the process. CDC: input from Planning Policy and Growth Strategy team & other Council services. Consultancy support as required.	
Monitoring and review mechanisms	JSSP monitoring report	

Schedule 9.3	Cherwell Local Plan Review	
Strategic or Local Policies	Strategic and Local Policies	
Subject Matter	Planning policies to support implementation of the Oxfordshire Joint Statutory Spatial Plan, to review the adopted Cherwell Local Plan 2011-2031 and to assist the development management process. Identification and delivery of strategic and non-strategic development sites for housing, employment, open space and recreation, travelling communities and other land uses.	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Commencement	April 2019
	District Wide Issues and Preliminary Options Consultation (Regulation 18)	July - August 2019
	District Wide Consultation on Draft Proposals and Options (Regulation 18)	January – February 2020
	Preparation of Proposed Submission Plan	March - June 2020
	Consultation on Proposed Submission Plan	July – September 2020
	Submission (Regulation 22)	March 2021
	Examination (Regulation 24) (TBC)	March 2021 – October 2021
	Examination Hearings (Regulation 24) (TBC)	June / July 2021
	Receipt and Publication of the Inspector's Report (Regulation 25) (TBC)	October 2021
	Adoption (Regulation 26)	November 2021
		Notes: Hearing dates and subsequent programme subject to confirmation from the Planning Inspectorate
Management Arrangements	Overseen by Assistant Director - Planning Policy and Development. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees; consultancy support as required. Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.4	Banbury Canalside Supplementary Planning Document (SPD)	
Subject Matter	Expands upon and provides further detail to Local Plan policies for the development area of Canalside, Banbury.	
Geographical Area	Canalside and Banbury town centre	
Status	SPD & Local Development Document (LDD)	
	Re-commencement & Preparation of 2nd Draft SPD (Following Local Plan adoption in July 2015)	July 2015 onwards
	Initial Consultation (Regulation 12)	January 2018
	Preparation of Draft SPD	February 2018 – February 2019
	Consultation (Regulation 12/13)	March – April 2019
	Preparation of Final SPD	May-June 2019
	Adoption (Regulation 14)	July 2019
Management Arrangements	Overseen by Assistant Director - Planning Policy and Development. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees. Urban design consultants.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.5	Community Infrastructure Levy Charging Schedule	
Subject Matter	The purpose of CIL is to raise funds to deliver off-site infrastructure that will support the development proposed within Cherwell. This could include open space, leisure centres, cultural and sports facilities, transport schemes, schools among other requirements. The charging schedule providing the basis of the Levy and must be informed by an assessment of an infrastructure funding gap and the viability of different levels of Levy. There will be consultation and a public Examination.	
Geographical Area	Cherwell District	
Status	Levy	
Timetable	Preparation and Viability Testing	February 2015 – December 2015
	Drafting of Preliminary Charging Schedule	January 2016
	Consultation on Preliminary Charging Schedule (Regulation 15)	February 2016 – March 2016
	Review of Charging Schedule	March 2016 – May 2016
	Consultation on Draft Charging Schedule (Regulation 16)	November 2016 – January 2017
	Re-commencement	February 2019
	Further consultation on Draft Charging Schedule (Regulation 16)	September – October 2019
	Submission of Charging Schedule (Regulation 19)	January 2020
	Examination (TBC)	January 2020 – July 2020
	Examination Hearings (TBC)	April 2020
	Receipt and Publication of the Inspector's Report (Regulation 23)	July 2020
	Approval	September 2020
		Notes: Examination and Hearing dates yet to be confirmed.
Management Arrangements	Overseen by Assistant Director - Planning Policy and Development. Regular reports to CDC Executive.	
Resources Required	Planning Policy team; input from other Council services, neighbouring authorities and consultees; consultancy support as required. Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

