

Cherwell District Council

Executive

4 February 2019

<p style="text-align: center;">Oxfordshire Joint Statutory Spatial Plan Local Development Scheme Statement of Community Involvement Regulation 18 Issues Consultation Document</p>

Report of Executive Director for Place and Growth (Interim)

This report is public

Purpose of report

To seek approvals to progress the production of the Oxfordshire Plan 2050 through adopting the Statement of Community Involvement, approving an amendment to the Local Development Scheme and approving the Regulation 18 (Part 1) document for consultation.

1.0 Recommendations

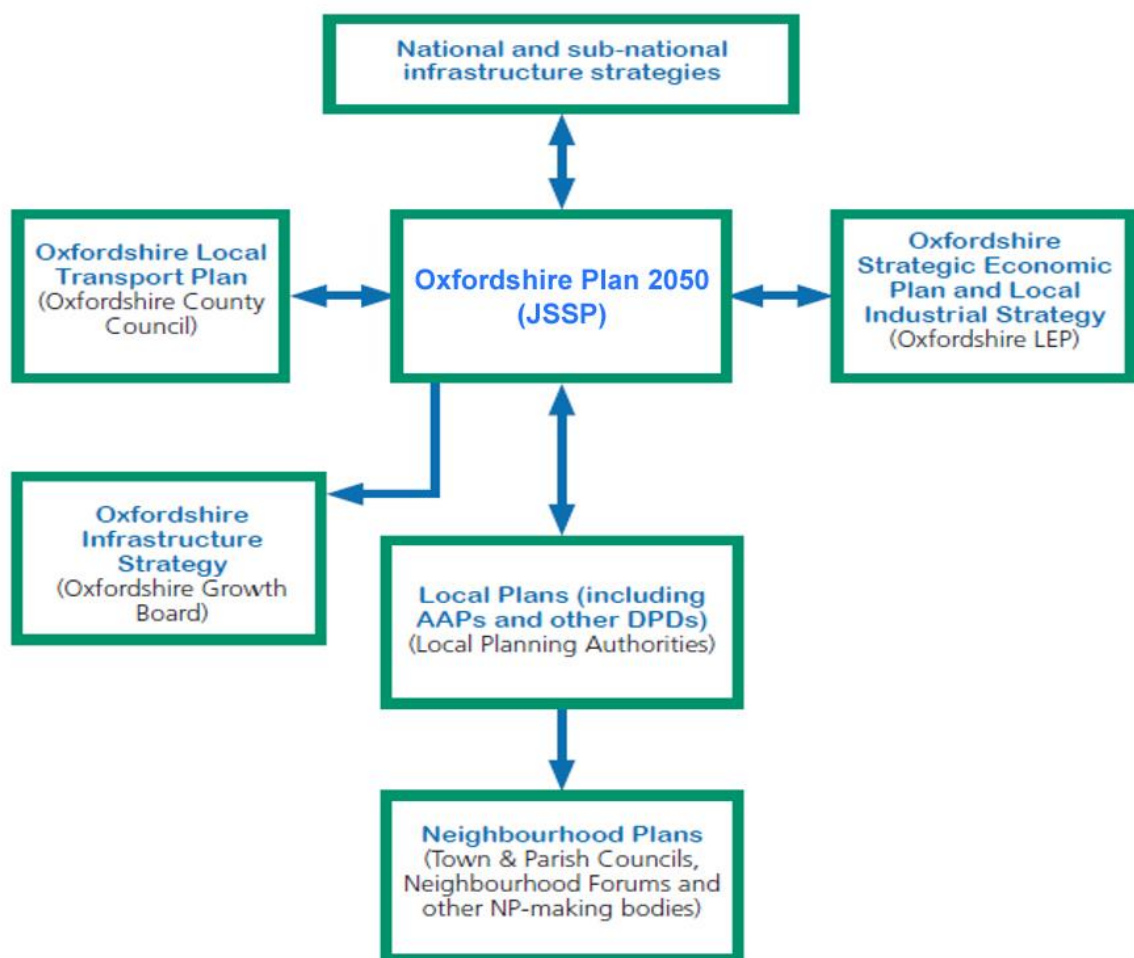
The meeting is recommended:

- 1.1 To adopt the Statement of Community Involvement (“SCI”) as amended following the close of consultation as attached at Appendix 1.
- 1.2 To approve the amendment to the Local Development Scheme (“LDS”) as set out at paragraph 3.12 of this report.
- 1.3 To approve the Regulation 18 (Part 1) Issues Consultation Document for public consultation as attached at Appendix 2.
- 1.4 To authorise the Executive Director for Place and Growth (Interim), in agreement with the partner councils equivalent, to make any necessary minor and presentational changes to the draft Regulation 18 Consultation Document before formal consultation commences.

2.0 Introduction

- 2.1 The six Oxfordshire Councils and the Oxfordshire Local Enterprise Partnership (OXLEP) have agreed the Oxfordshire Housing and Growth Deal (“the Growth Deal”) with Government. Under the terms of the Growth Deal the LPAs have committed to producing an Oxfordshire Joint Statutory Spatial Plan (JSSP) for submission to the Planning Inspectorate for independent examination by 31 March 2020 and adoption by 31 March 2021, subject to examination process.

- 2.2 When the councils agreed the Growth Deal through Council meetings in February 2018, one of the resolutions was to participate in the preparation of a Joint Statutory Spatial Plan in the timescales set out in the Growth Deal Delivery Plan and in accordance with S28 of the Planning and Compulsory Purchase Act 2004 (“PCPA 2004”).
- 2.3 The Plan will provide an Oxfordshire-wide, integrated strategic planning framework and supporting evidence base to support sustainable growth across the county to 2050, including the planned delivery of the new homes and economic development, and the anticipated supporting infrastructure needed.
- 2.4 The Plan will be a formal Development Plan Document (DPD), prepared under S28 of the PCPA 2004 which enables two or more local planning authorities to agree to prepare a joint Plan. Oxfordshire County Council will support the plan preparation process. The diagram below shows the Plan’s relationship with other documents and strategies.



- 2.5 The scope of the Plan was agreed by all six Council’s in Sept/Oct 2018. Further detail on the scope, policy context, structure, evidence base, links to other work programmes and governance arrangements of the Plan can be found in the Oxfordshire JSSP Scoping Document (Background Paper 1) which was approved by all District Councils and the County Council during Sep/Oct 2018.

- 2.6 This report recommends adoption of the JSSP SCI with any amendments made as a result of the consultation which took place between 30 Nov 2018 and 11 Jan 2019 (see Appendix 1).
- 2.7 The SCI is a requirement of Section 18 of the PCPA 2004. It needs to comply with statutory requirements and Government policy for plan making and consultation on planning matters.
- 2.8 This report recommends an amendment to the LDS timetable for the JSSP, namely an additional consultation at Regulation 18 stage. It does not however affect the overall timetable.
- 2.9 This report recommends approval of the Issues consultation document for the Oxfordshire Plan (see Appendix 2). Following approval of the document, it would be published for public consultation as part of the Regulation 18 requirements. This will be the first formal public consultation on the Oxfordshire Plan.
- 2.10 The consultation document explores the context for the Plan (setting out the quality of life, economic, natural and built environment, housing, health and wellbeing and transport and movement contexts). It proposes a draft vision for the Plan and objectives, and invites comments and improvements to those.

3.0 Report Details

The Statement of Community Involvement (SCI)

- 3.1 This report recommends adoption of the amended SCI. Any amendments made are a result of the consultation which, took place between 30 Nov 2018 and 11 Jan 2019 (see Appendix 1). 38 responses were received to the SCI during this period, including from town and parish councils, the public, developers and other stakeholders. Appendix 1 presents the SCI and shows the changes which have been made to improve clarity and signposting to other relevant documents. Additional text acknowledges that consultation will be of wide interest and that engagement will be encouraged across the board. In response to comments on consultation methods, flexibility is offered, recognising that a variety of methods will be employed focussed on accessibility.
- 3.2 The SCI is a requirement of Section 18 of the PCPA 2004. It needs to comply with statutory requirements and Government policy for plan making and consultation on planning matters.
- 3.3 The SCI sets out the key stages for preparing the Oxfordshire Plan and how the Oxfordshire LPAs intend to inform, involve and consult stakeholders on the preparation of the plan. It will set out what is required from the partner authorities, how and when. This SCI only relates to, and is specific to, the production of the Oxfordshire Plan. The partner LPAs will also have their own individual SCIs concerned with the production of their individual Local Plans and other planning matters.
- 3.4 The SCI for the JSSP will ensure that the plan is shaped by early, proportionate and meaningful engagement between plan makers and communities, local organisations, businesses, infrastructure providers and statutory consultees.

Local Development Scheme (LDS)

- 3.5 This report recommends an amendment to the LDS timetable for the Oxfordshire Plan, namely an additional consultation at Regulation 18 stage. It does not however affect the overall timetable.
- 3.6 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires Local Planning Authorities to prepare and maintain a LDS setting out a timetable for the production of DPDs. The LDS must specify the timetable for the preparation and revision of the development plan documents.
- 3.7 The LDS will be used by officers, consultees, developers, agents and the public in determining when important milestones in the production of the Oxfordshire Plan and key stages of consultation can be expected. Implementation of the LDS will be monitored and periodically reviewed if there are significant changes in circumstances.
- 3.8 The LDS was approved by all Oxfordshire district councils during Sept/Oct 2018. However, since then, considerable thought has gone into the approach towards the consultation stages. The aim is for the Plan making process to maximise engagement, interest and hopefully 'buy-in' for the Plan. The Plan should also be seek to be enriched by the consultation process from the wealth of interest and suggestions that will emerge.
- 3.9 The key to effective consultation on this Plan will be to explain the narrative of the Plan clearly so that interested groups can think about the reasons for the vision, aspirations and objectives of the Plan. There is a danger that launching into broad locations for growth would distract from the critical overarching discussions around housing need and growth aspirations of Oxfordshire.
- 3.10 The proposal is therefore to have two Regulation 18 consultations where the first is an accessible discussion document concerning vision, aspirations and objectives. The second consultation would look at broad locations for growth. To support the identification of broad locations which is to be the subject of the Reg.18 Part 2 consultation document, a 'call for sites' will need to be undertaken to demonstrate that any broad locations for growth are 'deliverable'. There is no timetable for this at present.
- 3.11 The timetable below demonstrates how two Regulation 18 consultations can be accommodated without affecting the overall timetable of the Plan's production.
- 3.12 The revised key milestones for production of the Oxfordshire Plan are proposed as follows (new text in bold). This would replace the table at paragraph 16 of the LDS.

Early stakeholder engagement	Oct 2018
Consultation on Issues (Vision, objectives and level of growth) (Reg 18 Part 1)	Feb/Mar 2019
Consultation on Issues (Broad locations for growth) (Reg 18 Part 2)	Jun/Jul/Aug 2019
Consultation on Proposed Submission Draft Plan (Reg.19)	Oct/Nov/Dec 2019

Submission (Reg.22)	Mar 2020
Examination (Reg.24)	Sep 2020 tbc
Receipt and Publication of Inspector's Report	Dec 2020 tbc
Adoption (Reg.26) by each partner local planning authority	Mar 2021 (subject to examination)

Regulation 18 (Part 1) Issues consultation

- 3.13 This report recommends approval of the Issues consultation document for the Oxfordshire Plan (see Appendix 2). Following approval of the document, it would be published for public consultation as part of the Regulation 18 requirements. This will be the first formal public consultation on the Oxfordshire Plan.
- 3.14 The consultation document explores the context for the Plan (setting out the quality of life, economic, natural and built environment, housing, health and wellbeing and transport and movement contexts). It proposes a draft vision for the Plan and objectives, and invites comments and improvements to those.
- 3.15 The document also sets out 5 aspirations for the Plan:
- Improve housing availability/affordability
 - Support economic growth
 - Reduce inequalities
 - Protect environmental quality
 - Improve connectivity and movement

Each of these aspirations would offer real benefits to future generations if embraced in the Plan. Some of them however if taken to the extreme, or taken in isolation, would also likely result in real issues or have knock-on impacts for other elements of the plan. As with all complex planning issues there are choices to be made and balances that need to be struck. It is likely that different degrees of these aspirations, in combination, will be required and difficult decisions need to be made between them. We are keen to explore these issues with the public so that together we can decide where the appropriate balances may lie.

- 3.16 The consultation document also explores the potential spatial scenarios for accommodating growth in the Plan. For example, the Plan could take any of a range of options, for example intensification of existing settlements, providing new settlements or dispersing growth or it could take a combination of these options.
- 3.17 The intention is to prompt discussion (among stakeholders and the public) on these aspirations and scenarios and to invite input and feedback to improve and refine the approach when taking it into the next stage of the Plan. Future stages of Plan preparation will go on to consider broad locations for growth. By focussing the conversation at this this stage on the context, need and growth aspirations of Oxfordshire, this will be a vital step towards that further discussion.

- 3.18 The formal public consultation is programmed to be held for a period of 6 weeks in February and March concluding ahead of the purdah period for the local elections (being held in Cherwell, South Oxfordshire, Vale of White Horse and West Oxfordshire). To support the consultation document, a series of topic papers will be produced and published. These topic papers are intended to provide additional clarity and signpost readers to other sources of evidence and information. They will not contain policy.

Approval Processes

- 3.19 The JSSP is a formal Development Plan Document (DPD) prepared under S28 of the PCPA 2004 which enables two or more LPAs to agree to prepare a joint Plan. It also necessitates that approval of that plan and relevant stages of its production are to be formally agreed by the individual partner authorities.
- 3.20 The February 2018 Council resolutions included the principle of preparing a JSSP in accordance with S28 of the PCPA 2004.
- 3.21 Cherwell District Council's Executive is one of five meetings at which the LDS, SCI and Regulation 18 Consultation paper will be considered during January 2019 and February 2019. These documents will be considered in parallel meetings at Oxford City Council, South Oxfordshire District Council, Vale of the White Horse District Council and West Oxfordshire District Council. All meetings will be presented with the same documents and asked to agree the recommendations as detailed above.
- 3.22 The documents will also be discussed at Oxfordshire County Council's Cabinet where they are invited to note and support these documents in their capacity as a key Growth Board partner and statutory consultee for the JSSP.
- 3.23 Following that agreement, the JSSP Project Team will commence consultation on the Regulation 18 Consultation Paper for a six week period in February 2019.
- 3.24 The development of the JSSP under the S28 process (as set out above) will be overseen and informed by a sub-group of the Growth Board made up of member representatives of each of the LPAs.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Council and its partners are producing a JSSP for Oxfordshire. Once adopted the JSSP will form part of the Council's Development Plan against which formal planning decisions will be made and other local planning documents prepared. The Council has a statutory duty to prepare and maintain an LDS under S15 of the PCPA 2004. The preparation of the plan will require community and stakeholder involvement and the production of a SCI is a legal requirement under S18 of the PCPA 2004 to ensure compliance with statutory requirements and Government policy for plan making and consultation on planning matters.
- 4.2 These documents will not replace the Councils existing LDSs and SCIs, they will remain relevant to all other planning matters.

5.0 Consultation

Cllr Colin Clarke - Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 To not adopt the SCI or the LDS nor agree to consultation on the Regulation 18 consultation paper.
- 6.2 The Council has a legal duty to produce an LDS and an SCI under sections 15 and 18 respectively of the Planning and Compulsory Purchase Act 2004 (as amended) and to carry out early engagement in the content of the Plan under Regulation 18 of The Town and County Planning (Local Planning) (England) Regulations (2012).
- 6.3 To reconsider the content of the SCI, LDS and Regulation 18 Consultation Paper.

The SCI has been produced having regard to statutory and policy requirements for plan-making. It is considered by officers to be an appropriate document.

The LDS has been produced having regarded to the statutory responsibilities for plan making, the requirements of the Oxfordshire Housing and Growth Deal and the resources available to the JSSP Project Team. It is considered by officers to be appropriate for the present and foreseeable circumstances.

The Council has a legal duty to produce an LDS and an SCI under sections 15 and 18 respectively of the Planning and Compulsory Purchase Act 2004 (as amended) and to carry out early engagement in the content of the Plan under Regulation 18 of The Town and County Planning (Local Planning) (England) Regulations (2012).

7.0 Implications

Financial and Resource Implications

- 7.1 As part of the Housing and Growth Deal, the government has agreed £2.5million capacity funding over three years to support the development of the Plan. The intention is to deliver the project within this funding envelope. Any costs over and above this would be subject to further agreement by the Oxfordshire Authorities.
- 7.2 Any work directly commissioned by Cherwell District Council will be claimed back from the capacity fund held by the County Council as the Accountable Body for the deal, or from other Local Plan Authorities over and above the capacity funding.

Comments checked by:

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Legal Implications

- 7.3 The Council has a legal duty to produce an LDS and an SCI under sections 15 and 18 respectively of the Planning and Compulsory Purchase Act 2004 (as amended) and to carry out early engagement in the content of the Plan under Regulation 18 of The Town and County Planning (Local Planning) (England) Regulations (2012).

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8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

This report directly links to all three themes from the Joint Corporate Strategy 2018-19:

- District of Opportunity & Growth
- Protected, Green & Clean
- Thriving Communities & Wellbeing

Lead Councillor

Councillor Clarke – Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	JSSP Statement of Community Involvement 2018
Appendix 2	JSSP Regulation 18 Consultation Document 2019
Reference Documents	
JSSP Scoping Report – Approved at CDC Executive 01 October 2018 Draft JSSP Scoping Documents	
Background Papers	
None	
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