

# Public Document Pack



**Cherwell**

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

**Committee:** Adjourned 2 December 2024 meeting of Executive

**Reconvening Date:** Thursday 5 December 2024

**Reconvening Time:** 1.00 pm

**Venue:** Bodicote House, Bodicote, Banbury, Oxon OX15  
4AA

## Membership

**Councillor David Hingley  
(Chairman)**

Councillor Tom Beckett

Councillor Jean Conway

Councillor Ian Middleton

Councillor Rob Pattenden

**Councillor Lesley McLean (Vice-Chairman)**

Councillor Chris Brant

Councillor Nick Cotter

Councillor Rob Parkinson

**Attendance for the reconvened meeting: Members are reminded that the attendance recorded at the meeting adjourned on 2 December 2024 remains the same when the meeting reconvenes on Thursday 5 December 2024**

## AGENDA

### 1. Reconvening of Meeting

### 2. Proposed Cherwell Local Plan 2042 (Pages 5 - 22)

\*\*At its 2 December 2024 meeting, Executive resolved to adjourn consideration of this item. Executive is reconvening to consider this item\*\*

\*\* Due to the size of the documents, only the cover report is included with this reconvening of meeting notice. All appendices can be accessed at the [2 December Executive meeting webpage](#) (item 8) \*\*

Report of Assistant Director Planning and Development

#### **Purpose of report**

To seek approval of the Proposed Cherwell Local Plan 2042 for the purpose of inviting representations.

### **Recommendations**

The Executive resolves:

- 1.1 To consider the comments made by the Overview and Scrutiny Committee on 12 November 2024 (Appendix 8a) and 26 November 2024 (Appendix 8b – to follow).
- 1.2 To agree that the Proposed Cherwell Local Plan 2042 at Appendix 1 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).
- 1.3 To agree 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.
- 1.4 To agree 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.

### **3. Local Development Scheme (Pages 23 - 38)**

\*\*At its 2 December 2024 meeting, Executive resolved to adjourn consideration of this item. Executive is reconvening to consider this item\*\*

\*\* The report and appendix for this item are attached to this reconvening of meeting notice and can also be accessed at the [2 December Executive meeting webpage](#) (item 9) \*\*

Report of Assistant Director Planning and Development

#### **Purpose of report**

To seek approval of an updated Local Development Scheme (LDS) to produce the Council's key planning policy documents.

#### **Recommendations**

The Executive resolves:

- 1.1 To approve the updated Local Development Scheme (LDS) presented at Appendix 1.

**Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.**

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence should be notified to [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk) or 01295 221534 prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

This agenda constitutes the 5-day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

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### **Queries Regarding this Agenda**

Please contact Natasha Clark, Democratic and Elections [democracy@cherwell-dc.gov.uk](mailto:democracy@cherwell-dc.gov.uk), 01295 221534

### **Shiraz Sheikh Monitoring Officer**

Reconvening of meeting notice published on Wednesday 27 November 2024 – the agenda for the [2 December 2024 Executive](#) meeting was published on Friday 22 November 2024.

<b>This report is public</b>	
<b>Proposed Cherwell Local Plan 2042</b>	
<b>Committee</b>	Executive
<b>Date of Committee</b>	2 December 2024
<b>Portfolio Holder presenting the report</b>	Portfolio Holder for Planning and Development Management, Councillor Jean Conway
<b>Date Portfolio Holder agreed report</b>	29 October 2024
<b>Report of</b>	Assistant Director – Planning & Development, David Peckford

## **Purpose of report**

To seek approval of the Proposed Cherwell Local Plan 2042 for the purpose of inviting representations.

## **1. Recommendations**

The Executive resolves:

- 1.1 To consider the comments made by the Overview and Scrutiny Committee on 12 November 2024 (Appendix 8a) and 26 November 2024 (Appendix 8b – to follow).
- 1.2 To agree that the Proposed Cherwell Local Plan 2042 at Appendix 1 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).
- 1.3 To agree 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.
- 1.4 To agree 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.

## **2. Executive Summary**

- 2.1 This report seeks the Executive’s approval of the Proposed Cherwell Local Plan 2042 presented at Appendix 1. Should it be approved, it would be published for the purpose of inviting representations under Regulations 19 and 20 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) – the Proposed or Pre-Submission stage of plan-making.

- 2.2 In taking its decision, the Executive is asked to consider Appendices 1 to 9 which include the Sustainability Appraisal of the Plan and the Statement of Consultation which summarises the comments received in response to a previous Consultation Draft of the Plan (Regulation 18) and explains how the issues raised have been taken into account.
- 2.3 If approved, the Proposed Submission Documents would be made publicly available for a statutory six-week period plus an additional two weeks to allow for the Christmas period.

## Implications & Impact Assessments

Implications	Commentary			
<b>Finance</b>	The work associated with preparing the Proposed Local Plan and inviting representations is met from existing budgets. Kelly Wheeler, Finance Business Partner, 29 October 2024.			
<b>Legal</b>	The Proposed Local Plan has been prepared to comply with primary and secondary legislation for plan making. The Council is being advised by an external planning barrister and the statutory Plan making process is being followed. The Plan will be submitted for Examination by an independent Planning Inspector to test the Plan's soundness and this will include public hearings. Shahin Ismail, Interim Head of Legal Services, 28 October 2024			
<b>Risk Management</b>	The risk related to not having an up-to-date Local Plan is managed through the Council's Leadership Risk Register. A decision to proceed to consultation assists in mitigating that risk. Celia Prado-Teeling, Performance Team Leader, 30 October 2024			
Impact Assessments	Positive	Neutral	Negative	Commentary
<b>Equality Impact</b>				The Proposed Local Plan is accompanied by a Health and Equalities Impact Assessment (Appendix 4 to this report)
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			Refer to Health & Equalities Impact Assessment
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics,	X			Refer to Health & Equalities Impact Assessment

including employees and service users?				
<b>Climate &amp; Environmental Impact</b>	X			Refer to the supporting Sustainability Appraisal and Habitats Regulations Assessment (Appendices 2 and 3 to this report)
<b>ICT &amp; Digital Impact</b>				None
<b>Data Impact</b>		X		None. Representations would be invited in accordance with data protection legislation
<b>Procurement &amp; subsidy</b>				None
<b>Council Priorities</b>	Business plan priorities for 2024-2025: <ul style="list-style-type: none"> <li>• Housing that meets your needs (including prepare the Local Plan)</li> <li>• Supporting environmental sustainability</li> <li>• An enterprising economy with strong and vibrant local centres</li> <li>• Healthy, resilient and engaged communities</li> </ul>			
<b>Human Resources</b>	N/A			
<b>Property</b>	N/A			
<b>Consultation &amp; Engagement</b>	<ul style="list-style-type: none"> <li>• Regular Portfolio Holder Briefings</li> <li>• Briefings for the Leader</li> <li>• Internal Local Plan Members Advisory Group meetings</li> <li>• Meeting of the Local Plan Members Advisory Group attended by Overview &amp; Scrutiny Committee Members</li> <li>• Overview and Scrutiny Committee meetings 12 November and 26 November 2024</li> </ul>			

## Supporting Information

### 3. Background

3.1 The adopted Local Plan is the main part of the statutory Development Plan – the starting point for considering development proposals. The district’s existing Local Plans are:

- i. saved policies of the Cherwell Local Plan 1996 (those not replaced)
- ii. Cherwell Local Plan 2011 – 2031 (Part 1) (adopted 2015)
- iii. Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need (adopted 2020).

3.2 National Planning Practice Guidance makes clear that most plans are likely to require updating in whole or in part at least every five years. Successive iterations of the Council’s Local Development Scheme (LDS) have programmed a Local Plan review, the most recent being that approved by the Executive in September 2023. An update to the LDS is presented elsewhere on this agenda.

- 3.3 A Local Plan review provides the opportunity to re-assert a plan-led approach to considering proposed development. It establishes a new set of policies for addressing development needs, for climate action, for healthy place-shaping, for biodiversity net gain, for our urban centres and rural areas and for responding to the current Government policy and guidance.
- 3.4 A review of the Local Plan commenced in 2020 and two public consultations were undertaken on issues and options:
- i. Community Involvement Paper Consultation (July 2020), and
  - ii. Community Involvement Paper 2: Developing our Options Consultation (September 2021)
- 3.5 Continuance was affected by the programme of work for an Oxfordshire Plan which ceased in August 2022. A draft Local Plan for consultation was presented to the Executive on 19 January 2023 but deferred. In September 2023 the Executive approved a revised draft and consultation took place from 22 September to 3 November 2023.
- 3.6 All representations received are available on-line. The Statement of Consultation at Appendix 5 provides a detailed summary of the comments received and indicates how they have been taken into account in preparing the Plan. A total of 930 responses were received from a wide range of respondents. Some key issues raised are highlighted below but the consultation statement must be read for a full understanding:
- General support for the extension of the plan period
  - Comments on the potential range of housing need
  - The importance of supporting infrastructure and having regard to constraints such as utility supplies
  - Concerns from developers about the deliverability of policy aspirations for responding to climate change, biodiversity net gain and self-build housing
  - The promotion of sites by developers/landowners
  - Some overall support for the suggested spatial strategy but also calls for a more ambitious approach and more focus on the economy accompanied by the provision of more employment land
  - Disparate views on whether the suggested approach to reducing carbon ambitions was too challenging or inflexible or more stringent requirements should be sought
  - Calls for a review of the settlement hierarchy, for the hierarchy to be resilient to change, and for further consideration of rural housing distribution
  - Concerns about the expansion of our towns and the loss of important settlement gaps
  - Specific observations on the potential housing sites consulted upon particularly at Heyford Park, Kidlington and Chesterton
  - Calls for a brownfield land first approach to accommodating new development
  - A request for a Heritage Impact Assessment from Historic England
  - Some suggestions that the Plan should allocate sites for renewable energy generation, including solar farms
  - The need for supporting transport infrastructure and sustainable transportation



- Calls for more coordination where development sites affect a number of landowners
- Observations that the Plan's evidence base was still evolving / further work required (e.g. on flood risk)
- The importance of healthcare provision to match development growth

3.7 The Proposed Local Plan now presented to the Executive for consideration is informed by these three previous formal consultations, a continuous process of engagement and cooperation and technical evidence.

3.8 Members are invited to consider the Proposed Plan at Appendix 1, supporting documents (Appendices 2 to 9) and background papers.

3.9 Further technical documents would be made available for the representation period in consultation with the Portfolio Holder for Planning and Development Management.

3.10 The Proposed Plan was presented to the Overview and Scrutiny Committee on 12 November 2024 and its observations are presented at Appendix 8a to this report. The officer response to those observations is presented within Appendix 9. Documents supporting the Local Plan are also to be presented to a meeting of the Committee on 26 November and any comments from this meeting will be published as Appendix 8b and the Executive will be updated on officer responses at its meeting.

3.11 The Procedure Guide for Local Plan Examinations (28 August 2024) states that the Plan that is published for consultation at Regulation 19 stage should be the Plan that the Local Planning Authority (LPA) intends to submit to the Planning Inspectorate for examination. It emphasises that this is a key premise of delivering an efficient examination timetable.

3.12 If approved by the Executive, the Proposed Submission Documents would be published for the purpose of inviting representations over an eight-week period - a six-week statutory period plus an additional two weeks to allow for the Christmas period.

## 4. Details

### *Preparing a 'Sound' Local Plan*

4.1 A Local Plan must be prepared in accordance with statutory requirements and must also be found to be 'sound' upon formal Examination. To be considered 'sound', the current National Planning Policy Framework (Dec. 2023, para. 35) requires a Local Plan to be:

a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by a statement of common ground; and

d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, where relevant.

4.2 The Proposed Local Plan has been prepared to accord with these ‘tests of soundness’. It comprises both strategic and non-strategic policies.

4.3 Strategic policies should set out an ‘...*overall strategy for the pattern, scale and design quality of places...*’ (NPPF, para. 20) and make sufficient provision for:

‘a) *housing (including affordable housing), employment, retail, leisure and other commercial development;*

b) *infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*

c) *community facilities (such as health, education and cultural infrastructure); and*

d) *conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation’.*

4.4 Strategic policies should look ahead over a minimum 15 year period from adoption. As this is anticipated for 2026, the proposed plan period has therefore been extended from 2040 to 2042.

4.5 Non-strategic policies should set out more detailed policies for specific areas or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies (NPPF, para’s. 22 & 28). The Proposed Plan distinguishes between strategic and non-strategic policies.

#### *The Proposed Plan*

4.6 The Proposed Plan sets out a vision and proposes homes, employment land, infrastructure and other essential services required to support the local community over the Plan period. It has three overarching themes as shown below:

**Figure 1: Proposed Cherwell Local Plan 2042 – Key Themes**

<b>Theme One: Meeting the Challenge of Climate Change and Ensuring Sustainable Development</b>	<b>Theme Two: Maintaining and Developing a Sustainable Local Economy</b>	<b>Theme Three: Building Healthy and Sustainable Communities</b>
Connectivity and Transport Sustainable Design and Construction Renewable Energy Flood Risk Natural Resources Green & Blue Infrastructure Biodiversity Transport Pollution, Waste & Air Quality	Employment Tourism Agriculture Rural Diversification Town Centres & Retail	Achieving Well Designed and Healthy Places Housing Travelling Communities Historic Environment Landscape Active Travel Health & Healthy Communities Utilities & Infrastructure Education Open Space, Sport & Recreation Local Green Space

4.7 The Proposed Plan suggests a series of objectives for meeting the vision and addressing these themes. It then presents a strategy, policies and proposals for meeting these objectives and delivering the vision. In summary, the proposed strategy is to:

- Ensure that our committed growth is delivered;
- Focus new development at Bicester, Banbury and to a lesser extent in the Kidlington area.;
- Revitalise our urban centres and encourage investment;
- Raise the design quality of our built and ‘green’ environments;
- Minimise carbon emissions and achieve set net gains in biodiversity; in delivering new development.

4.8 The district-wide strategy is supported by area strategies for Banbury, Bicester, Kidlington, Heyford Park and the Rural Areas:

**Figure 2: Proposed Cherwell Local Plan 2042 – Spatial Strategy**

<b>Spatial Strategy</b>	
<b>District</b>	<ul style="list-style-type: none"> <li>• Ensure that our committed growth is delivered.</li> <li>• Focus new development at Bicester, Banbury and to a lesser extent in the Kidlington area</li> <li>• Revitalise our urban centres and encourage investment.</li> <li>• Minimise carbon emissions and achieve set net gains in biodiversity in delivering new development</li> <li>• Raise design standards and improvements to the built environment to elevate the attractiveness of our towns and villages, while conserving our historic environment</li> <li>• Ensure that new development improves well-being through design, accessibility, social interaction, the provision of amenities and facilities and opportunities for active travel and recreation</li> <li>• Encourage new development that improves opportunity for all and in particular provides access to housing to meet all needs</li> </ul>
<b>Banbury</b>	<ul style="list-style-type: none"> <li>• Deliver committed development and provide for some limited additional growth reflecting the topographical, landscape and rural character constraints of the town's edge</li> <li>• Revitalise, appropriately repurpose and seek further investment in the town centre, continue to improve its built and 'green' environment and public realm and further develop the nighttime economy;</li> <li>• Continue to support and strengthen the town's economy and diversify its skill base;</li> <li>• Encourage development proposals that will support education and help reduce deprivation</li> <li>• Seek strategic transport improvements to encourage active travel, reduce congestion and pollution, and reduce cross town traffic by motorised vehicles</li> </ul>
<b>Bicester</b>	<ul style="list-style-type: none"> <li>• Deliver committed development and be the focus for additional development reflecting the town's on-going growth and transformation as a sustainable Garden Town and its regional and sub-regional location on the Oxford-Cambridge Corridor and East-West Rail route</li> <li>• Continue to maximise the benefits of having key international and national destinations and economic activity to support further business investment</li> <li>• Support the continued improvement of the town's centre, its facilities, its public realm and 'green' environment</li> <li>• Resolve transport connectivity and infrastructure challenges and encourage active travel</li> </ul>
<b>Kidlington</b>	<ul style="list-style-type: none"> <li>• Strengthen Kidlington's role as a Local Centre for the wider area;</li> <li>• Continue to maximise and encourage investment in key economic assets including the High Street, Parades, Oxford</li> </ul>

	<p>Technology Park London-Oxford Airport, Begbroke Science Park and at Langford Lane (Technology corridor)</p> <ul style="list-style-type: none"> <li>• Continue to maximise the benefits of localised connectivity to key national and international destinations to support inward investment;</li> <li>• Improve the built and 'green' environment of the High Street, Parades and wider Kidlington area</li> <li>• Deliver the committed 4,400 homes to help Oxford's housing needs.</li> <li>• Ensure the planned benefits of committed developments for the communities of Kidlington, Gosford and Water Eaton, Begbroke and Yarnton are delivered</li> <li>• Resolve transport connectivity and infrastructure challenges and encourage active travel</li> </ul>
<b>Heyford Park</b>	<ul style="list-style-type: none"> <li>• Ensure the implementation of the committed growth at Heyford Park to fully establish the new settlement already planned whilst preserving and enhancing the area's heritage significance;</li> </ul>
<b>Rural Areas</b>	<ul style="list-style-type: none"> <li>• Protect the identity and character of our villages and rural areas and avoid unplanned development in the open countryside</li> <li>• Provide for limited development to meet local community and business needs and help support the vitality of these more rural settlements and the viability of existing businesses and agriculture/farms</li> <li>• Direct the development of new housing to the larger and more sustainable villages that offer a wider range of services, and to a lesser extent to villages that are well-connected to our urban areas and sustainable villages</li> <li>• Maintain the designated Green Belt;</li> <li>• Conserve and enhance the Cotswolds National Landscape (Area of Outstanding Natural Beauty)</li> <li>• Conserve and enhance designated heritage assets.</li> </ul>

### *Policies*

- 4.9 Under Theme One: Meeting the Challenge of Climate Change and Ensuring Sustainable Development, the Plan proposes policies for settlement hierarchy; addressing climate change; energy; carbon emissions; flood risk, drainage and water management; the protection and enhancement of environmental assets, including biodiversity net gain, natural capital and green and blue infrastructure; air quality and pollution; soils and land stability; waste and recycling, sustainable transport, connectivity and transport impact; and the effective and efficient use of land.
- 4.10 Theme Two: Maintaining and Developing a Sustainable Local Economy includes policies for meeting business and employment needs, agriculture, rural diversification, tourism and town centres and retail.

- 4.11 Under Theme Three: Building Healthy and Sustainable Communities, the Plan contains policies for the district-wide housing distribution, affordable housing, housing mix, size and type, specialist housing, self-build and custom build housing, sub-division of dwellings and homes in multiple occupation. It provides for the travelling communities, landscape protection and designations, the protection of the Green Belt, settlement gaps, design, active travel, rights of way, health, infrastructure and services, education, utilities, open space, sport & recreation, green spaces and historic environment including the Oxford Canal.
- 4.12 Policies are proposed for the area strategies for Banbury and Bicester, the Kidlington area, Heyford Park and the rural areas. This includes site specific policies, the identification of opportunity areas and area specific policies for transport & green & blue infrastructure. Policies for the rural area include those for housing distribution, rural exception sites, new dwellings and conversions in the countryside and community-led housing development.
- 4.13 Finally we have a policy for implementation of the Plan and monitoring its delivery.

#### *Housing Need*

- 4.14 The Plan is informed by consideration of development needs. With regard to housing the NPPF states (para. 61) that '*...to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area*'.
- 4.15 It also advises that '*....there may be exceptional circumstances, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for*'.
- 4.16 An Oxfordshire Housing and Economic Needs Assessment (HENA, December 2022) was commissioned jointly by this Council and Oxford City Council to examine these issues. Comments were invited on the HENA as part of the last Local Plan consultation.
- 4.17 Oxford's proposed Local Plan was submitted for Examination on 28 March 2024 and initial public hearings were held. On 11 September 2024, the two appointed Inspectors advised the City Council that the robustness of the HENA was 'questionable', and 'its recommendations flawed'. The HENA has therefore been withdrawn from this Council's evidence base. However, alternative, suitable evidence on employment need, and affordable and specialist housing has informed the draft plan.
- 4.18 The starting position for assessing housing need remains the existing Standard Method as set out in Planning Practice Guidance. This is a formula-based approach to calculating housing need involving the following:

- Step 1: setting a baseline using the 2014-based national household growth projections
- Step 2: adjusting this baseline based on the affordability of the area (applying a median workplace-based affordability ratio where applicable)
- Step 3: where applicable, capping the level of any increase in housing need

4.19 Appendix 7 provides a Local Housing Needs Assessment using the Standard Method. The current Standard Method produces a need for Cherwell of 706 homes per year from 2024 to 2042 (a total of 12,708 homes). The Proposed Local Plan incorporates this level of need plus the Standard Method generated need for the start of the Plan period from 2020-2024 (an additional 2,921 homes).

4.20 The Assessment considers whether there are exceptional circumstances to justify an alternative approach to assessing housing need. National Planning Practice Guidance considers when might it be appropriate to plan for a higher housing need figure than the standard method indicates:

*‘The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.*

*This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan). Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:*

- *growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);*
- *strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
- *an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground.*

*There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities are encouraged to make as much use as possible of previously-developed or brownfield land, and therefore cities and urban centres, not only those subject to the cities and urban centres uplift may strive to plan for more home. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests’.*

- 4.21 Oxfordshire is in the last year of the extended Oxfordshire Housing & Growth Deal which included support to help deliver 100,000 new homes across Oxfordshire between 2011 and 2031. The planned growth to contribute to this is contained within the Cherwell Local Plan 2011-2031 and the Partial Review of that Plan and sites continue to be delivered. There is no additional housing need arising from the Growth Deal.
- 4.22 There are no identified strategic infrastructure improvements leading to additional housing need. However, additional provision is being made to support the delivery of the North West Bicester strategic development as part of the Bicester Garden Town programme. An additional 1,500 homes are proposed to add to the 6,000 presently planned, a total of 7,500. However, it is expected that 4,300 of these would be provided beyond 2042.
- 4.23 There is, however, a requirement to bring forward a commitment to help meet the unmet housing needs of Oxford, specifically for 4,400 homes in accordance with a Memorandum of Cooperation signed by five of the six Oxfordshire Councils in 2016. The Local Housing Needs Assessment at Appendix 7 explains why there is no additional need to be accommodated to assist Oxford and that there are no other exceptional circumstances that would justify an alternative approach to the Standard Method for assessing housing need.

#### *Housing Requirement*

- 4.24 Appendix 7 assesses the district's existing housing supply. The district has very significant supply. Cherwell provided 4,477 new homes from 2020-2042, has land supply for another 12,525 homes and has planned sites for the 4,400 homes to help Oxford. A total of 21,402 homes. In principle, identified needs could be met from the existing supply identified. There is no reason why identified housing need could not be met and the Plan therefore proposes a housing requirement equal to the need for 911 homes per annum from 2020 to 2042 – a total of 20,042 homes.

#### *Overall Planned Supply*

- 4.25 The Proposed Plan makes provision for some additional homes to ensure delivery, provide contingency, meet our plan objectives and accord with Government policy. This would help the Council demonstrate a robust supply of deliverable housing sites for the first five years following the potential adoption of the Plan (2026-2031). It would also support the delivery of further social/affordable housing and support place making. An additional 3,185 homes are provided for.
- 4.26 Overall housing supply from 2020 to 2042 would therefore be as follows:

**Figure 3: Proposed Housing Supply**

	Completion	Existing Supply	New Supply	Totals
Banbury	1632	4075	770	6477
Bicester*	1476	6273	0	7749
Heyford Park	553	1048	0	1601
Kidlington /Woodstock	172	0	450	622



Rural Areas	644	1129	565	2338
Partial Review Sites	0	4400	0	4400
Windfall Projection	-	-	1400	1400
Totals	4477	16925	3185	24587

\*A further 4,300 homes would be delivered at North West Bicester beyond 2042.

*Draft National Planning Policy – Proposed Transitional Arrangements*

- 4.27 The Plan has been prepared under a number of iterations of the National Planning Policy Framework (NPPF): that amended in June 2019, that revised in September 2023 and the current version published on 20 December 2023. A recent consideration has been the Government’s proposed changes to the NPPF (30 July 2024) and in particular its suggested arrangements (para. 226) for transitioning from the current NPPF to the next. These have been subject to consultation and the final NPPF is awaited.
- 4.28 The Government also consulted upon proposed changes to the national ‘Standard Method’ for assessing housing needs. The revised method moves away from a household projection based approach to one that provides for a 0.8% increase on housing stock with a more significant adjustment for affordability than the existing Standard Method. The potential outcomes were also published for Local Planning Authorities with Cherwell’s current need rising from 706 homes per year to 1095 homes per year. For comparison, the adopted Cherwell Local Plan 2011-2031 provides for 1,142 homes per year.
- 4.29 The Government has advised, ‘...to help local planning authorities with advanced plans to proceed to examination at pace and support the Government’s ambition to build more homes, those plans that have reached Regulation 19 publication stage but not yet been submitted for examination one month after the revised framework is published, with a gap of no more than 200 dwellings per annum between the local planning authority’s revised LHN [Local Housing Need] figure and its proposed housing requirement (as set out in the Publication version of the plan), should...progress to examination under the version of the NPPF it has used when preparing the plan thus far’. The draft NPPF clarifies that the housing requirement can include any unmet need arrangements.
- 4.30 The Government has also advised, ‘.... those with a more significant gap of over 200 dwellings per annum between the local planning authority’s revised LHN figure and the emerging housing requirement will need to revise its plan in line with the revised NPPF before submitting the plan for examination no more than 18 months after the publication of the revised NPPF’. The Government states it will provide direct funding support to help these authorities progress their plans to examination quickly.
- 4.31 Plans at earlier stages of preparation (i.e. plans that have not yet reached Regulation 19 stage one month after the revised NPPF is published) are expected to be prepared against the revised version of the NPPF and progressed as quickly as possible.
- 4.32 Officers presently expect publication of the final revised NPPF in December 2024 although this is not certain. The Proposed Plan’s housing requirement of 911

homes per annum would be within 200 homes of the currently proposed Local Housing Need figure for Cherwell, notwithstanding the additional supply planned, and consequently we would expect to progress to Examination under the existing NPPF subject to Members' approval following consultation.

#### *Proposed New Housing Sites*

- 4.33 Most housing site policies from the adopted Cherwell Local Plan 2011-2031 and the Partial Review of that Plan are proposed to be saved (see Appendix 1 within the Plan). A small number have been reviewed and revised policies proposed. These include the Canalside and Bolton Road sites in Banbury and the North West Bicester allocation.
- 4.34 The new additional sites now proposed are shown below.

**Figure 4: Proposed Housing Sites**

East of Bloxham Road, Banbury (South of Salt Way East Phase 2)	600
South East of Woodstock	450
Calthorpe Street, Banbury	170
Rural Sites Allocation	565

#### *Employment Generating Development*

- 4.35 Our employment evidence indicates a need for around 280 hectares of employment land within Cherwell in the period to 2042.
- 4.36 Our existing Local Plan identifies a significant amount of employment land and whilst much of this has been developed there remain substantial areas of land available. Allocations from the 2015 Local Plan, referred at the time of the 2021 Economic Needs Assessment, which had yet to deliver at that point would make a contribution of over 160 hectares against the need total. We have also taken account of other completed or approved employment since the start of the Plan period.

**Figure 5: Proposed Allocations for Employment Development**

Location	Proposed allocation	Total Allocation size	Net Available Development area (ha)
Banbury	Banbury E1: Land at Higham Way	3	3.0
Bicester	Bicester E1: Land NE of M40 J9	45.8	30
Bicester	Bicester E2: Land south of Chesterton	16	9
Bicester	Bicester E3: Land at Lodge Farm, Chesterton	40	25
Bicester	Bicester E4: Land SW of Graven Hill	36	17
Bicester	Bicester E5: Land adjacent to Symmetry Park	6.32	6
Banbury	Banbury M/U1: Canalside	26	7.5

Totals		173.12	97.5
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### *Next Steps*

- 4.37 Should the Executive approve the Proposed Local Plan, it would be formatted for publication. Arrangements would be made for the Plan to be made electronically and physically available for review and comment. All necessary publicity will be arranged in accordance with the Council's adopted Statement of Community Involvement and in liaison with the Communications team. Public exhibitions would also be arranged.
- 4.38 The representations received would be considered in determining whether or not to recommend to the Executive and Council that the Plan be submitted to the Secretary of State for Housing, Communities and Local Government for Examination by an appointed Inspector. The submission of the Plan is the point at which the Examination would commence.
- 4.39 Once the plan has been submitted further changes may only be made if Main Modifications are recommended through the Examination process and are necessary to make the plan sound and/or legally compliant. Representations would need to be invited on those Modifications. Otherwise, minor changes can be made to the plan on adoption, but only if they do not materially affect the plan's policies.

## **5. Alternative Options and Reasons for Rejection**

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

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.

- 5.2 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.

## **6 Conclusion and Reasons for Recommendations**

- 6.1 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).

## Decision Information

<b>Key Decision</b>	Yes
<b>Subject to Call in</b>	Yes
<b>If not, why not subject to call in</b>	N/A
<b>Ward(s) Affected</b>	All

## Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	Proposed Cherwell Local Plan 2042
<b>Appendix 1a</b>	Proposed Cherwell Local Plan 2042 – Policies Maps
<b>Appendix 1b</b>	Proposed Cherwell Local Plan 2042 - Appendices
<b>Appendix 1c</b>	Proposed Cherwell Local Plan 2042 (showing changes)
<b>Appendix 2a</b>	Sustainability Appraisal (November 2024) - Non-Technical Summary
<b>Appendix 2b</b>	Sustainability Appraisal (November 2024)
<b>Appendix 3</b>	Draft Habitats Regulations Assessment (November 2024)
<b>Appendix 4</b>	Health and Equalities Impact Assessment (November 2024)
<b>Appendix 5 (a to f)</b>	Consultation Statement (November 2024)
<b>Appendix 6</b>	Duty to Cooperate Statement (November 2024)
<b>Appendix 7</b>	Local Housing Needs Assessment
<b>Appendix 8a</b>	Copy of Decisions and Minutes - Overview and Scrutiny Committee - 12 November 2024
<b>Appendix 8b</b>	Copy of Decisions - Overview and Scrutiny Committee - 26 November 2024 (to follow as meeting after Executive agenda publication)

<b>Appendix 9</b>	Proposed changes to the Plan following Overview and Scrutiny Committee - 12 November 2024
<b>Background Papers</b>	None
<b>Reference Papers</b>	<p>Local Development Scheme, September 2023:  <a href="https://www.cherwell.gov.uk/info/33/planning-policy/382/local-development-scheme">https://www.cherwell.gov.uk/info/33/planning-policy/382/local-development-scheme</a></p> <p>Report and Minutes, Executive 4 September 2023, Draft Cherwell Local Plan Review 2040 (Regulation 18) Consultation:  <a href="https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&amp;MId=3811&amp;Ver=4">https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&amp;MId=3811&amp;Ver=4</a></p> <p>Report and Minutes, Executive 6 September 2021, Planning for Cherwell: Cherwell Local Plan Review - Options Consultation Paper:  <a href="https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&amp;MId=3530&amp;Ver=4">https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&amp;MId=3530&amp;Ver=4</a></p> <p>Report and Minutes, Executive 6 July 2020, Cherwell Local Plan Review: Planning for Cherwell to 2040 - A Community Involvement Paper:  <a href="https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&amp;MId=3366&amp;Ver=4">https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&amp;MId=3366&amp;Ver=4</a></p> <p>Evidence Base on-line:  <a href="https://www.cherwell.gov.uk/info/83/local-plans/729/planning-for-cherwell---local-plan-review/6">https://www.cherwell.gov.uk/info/83/local-plans/729/planning-for-cherwell---local-plan-review/6</a></p> <p>Inspectors' Letter to Oxford City Council, 11 September 2024 and Oxford City Council's response 25 September 2024:  <a href="https://www.oxford.gov.uk/local-plan/oxford-local-plan-2040-examination">https://www.oxford.gov.uk/local-plan/oxford-local-plan-2040-examination</a></p> <p>National Planning Policy Framework (last updated 20 December 2023)  <a href="https://www.gov.uk/government/publications/national-planning-policy-framework--2">https://www.gov.uk/government/publications/national-planning-policy-framework--2</a></p> <p>Planning Practice Guidance – Housing and Economic Needs Assessment (last updated 16/12/2020):  <a href="https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#:~:text=The%20standard%20method%20uses%20a,produce%20a%20housing%20requirement%20figure.">https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#:~:text=The%20standard%20method%20uses%20a,produce%20a%20housing%20requirement%20figure.</a></p> <p>Proposed reforms to the National Planning Policy Framework and other changes to the planning system:  <a href="https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system">https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system</a></p>

	<p>Motion to Council and Resolution 27 February 2023, Housing Affordability Mix:  <a href="https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=114&amp;MId=3648&amp;Ver=4">https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=114&amp;MId=3648&amp;Ver=4</a></p> <p>The Procedure Guide for Local Plan Examinations, 28 August 2024:  <a href="https://www.gov.uk/government/publications/examining-local-plans-procedural-practice/procedure-guide-for-local-plan-examinations">https://www.gov.uk/government/publications/examining-local-plans-procedural-practice/procedure-guide-for-local-plan-examinations</a></p>
<b>Report Author</b>	David Peckford – Assistant Director – Planning & Development Chris Cherry – Planning Policy, Conservation & Design Manager
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<b>Corporate Director Approval (unless Corporate Director or Statutory Officer report)</b>	Corporate Director for Communities, 7 November 2024

<b>This report is public</b>	
<b>Local Development Scheme</b>	
<b>Committee</b>	Executive
<b>Date of Committee</b>	2 December 2024
<b>Portfolio Holder presenting the report</b>	Portfolio Holder for Planning and Development Management, Councillor Jean Conway
<b>Date Portfolio Holder agreed report</b>	8 November 2024
<b>Report of</b>	Assistant Director - Planning and Development, David Peckford

## Purpose of report

To seek approval of an updated Local Development Scheme (LDS) to produce the Council's key planning policy documents.

## 1. Recommendations

The Executive resolves:

- 1.1 To approve the updated Local Development Scheme (LDS) presented at Appendix 1 be approved.

## 2. Executive Summary

- 2.1 This report seeks the Executive's approval for an updated Local Development Scheme presented at Appendix 1. Local Planning Authorities are required to produce a Local Development Scheme (LDS) under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). An LDS is a rolling timetable plan for the preparation of key planning policy documents. It must be kept up to date and made publicly available and these matters are 'tested' during the examination of the Local Plan.

## Implications & Impact Assessments

<b>Implications</b>	<b>Commentary</b>
<b>Finance</b>	There are no significant finance and resource implications arising from this report. The work arising from the LDS is to be met within existing budgets. To ensure that the timescales can be achieved resources will be made available from the existing budget. Joanne Kaye, Head of Finance 30/10/24
<b>Legal</b>	The Council has a statutory responsibility to prepare an LDS and to keep it maintained as set out in the Planning and Compulsory Purchase Act 2004 (as amended). Shahin Ismail, Interim Head of Legal Services 30/10 2024

<b>Risk Management</b>	An update to the LDS is required as detailed within the report to address changes in circumstances. The update will ensure that the Council complies with the Planning and Compulsory Purchase Act 2004 (as amended). The report recognises that a further review of the LDS may be required if circumstances again change significantly. The risk of delay to the specified programmes are managed through the Council's performance and risk management processes. Celia Prado-Teeling, Performance Team Leader, 30 October 2024			
<b>Impact Assessments</b>	Positive	Neutral	Negative	Commentary
<b>Equality Impact</b>				Not applicable
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		Not applicable
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		Not applicable
<b>Climate &amp; Environmental Impact</b>		x		Not applicable
<b>ICT &amp; Digital Impact</b>		x		Not applicable
<b>Data Impact</b>		x		Not applicable
<b>Procurement &amp; subsidy</b>		x		Not applicable
<b>Council Priorities</b>	Business plan priorities for 2024-2025: <ul style="list-style-type: none"> <li>• Housing that meets your needs (including prepare the Local Plan)</li> <li>• Supporting environmental sustainability</li> <li>• An enterprising economy with strong and vibrant local centres</li> <li>• Healthy, resilient and engaged communities</li> </ul>			
<b>Human Resources</b>	N/A			
<b>Property</b>	N/A			
<b>Consultation &amp; Engagement</b>	Portfolio Holder briefing			



## Supporting Information

### 3. Background

- 3.1 A Local Development Scheme (LDS) is a rolling programme for the preparation of key planning policy documents. It must be kept up to date and made publicly available and these matters are 'tested' during the examination of the Local Plan. Local Planning Authorities are required to produce an LDS under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).
- 3.2 The main purposes of an LDS are:
- To inform the local community and other interested parties of development plan documents being prepared or updated and the envisaged timescales.
  - To publish the Council's priorities for the preparation of the new development plan documents and their associated work programmes
- 3.3 Progress against the timescales set out in the LDS is monitored through the Annual Monitoring Report (AMR). The LDS is periodically reviewed to ensure it provides the most up-to-date information. The review is now necessary primarily due to changes in the programmes for the emerging local plan and CIL Charging Schedule.
- 3.4 A new LDS is presented at Appendix 1 for approval. It revises that approved by the Executive in September 2023.
- 3.5 The revised LDS provides timescales for:
- Cherwell Local Plan Review 2042
  - A potential Community Infrastructure Levy aligned to the Cherwell Local Plan Review 2042.
- 3.6 These projects require close working among services within the Council and Oxfordshire County Council as well as engagement and consultation with local communities, development industry, and stakeholders.
- 3.7 The LDS has been prepared having regard to current circumstances. Future circumstances that might lead to the need for review of the LDS include:
- New legislation, Government policy and guidance on plan-making;
  - Changing timeframes for work not fully within the Council's control; and
  - Unanticipated changes to available resources.
- 3.8 The LDS will be kept under review.

### 4. Details

- 4.1 The LDS provides a programme schedule for each of the key planning policy documents that will be prepared specifying the geographical area affected by the document, the status of the document, the timetable for production, a brief summary of the management arrangements and service resource, and the monitoring and review mechanism. There are several changes to the LDS compared to the

document approved in September 2021. These are outlined below. An updated Local Development Scheme (LDS) is presented at Appendix 1

### **Cherwell Local Plan Review 2042**

- 4.2 A review of the adopted Cherwell Local Plan, known as the Cherwell Local Plan Review 2042 is being undertaken to ensure key district level planning policies are kept up to date and new policies are prepared to guide decision making have regard to national and local priorities. The emerging Plan includes a vision, objectives and policies and proposals to deliver the Plan’s proposed spatial strategy.
- 4.3 The Government recently published a consultation document (30 July 2024) proposing changes to the NPPF and the planning system more widely. The document also proposed arrangements for transitioning from the current NPPF to the next.
- 4.4 The Government has advised, ‘...to help local planning authorities with advanced plans to proceed to examination at pace and support the Government’s ambition to build more homes, those plans that have reached Regulation 19 publication stage but not yet been submitted for examination one month after the revised framework is published, with a gap of no more than 200 dwellings per annum between the local planning authority’s revised LHN [Local Housing Need] figure and its proposed housing requirement (as set out in the Publication version of the plan), should...progress to examination under the version of the NPPF it has used when preparing the plan thus far’.
- 4.5 Officers presently expect publication of the final revised NPPF in December 2024 although this is not certain. To take advantage of these transitional arrangements the timetable for the Local Plan therefore needs to be revised.
- 4.6 It should be noted that the examination commences at the point of submission but the dates of public hearings and the timescale for receipt of an Examination report are set by the Planning Inspectorate (PINS) and are therefore indicative in the LDS.
- 4.7 The revised timescales are set out below:

Cherwell Local Plan Review 2042 Stage	Timetable
Consultation on Proposed Submission Plan (Regulation 19)	20 December 2024 – 14 February 2025.
Submission (Regulation 22)	April 2025
Examination Hearings (estimate) (Regulation 24)	June/July 2025
Receipt and Publication of the Inspector’s Report (estimate) (Regulation 25)	November 2025
Adoption (estimate) (Regulation 26)	January 2026 (subject to examination)

### **Community Infrastructure Levy (CIL) Charging Schedule**

- 4.8 CIL comprises a schedule of charges for contributions to off-site infrastructure, payable by developers. Consultation on a draft charging schedule was consulted on from 11 July 2024 to 24 August 2024. As a result of the responses received to this

consultation it is expected that significant amendments will be necessary. Such changes will likely require a further round of public consultation on a revised charging schedule.

- 4.9 Until now, the strategy has been to progress CIL to potential adoption ahead of the new Local Plan. It would then be reviewed after the new Local Plan has been adopted. However, the feedback received suggests a need to reconsider this strategy.
- 4.10 With further work needed on CIL, there is now an advantage in basing CIL on the new Local Plan and its policies for infrastructure provision.
- 4.11 It will delay the potential introduction of CIL but provides the opportunity to consider the developer contributions more broadly including the balance between s106 contributions and CIL.
- 4.12 The recommendation is now therefore to pivot the CIL programme to align with the emerging Cherwell Local Plan Review. This would delay the introduction of CIL by approximately 12 months from that set out in the previous LDS.
- 4.13 The revised timescales are set out below:

Action	Timetable
Public Consultation on revised Draft Charging Schedule	March/April 2025 (6 weeks)
Submission	July/August 2025
Examination	September 2025
Receipt of examiner's report	October 2025 (estimate)
Approval	December 2025 (estimate)
CIL comes into force	Early 2026 (estimate)

## 5. Alternative Options and Reasons for Rejection

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

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.

## 6 Conclusion and Reasons for Recommendations

- 6.1 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.

### Decision Information

<b>Key Decision</b>	Yes
<b>Subject to Call in</b>	Yes
<b>If not, why not subject to call in</b>	N/A
<b>Ward(s) Affected</b>	All

### Document Information

<b>Appendices</b>	
<b>Appendix 1</b>	Draft Local Development Scheme – December 2024.
<b>Background Papers</b>	None
<b>Reference Papers</b>	None
<b>Report Author</b>	Christina Cherry, Planning Policy, Conservation & Design Manager
<b>Report Author contact details</b>	<a href="mailto:Christina.cherry@cherwell-dc.gov.uk">Christina.cherry@cherwell-dc.gov.uk</a> , 01295 227985
<b>Corporate Director Approval (unless Corporate Director or Statutory Officer report)</b>	Corporate Director for Communities, 8 November 2024

**CHERWELL DISTRICT COUNCIL  
LOCAL DEVELOPMENT SCHEME  
December 2024  
Draft for Executive**



***Cherwell***  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

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## **1 INTRODUCTION**

1.1 Councils are required to produce a Local Development Scheme (LDS) under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). An LDS is a rolling plan for the preparation of key planning policy documents.

1.2 This LDS sets out the programme for the preparation of key planning policy documents for the next three-year period and was considered by members of Cherwell District Council's Executive on 2 December 2024. It revises that previously approved on 4 September 2023.

1.3 The main purposes of an LDS are:

- To inform the local community and other interested parties of the development plan documents that are being prepared for the area and the envisaged timescales.
- To establish the Council's priorities for the preparation of new development plan documents and their associated work programmes.

1.4 The LDS does not contain details of other documents that the council may prepare to aid decision making. This includes Supplementary Planning Documents, Development Briefs or Master Plans.

## **2 KEY CHANGES SINCE THE LAST LDS**

2.1 Key changes since approval of the last LDS in September 2023 include:

- Updated programme on the Cherwell Local Plan Review 2042
- Updated programme for the introduction of the Community Infrastructure Levy (CIL)

2.2 These changes have informed preparation of this LDS.

## **3 EXISTING DEVELOPMENT PLAN**

3.1 As of December 2024, the existing statutory Development Plan comprises:

- Cherwell Local Plan 2011-2031 (Part 1) (incorporating the re-adopted Policy Bicester 13) - July 2015
- Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need - September 2020
- Saved policies of the adopted Cherwell Local Plan 1996 that have not been replaced (see Appendix 7 of the 2015 adopted Local Plan) - November 1996
- Hook Norton Neighbourhood Plan - 19 October 2015
- Bloxham Neighbourhood Plan - 19 December 2016
- Adderbury Neighbourhood Plan - 16 July 2018

- Mid-Cherwell Neighbourhood Plan - 14 May 2019
- Weston-on-the-Green Neighbourhood Plan - 19 May 2021
- Deddington Neighbourhood Plan – 22 May 2024
- Oxfordshire Minerals and Waste Local Plan (Part 1 – Core Strategy) - September 2017
- Saved policies of the Oxfordshire Minerals and Waste Local Plan 1996 (adopted by the County Council) that have not been replaced - July 1996

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

3.3 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.

3.4 The **Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need** was completed and adopted by the Council on 7 September 2020. The Plan provides the strategic planning framework and sets out strategic site allocations to provide Cherwell’s share of the unmet housing needs of Oxford to 2031.

3.5 The **Adopted Policies Map** is 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](http://www.cherwell.gov.uk).

#### **4 EXISTING SUPPLEMENTARY PLANNING DOCUMENTS**

4.1 Supplementary Planning Documents (SPDs) provide further detail to Local Plan policies. They are statutory documents but do not form part of the Development Plan and their production is not required to be reported within the LDS. There are currently no SPDs being prepared by Cherwell District Council.

4.2 The following SPDs add further detail to the adopted Cherwell Local Plan 2011-2031:

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

#### **5 NON-STATUTORY LOCAL PLAN**



5.1 The Council also has a Non-Statutory Cherwell Local Plan 2011 which has not been withdrawn nor fully replaced. 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 OTHER DOCUMENTS**

### **Statement of Community Involvement**

6.1 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 current SCI was adopted by the Council in October 2021. As it is currently less than 5 years old, there is no current formal requirement to update it at present. However, the effectiveness of the SCI is kept under review.

### **Annual (or Authorities) Monitoring Reports (AMR)**

6.2 Local Planning Authorities are required monitor progress in producing Local Plans and Supplementary Planning Documents; on the implementation of policies; in meeting the district's housing requirement; and on the making of Neighbourhood Plans and report on these annually. They must include up-to-date information collected for monitoring purposes and, where relevant, include information on any applicable Community Infrastructure Levy and cooperation with prescribed bodies.

6.3 The Council's Annual (Authorities) Monitoring Reports (AMRs) are available on the Council's website. Supplemental information on the monitoring of residential development can also be published each year.

### **Masterplans and Development Briefs**

6.4 The Council has prepared Development Briefs for the allocated sites within the Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need to assist within informing planning applications and aid decision making.

## **7 NEIGHBOURHOOD DEVELOPMENT PLANS**

7.1 Neighbourhood Plans are produced by Town or Parish Councils or other relevant bodies (known as "qualifying bodies") to set out policies in relation to the development and use of land in the whole or any part of a designated neighbourhood area. They are not prepared by Cherwell District Council, although there is a legal obligation placed on the Council to aid those who wish to prepare them.

7.2 As they are not prepared by Cherwell District Council, Neighbourhood Plans are not reported within the LDS. Progress on Neighbourhood Plans including areas that have been designated are reported within the AMR annually.

## **8 PLANNING POLICY DOCUMENTS TO BE PREPARED**

8.1 Planning policy documents that the Council is, or will be working for the next 3 years are as follows:

**a. Cherwell Local Plan Review 2042** – a review of the adopted Cherwell Local Plan to ensure key planning policies are kept up to date for the future and to replace policies from the 2015 adopted Cherwell Local Plan 2011-2031 (Part 1), the remaining saved policies of the 1996 Local Plan and the 2011 Non-Statutory Local Plan interim policies. Upon adoption by the Council, it will become part of the statutory Development Plan.

**b. Community Infrastructure Levy (CIL) Charging Schedule** – CIL comprises a schedule of charges for contributions to infrastructure to support the development of Cherwell District, payable by developers. A draft charging schedule was consulted upon from 11 July 2024 to 24 August 2024.

8.2 The programme for preparing these documents is set out in schedules 9.1 and 9.2. It is expected that documents will be produced in accordance with these schedules. If significant changes in circumstances occur the LDS will be reviewed.


## 9. Project Schedules

<b>Schedule 9.1</b>	<b>Cherwell Local Plan Review 2042</b>	
Strategic or Local Policies	Strategic and Local Policies	
Subject Matter	Planning policies to manage development and meet local priorities, and to review & keep up-to-date existing planning policies. Will include new policies to support climate action, biodiversity and design; and the 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	<b>Commencement</b>	April 2020
	<b>District Wide Issues Consultation (Regulation 18)</b>	July - August 2020
	<b>District Wide Options Consultation (Regulation 18)</b>	October - November 2021
	<b>Consultation on draft Plan (Regulation 18)</b>	September-October 2023
	<b>Consultation on Proposed Submission Plan (Regulation 19)</b>	December 2024 - February 2025
	<b>Submission (Regulation 22)</b>	April 2025
	<b>Examination (Regulation 24)</b>	April 2025 onwards (hearings estimated June/July 2025)
	<b>Receipt and Publication of the Inspector's Report (Regulation 25)</b>	November 2025 (estimated)
	<b>Adoption (Regulation 26)</b>	January 2026 (subject to examination)
		Notes: Examination dates and subsequent programme subject to confirmation from the Planning Inspectorate and views of Inspector.
Management Arrangements	<ul style="list-style-type: none"> <li>• Planning Policy, Conservation and Design Manager reporting to: <ul style="list-style-type: none"> <li>○ Assistant Director - Planning and Development reporting to</li> <li>○ Corporate Director – Communities</li> </ul> </li> <li>• Reports to Overview &amp; Scrutiny, Executive and Council</li> <li>• Internal Members Advisory Group</li> </ul>	
Resources Required	Planning Policy, Conservation and Design service, 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	

<b>Schedule 9.2</b>	<b>Community Infrastructure Levy (CIL) Charging Schedule</b>	
Subject Matter	The purpose of CIL is to raise funds to deliver infrastructure that will support the development of Cherwell District. This could include open space, leisure centres,-sports facilities, transport schemes, schools among other requirements. The charging schedule provides 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	
	<b>Consultation on a revised draft charging schedule</b>	March/April 2025
	<b>Submission</b>	July/August 2025
	<b>Examination</b>	September 2025 (estimated)
	<b>Receipt and Publication of the Inspector's Report</b>	October 2025 (estimated subject to examination)
	<b>Approval</b>	December 2025 (estimated)
	Notes: Examination dates and subsequent programme subject to confirmation from the Examiner.	
Management Arrangements	<ul style="list-style-type: none"> <li>• Planning Policy, Conservation and Design Manager reporting to: <ul style="list-style-type: none"> <li>○ Assistant Director - Planning and Development reporting to</li> <li>○ Corporate Director - Communities</li> </ul> </li> <li>• Reports to Executive and Council</li> <li>• Internal Members Advisory Group</li> </ul>	
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	

Appendix 1: LDS Timetable

		2024												2025												2026																																		
Document		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D																							
1	Cherwell Local Plan Review 2042												FC	FC		S									H												A																							
2	Community Infrastructure Levy (CIL) Charging Schedule																								FC	FC											S												A											

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- C** Commencement
  - CC** CIL Consultation
  - C** Initial Consultation
  - FC** Further Consultation
  - S** Submission
  - H** Hearings (Public Examination)
  - A** Adoption / Approval
  - R** Re-commencement
  - In Progress
  -  Paused

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