

Cherwell District Council

Executive

19 July 2021

Updated annexe to
Overview & Scrutiny report

**The Oxfordshire Plan Regulation 18 Part 2 Consultation Document
Report of Assistant Director – Planning and Development**

This report is public

Purpose of report

To consider the approval of the Oxfordshire Plan consultation document which sets out a range of planning policy options and a series of spatial strategy options for Oxfordshire.

When complete the Oxfordshire Plan will provide a high-level spatial planning framework for Oxfordshire up to 2050 and will be a statutory Local Plan. The Plan aims to be transformational and occupies new policy areas, such as on climate change, environmental betterment, health impacts and zero carbon transport. It has now reached the Regulation 18 Part 2 stage.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Regulation 18 (Part 2) consultation document for public consultation as attached at Appendix 1.
- 1.2 To adopt an updated Statement of Community Involvement (SCI) as attached at Appendix 2, which will become the formal basis for the forthcoming Regulation 18 Part 2 consultation.
- 1.3 To authorise the Assistant Director to make any necessary editorial corrections and minor amendments to the attached documents, and to agree the final publication style, in liaison with the Lead Member for Planning and subject to agreement with their counterparts in the other four partner Local Planning Authorities.

2.0 Introduction

- 2.1 The Oxfordshire Plan 2050 (OP2050) is being produced by the five local planning authorities in Oxfordshire, working in close partnership with Oxfordshire County Council and OxLEP throughout. The city and district councils formally approve each key stage.

- 2.2 A core team was established to co-ordinate the production of the OP2050 working closely with officers at the councils.
- 2.3 Development of the consultation document and evidence base has involved the Growth Board's Oxfordshire Plan Members Advisory Group, the Oxfordshire Heads of Planning Group, a technical Liaison Group and specialist officer input throughout the plan-making process.

3.0 Report Details

Progress to date

- 3.1 The 2018 Oxfordshire Housing and Growth Deal included a commitment by the Oxfordshire Councils to prepare a Joint Statutory Spatial Plan (the Oxfordshire Plan) alongside Government investment of £215m for affordable housing and infrastructure improvements.
- 3.2 The first major consultation on the Oxfordshire Plan (covering Plan vision, objectives, aspirations and possible spatial typologies) took place in February and March 2019 (Regulation 18 Part 1), and then a vision for the Oxfordshire Plan was developed in response to the consultation responses.
- 3.3 An extensive evidence base was commissioned, and Sustainability Appraisal scoping & ongoing testing has been undertaken.
- 3.4 The team also undertook a number of further consultation steps including initiating a 'Call for Ideas' (promoted development sites and other project proposals), stakeholder events and engagement with young people.
- 3.5 The relationship was considered with other plans & strategies and strategic influencers such as the Local Industrial Strategy (LIS), Oxfordshire's Infrastructure Strategy (OXISIS), Local Transport and Connectivity Plan (LTCP) and the Joint Health & Wellbeing Strategy (JHWS). The nature of 'Good Growth' in Oxfordshire was considered.
- 3.6 Oxfordshire's Strategic Vision was developed by the Growth Board and intended to provide a strategic framework for a number of Oxfordshire-wide documents, to enable the closer coordination of planning, transport, infrastructure and economic development, amongst others. It sits alongside the Oxfordshire Plan's vision and was prepared and approved by the collective leadership of the Oxfordshire Growth Board and has been agreed by all Oxfordshire councils.

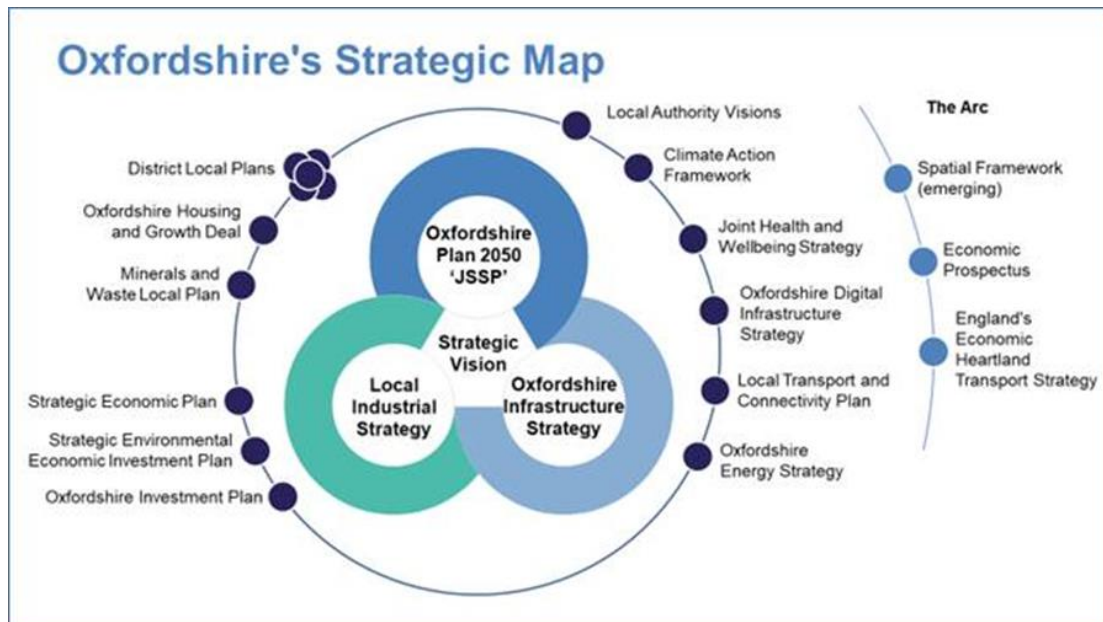


Diagram illustrating the relationship between the Oxfordshire Plan and other plans, strategies and programmes

- 3.7 The core team has also undertaken Duty to Co-operate scoping and continuous engagement with neighboring Councils. This has included the Oxford City Council and District Councils, the County Council & the Oxfordshire Local Enterprise Partnership (OxLEP), together with authorities adjoining Oxfordshire including Thames Valley, Buckinghamshire and Swindon. It has also included the 'prescribed bodies', such as Natural England, Environment Agency, Historic England and NHS Clinical Commissioning Groups.
- 3.8 Other key supporting documents are appended to this report, including an updated Statement of Community Involvement presented for adoption.

Structure of the Consultation document

- 3.9 The Oxfordshire Plan consultation document comprises:
- Introduction and context
 - Plan Vision and Objectives
 - Plan Themes and Policies
 - Strategic Spatial Options

Developing the Plan

- 3.10 The Oxfordshire Plan is being prepared as a Development Plan under Section 28 of the Planning and Compulsory Purchases Act 2004 (as amended). Once adopted the Oxfordshire Plan will form part of the Development Plan of each District and where appropriate will carry weight in the determination of planning applications and appeals for development, alongside the adopted Local Plan.
- 3.11 The development of the Oxfordshire Plan follows the Local Plan regulations (Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)).
- 3.12 We are now at the Regulation 18 stage, with significant discretion on content so long as our proposals are backed by evidence and the Sustainability Appraisal has

played a major role in shaping the detail. The Regulation 18 is a consultation stage at which different options can be tested. The Regulation 19 stage (the draft Plan) is where the Plan takes shape with policy detail.

- 3.13 A consultation document has been prepared that takes a series of proposals from the Planning Authorities as its foundation. It has been expanded into a full draft consultation document following discussion with Councillors representing each Council on the Advisory Group and officers. The draft consultation document seeks to ensure the content is strategic, setting the framework for Oxfordshire over 30 years (twice the operational length of a normal Local Plan) and shaping future growth, policies and setting the content for new Local Plans.
- 3.14 The consultation document sets out to show how joint action at an Oxfordshire level, where issues impact on more than one District, can add to what is already in place in the adopted Local Plans. The document seeks to consult on options that have the potential to set a framework for Local Plans and Neighbourhood Plans, with options on policy criteria with some matters more appropriately left to Local Plans or Neighbourhood Plans.
- 3.15 At the Regulation 18 stage we are concerned with considering options on policies and spatial distribution and have sought to present such in the consultation document as 'preferred options' with 'alternative options' where appropriate. This is not the final plan but shows the direction of travel. The Plan sets out how we intend to progress from Regulation 18 to the Regulation 19 stage. Several local plans have been adopted since the Regulation 18 Part 1 consultation in February 2019, so the Regulation 18 Part 2 takes into account the development already planned in all the adopted Local Plans.

Scope of the Oxfordshire Plan

- 3.16 As agreed through the 2018 Oxfordshire Growth and Housing Deal, the Oxfordshire Plan is being prepared as a Joint Statutory Spatial Plan covering 2020-2050.
- 3.17 The Oxfordshire Plan aims to be a different sort of plan. The Plan aims to be ambitious and transformational and occupies new policy areas; some require explanation in the plan at this stage; especially on climate change and environmental enhancement. The plan seeks to achieve cleaner, greener growth and higher quality development as a result of the proposed strategy and associated policies.
- 3.18 The consultation document describes 32 policy options that will be tested at the Regulation 18 stage. The document sets out why options are included, what the challenge is and why the response is proposed.
- 3.19 Possible policies for the Plan were identified following the Regulation 18 Part 1 consultation, which the partnership considered. These have been subsequently expanded through consideration of evidence, such as the Sustainability Appraisal, into new policy proposals judged appropriate for consideration at the Oxfordshire level.
- 3.20 The proposed policy content covers strategic, Oxfordshire-wide policy options where issues relate to more than one District. The document aims to set a long-

term, overarching and high-level spatial planning framework for Oxfordshire for the period up to 2050.

3.21 Policies are in some cases establishing an enabling/framework, others are more detailed. Others will be used in formulation of more detailed Local Plan policies.

3.22 Our development approach is set out under 5 themes that will create a County wide long-term framework. 32 strategic policies are proposed across five themes:

- **Theme One:** Addressing climate change.
- **Theme Two:** Improving environmental quality.
- **Theme Three:** Creating strong and healthy communities.
- **Theme Four:** Planning for sustainable travel and connectivity.
- **Theme Five:** Creating jobs and providing homes.

3.23 Under these themes county-wide policies are being proposed, including policies on climate change, environmental net gain, health impact assessment and urban renewal due to the retail changes impacting on our town and city centres, business site intensification and high design standards for new development.

3.24 The Plan is closely aligned with the development of the Local Transport and Connectivity Plan and the OXIS infrastructure assessment. The Infrastructure Delivery Plan that will accompany the Oxfordshire 2050 Plan will be based on the update of OXIS. This will complete before the Regulation 19 stage.

3.25 The plan will also have a Monitoring Framework at the Regulation 19 stage that is aligned with the OXIS monitoring framework.

3.26 The options consulted upon at Regulation 18 Part 2 will be turned into final proposals by the Regulation 19 stage.

Strategic Spatial Options

3.27 Finally, the Plan will also establish housing and economic growth requirements to 2050 and broad locations for growth. This document proposes consulting on the options for the distribution of growth through spatial options.

3.28 Five spatial strategy options have been identified. These are to be tested through the Regulation 18 Part 2 consultation. The process for moving from Regulation 18 to Regulation 19 is set out.

3.29 The five spatial strategy options identified are:

- **Option 1:** Focus on opportunities at larger settlements and planned growth locations.
- **Option 2:** Focus on Oxford-led growth.
- **Option 3:** Focus on opportunities in sustainable transport corridors and at strategic transport hubs.
- **Option 4:** Focus on strengthening business locations.
- **Option 5:** Focus on supporting rural communities.

- 3.30 The adopted local plans already establish the distribution of significant growth to 2031/35/36 and are taken account of in the spatial strategy and proposed spatial options.
- 3.31 At this stage we are not identifying individual options that can necessarily accommodate all of Oxfordshire's growth over next 30 years, nor identifying any one of the options taken in isolation as the eventual long-term spatial strategy. At the next stage when a draft Plan is published (Regulation 19) broad locations for growth will be identified, with Local Plans being the mechanism for final site allocations. The eventual long-term spatial strategy is anticipated to draw from all of the five strategic spatial options at this next stage.

Level of new growth

- 3.32 We have undertaken an assessment of the growth needs of Oxfordshire up to 2050, the Oxfordshire Growth Needs Assessment (OGNA), which will be published alongside the Regulation 18 Part 2 consultation document given its important role as an evidence document. It sets out three scenarios for housing need. One that is based on the Government's standard methodology, a mid-range option, and a higher one that factors in additional economic growth.
- 3.33 The decision on which level of growth will be taken around Christmas 2021 to inform the Regulation 19 stage draft plan. In setting the level of planned housing provision, the OGNA will be one of the factors considered alongside a number of others.
- 3.34 Our strategy seeks to take account of the five District Local Plans that have been adopted in Oxfordshire and take account of the growth already committed in each District, totalling circa 75,000 houses. The consultation document clarifies that the housing need assessment is just a starting point, the current Local Plan growth up to 2031/35/36 has to be taken into account and leaves a smaller 'residual' figure of new development to be planned for in the Oxfordshire Plan.

The relationship with the Oxford-Cambridge Arc

- 3.35 The consultation document also includes a section on the relationship with the Oxford to Cambridge Arc. Our aspiration is for our work on the Oxfordshire 2050 Plan to strongly inform and influence government's thinking on the Arc Spatial Framework.
- 3.36 MHCLG have announced the development of a Spatial Framework for the Arc, to take place in stages:
- Policy Statement – February 2021 (MHCLG announced a focus on brownfield land, new settlements and climate change)
 - Vision consultation – Summer 2021
 - Options consultation - Spring 2022
 - Draft Framework consultation – Autumn 2022
- 3.37 The Oxfordshire Plan will help ensure that Oxfordshire has a strong voice in the development of the Ox-Cam Arc Spatial Framework and that our interests are taken into account.

3.38 Decisions on the development of the Arc will also feed into the site assessment that is to be undertaken as part of the work to prepare the Regulation 19 draft Plan.

Regulations and Legal Advice

3.39 Legal support and advice has been received throughout the key stages of the process, as with the preparation of a Local Plan.

3.40 The Plan follows the Local Plan regulations and will be part of the Development Plan for each District. We are at Regulation 18 stage and have significant discretion about consultation document content, so long as it is backed by evidence. Regulation 18 is a testing/consultation stage.

3.41 The development of the consultation document is also informed by a significant evidence base, especially the Sustainability Appraisal.

Accompanying documents

3.42 A number of accompanying documents are being provided to be available to Councillors when considering the Regulation 18 Part 2 Consultation Document and whether to approve it for consultation. These include:

- An updated Statement of Community Involvement (SCI)
- A report on Duty to Cooperate
- Statement of Common Ground (NPPF requirement, para 27)
- Equalities Statement

3.43 There are also three independent studies that are being made available to inform the decision to proceed to consultation:

- Sustainability Appraisal (SA)
- Habitats Regulations Assessment (HRA)
- The Oxfordshire Growth Needs Assessment (OGNA)

3.44 Approval of an updated Statement of Community Involvement is sought. A Statement of Community Involvement (SCI) is a statutory requirement that needs to comply with legislation and Government policy for plan-making and consultation on planning matters. The Statement of Community Involvement for the Oxfordshire Plan sets out the key stages for preparing the Oxfordshire Plan and how the Oxfordshire local planning authorities intend to inform, involve and consult communities, local organisations, businesses, infrastructure providers and statutory consultees on the preparation of the plan. It sets out what is required and how and when people will be consulted in order to ensure that the plan is shaped by early, proportionate and meaningful engagement. The original SCI for the Oxfordshire Plan was approved in 2019. The Oxfordshire Plan SCI is now being updated to incorporate a number of changes to consultation methods to reflect current public health guidelines related to COVID-19 and associated temporary changes to regulations and national Planning Policy Guidance (PPG). A further review of the Plan's SCI will take place in due course.

3.45 As with the Oxfordshire Plan SCI 2019, the version on which approval is now being sought relates to, and is specific to, the Oxfordshire Plan. The partner local planning

authorities have their own individual SCIs concerned with the production of their individual local plans (and other planning matters).

Consultation Period

- 3.46 The consultation is to commence on 30th July 2021 for ten weeks, up to 8th October 2021.
- 3.47 At the Regulation 18 Part 2 stage we have discretion as to the length of time of the consultation period.
- 3.48 As noted earlier the purpose of this consultation is to seek public views and test the options presented throughout the consultation document. Councillors are requested to engage with the consultation process once it commences rather than seeking to answer the questions posed before the consultation begins.
- 3.49 We have planned for the engagement process to be online given the Covid uncertainties.

Availability of Documents

- 3.50 The Oxfordshire Plan 2050 has a website (<https://oxfordshireplan.org/>) where the Regulation 18 Part 2 consultation documents will sit. The website will be the key tool for the engagement during the consultation period.
- 3.51 The website will contain:
- Overview text about the Oxfordshire Plan, stage reached and consultation purpose.
 - A consultation response form, including a series of questions included.
 - A summary leaflet.
 - A downloadable Regulation 18 Part 2 consultation document.
 - The ability to access the key accompanying documents that the Councils will receive.
 - Link to the supporting evidence including the Sustainability Appraisal (SA) & the Habitats Regulations Assessment (HRA).
 - Link to the OGNA report
 - Link to secondary evidence such as the Local Transport & Connectivity Plan (LTCP) and the OXIS which supports the Oxfordshire Plan but which is being consulted upon separately.
 - Text confirming that the County Minerals and Waste Plan is separate.
 - A download form for proposals to be submitted by site promoters.
- 3.52 We will also make hard copies of key documents available at the Council's offices and public libraries.

Online events for which dates are being confirmed.

- District-based webinars: 2 per district, 1st to take place in 3rd week of August (from 16th), 2nd to take place in 3rd week of September (commencing 20th)
- CPRE webinar date confirmed as 19th August.

- A number of specialist webinars covering Environment and Developers. Each of these is to take place in the week commencing Tuesday 31st August.
- OxLEP Business events: 2 events, one w/c 19th July and one in mid-September
- Thames Valley Chamber of Commerce: July 6th

The future timetable

3.53 The scale of the work undertaken at the Regulation 18 Part 2 stage puts the plan-making process in a good position to meet the future timetable that was agreed with MHCLG in February 2021.

3.54 We plan to reach:

Stage	Timeline
Scrutiny Meetings	8th to 15 July 2021
Cabinet/ Executive Meetings	19 to 22 July 2021
<i>Second</i> Regulation 18 Consultation (<i>on options</i>)	30 July - September 2021
Regulation 19 Consultation (<i>draft plan</i>)	May - June 2022
Submission	September 2022
Examination	November/December 2022
Inspectors Report	February/March 2023
Adoption	May/June 2023
Monitoring	<i>From adoption onwards</i>

4.0 Conclusion and Reasons for Recommendations

4.1 The Oxfordshire Plan is a joint Local Plan being prepared by the five Oxfordshire Local Planning Authorities in partnership with the County Council. It will provide a high-level spatial planning framework for Oxfordshire up to 2050. The Plan aims to be transformational and occupies new policy areas, such as on climate change, environmental betterment, health impacts and zero carbon transport. It has now reached the Regulation 18 Part 2 stage and it is recommended that a public consultation takes place to inform the next stage of plan-making.

5.0 Consultation

5.1 Councillor Colin Clarke - Lead Member for Planning.

6.0 Alternative Options and Reasons for Rejection

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

Option 1: Not to approve the documents at this time and seek changes.
This would put in jeopardy the timetable agreed by the Growth Board with MHCLG.

Option 2: To seek specific changes prior to consultation commencing with delegation to the Assistant Director.
This is dependent on Members' consideration.

7.0 Implications

Financial and Resource Implications

- 7.1 The preparation of the Oxfordshire Plan by the central plan team is being funded through the Oxfordshire Housing & Growth Deal contract with the Government. Oxfordshire County Council is the accountable body. This Council's contributions are resourced through existing service budgets.

Comments checked by:

Karen Dickson, Strategic Finance Business Partner

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Legal Implications

- 7.2 The consultation document has been prepared by the central plan team on behalf of the five Oxfordshire Local Planning Authorities. The Oxfordshire Plan is being prepared as a joint Local Plan under Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended). The proposed consultation would take place under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) for 'preparation of a local plan'. Notification and consultation requirements include the invitation of representations which must then be taken into account in preparing the Local Plan. Failure to meet regulatory requirements would place adoption of the plan at risk and invite legal challenge.

Comments checked by:

Matthew Barrett, Planning Solicitor

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Risk Implications

- 7.3 Preparation of the Oxfordshire Plan is an agreed commitment under the terms of the Oxfordshire Housing & Growth Deal 2018. A timetable for completion of the Plan has been agreed by the Oxfordshire Growth Board with MHCLG which includes the proposed consultation. Failure to meet the programme could leave the Oxfordshire Councils in breach of the agreed terms.

Comments checked by:

Louise Tustian, Head of Insight and Corporate Programmes

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Equality & Diversity Implications

7.4 An Equalities Impact Assessment has been prepared to support the consultation which fully sets out any anticipated impact on residents, specifically those with protected characteristics, and clearly sets out any proposed mitigation if required. There is no equality or diversity impediment to proceeding to consultation, which actively supports an inclusive approach to the Oxfordshire Plan.

Comments checked by:

Emily Schofield, Acting Head of Strategy

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8.0 Decision Information

Key Decision:

Financial Threshold Met No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Business Plan Priorities 2021-2022:

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

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix 1 - The Regulation 18 (Part 2) Consultation Document

Appendix 2 - Statement of Community Involvement

Appendix 3 - Duty to Co-operate Statement

Appendix 4 - Statement of Common Ground

Appendix 5 - Equalities Statement

Appendix 6 - Sustainability Appraisal

Appendix 7- Habitats Regulations Assessment

Appendix 8 - Oxfordshire Housing Growth Needs Assessment

Background Evidence available at: <https://oxfordshireplan.org/>

Background papers

None

Report Author and contact details

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