

Cherwell District Council

Executive

6 September 2021

Planning for Cherwell: Cherwell Local Plan Review - Options Consultation Paper

Report of Assistant Director – Planning and Development

This report is public

Purpose of report

To seek approval of an options consultation paper for the Cherwell Local Plan Review.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Options Paper at Appendix 1 for the purpose of public consultation
- 1.2 To authorise the Assistant Director - Planning and Development to make any necessary minor and/or presentational changes to the options paper prior to the consultation and to determine the format of publication.

2.0 Introduction

- 2.1 An options consultation paper (Appendix 1) has been prepared as the second stage of public consultation in the process of preparing the Cherwell Local Plan Review. If approved by the Executive, a six-week consultation would follow.
- 2.2 Members may recall that the Executive approved an initial community involvement paper on Local Plan issues on 6 July 2020.
- 2.3 Consultation on that paper took place from 31 July to 14 September 2020. 271 responses were received which have been taken into account in preparing the new options consultation paper.
- 2.4 The consultation paper does not comprise a draft Local Plan. It seeks to explore policy themes and options to inform plan preparation.
- 2.5 The programme for preparing the Local Plan is set out within the Council's Local Development Scheme (LDS); a separate item on this agenda.
- 2.6 There is a need to ensure that key planning policies are kept up to date; to replace the remaining saved policies of the 1996 Local Plan, and a statutory requirement to

review Local Plans every five years. Members may recall that a review of policies was undertaken in the context of that requirement and presented to the Executive on 4 January 2021,

- 2.7 In March 2020, the Government set a deadline of December 2023 for all councils to have an up-to-date Local Plan in place. This deadline has informed the programme for preparing the Cherwell Local Plan Review. The Oxfordshire Plan is also a Local Plan and its programme accords with the Government's aim (see separate agenda item on the Local Development Scheme).

3.0 Report Details

Plan Purpose

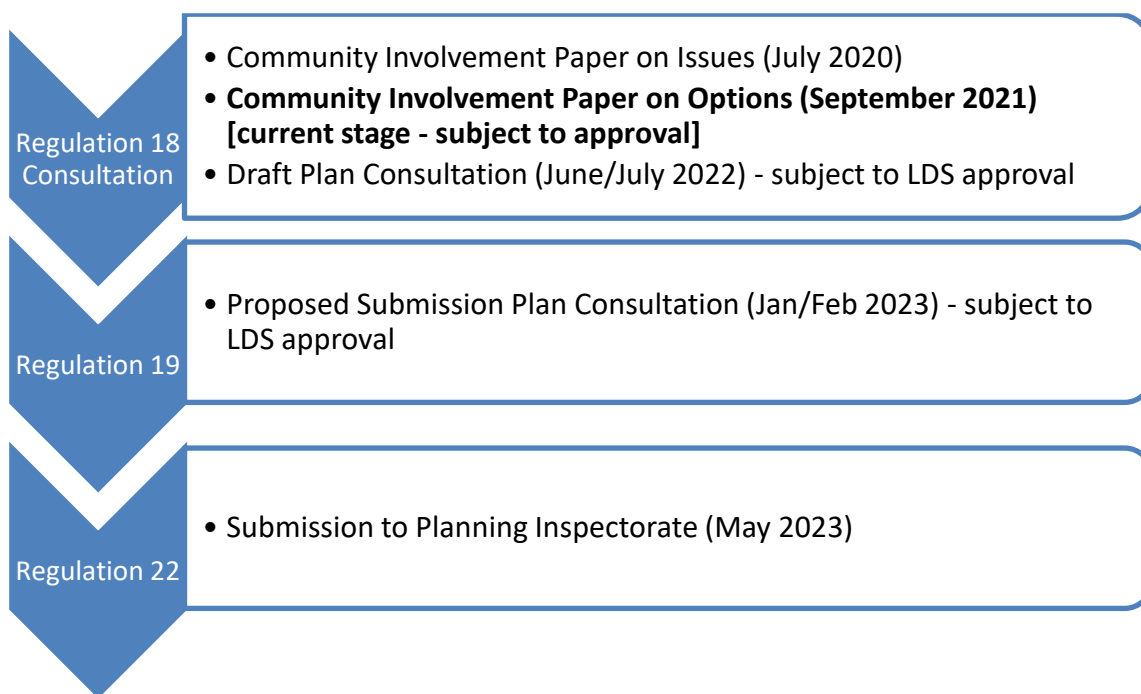
- 3.1 The current 'development plan' for Cherwell includes the Cherwell Local Plan 2011-2031, the Cherwell Local Plan Partial Review - Oxford's Unmet Housing Needs (2020), together with the remaining 'saved' policies from the 1996 Local Plan.
- 3.2 As previously advised, a new district wide Local Plan will be prepared to meet assessed development needs for employment, housing, leisure, community facilities and infrastructure and to provide a strategy for the pattern, scale and quality of development. The Local Plan review provides the opportunity to develop newer planning policies for:
- i. responding to climate change and the Council's climate emergency declaration;
 - ii. placing healthy planning at the centre of the Plan;
 - iii. achieving net increases in biodiversity;
 - iv. the future of our urban centres and rural areas;
 - v. responding to new Government policy and guidance including on design.
- 3.3 Officers also previously highlighted that it will also be a key policy document to help support economic and social recovery in the context of COVID-19. Providing employment generating opportunities, helping the provision of new community services and facilities, supporting any necessary adaptation of our urban centres, encouraging safe, active travel and recreational opportunities, will all be important in responding to the wider consequences of the pandemic.

Consultation and Plan Stages

- 3.4 The 2020 consultation on issues highlighted these areas and good level of feedback was received. A consultation statement summarising the response is provided at Appendix B and the options paper now presented for approval includes an account of what officers were told section by section.
- 3.5 The proposed options paper at Appendix A seeks to continue the conversation and public discussion on district-wide planning policy issues and how the district can best respond in land use/spatial planning terms to current and future environmental conditions to the pandemic and the need for economic recovery. It builds on the responses received to the previous consultation paper and sets out a range of options and questions about how we deliver sustainable development in the future

and what policy ‘toolkit’ we require to make the best decisions. It does not contain any draft policies.

3.6 The main stages of Plan preparation are shown below:



Content of the Options Paper

- 3.7 The consultation paper explains the plan preparation process, sets out the current national, regional and local context and adds further discussion as to how some of the key issues identified previously could be addressed. The Options Paper contains a suggested vision and a draft set of objectives for consultation. In addition, it continues the place-based discussion for Banbury, Bicester, Kidlington and Upper Heyford and the rural areas.
- 3.8 The Options Paper is supported by a high-level Sustainability Appraisal (“SA”) (Appendix C). The SA provides a commentary on the sustainability considerations for each of the thematic sections of the options paper and an assessment of two alternative growth scenarios “higher” or “lower” for each of the five place-based sections: Banbury, Bicester, Kidlington and surrounding villages, Upper Heyford and the Rural Areas. This approach is proportionate to the stage of plan preparation in evaluating and informing reasonable policy alternatives as the plan progresses.
- 3.9 Throughout the document are boxes that summarise the key comments made during the previous round of consultation. This approach seeks to ensure a narrative is established for the plan and stakeholders understand the differences of views. Summaries of all individual comments made are being published alongside the options paper in the ‘Consultation Statement’ (Appendix B), and full copies of all responses will be published on-line to support the consultation.
- 3.10 As part of the previous issues consultation, a ‘call for sites’ was carried out. Over 200 sites were received, the majority being for housing or economic uses. There

were also seven 'Local Green Spaces' proposed, predominantly in Bicester. It is the intention to publish all sites as an integral part of the Options Paper to ensure transparency and enable stakeholders to comment. At this stage, they are not assessed and they have no policy or technical status. For the villages and rural areas, plans of the sites have been incorporated into 'Parish Profiles'. These profiles detail: basic demographic information, the factual amount of housing developed in the parish since 2011, up-to-date information on the services and facilities and details of the sites submitted during the previous consultation.

Other supporting documents

- 3.11 An Equalities Impact Assessment is provided at Appendix D. The options consultation would be supported by two new pieces of evidence – a retail and employment needs study (the latter being a stage of a wider process). These would complement the wider evidence base being used to underpin the Oxfordshire Plan.
- 3.12 Further evidence will continue to be commissioned, prepared and gathered as required including on landscape sensitivity; habitat assessments and ecology; sports, open space and recreation; housing land availability; transport & highways; infrastructure needs, the water environment and flood risk; and drawing upon the evidence base for the Oxfordshire Plan where appropriate.

Relationship with the Oxfordshire Plan

- 3.13 It is intended that the Oxfordshire Plan 2050 provides overarching strategic context and direction to the Local Plan. The options for the Oxfordshire Plan 2050 were published for consultation on 30 July 2021 for a period of 10 weeks. It is currently envisaged the Oxfordshire Plan 2050 will set the framework for the amount and location for growth across the county.
- 3.14 Preparation of the Cherwell Local Plan will continue to 'dovetail' with the Oxfordshire Plan's preparation as far possible but the district plan will, upon submission, be formally examined on its own merits. How the district Plan is presented, and indeed its specific proposals will therefore depend on how the Oxfordshire Plan progresses and achieving its programme milestones.
- 3.15 A key advantage of Cherwell Local Plan preparation immediately following Oxfordshire Plan preparation is demonstrating deliverability of the latter and how its vision, objectives and strategic policies will be delivered at the local level.
- 3.16 The Cherwell Options Paper has been prepared to ensure it does not 'reopen' matters that are currently being consulted on as part of the Oxfordshire Plan process. References to the relationship between the Plans and the potential implications of the Oxfordshire Plan's options are explained. Appropriate options are included to help inform the Cherwell specific discussion as to how and where new development could be accommodated to meet future needs.

National Policy

- 3.17 The Options Paper has been prepared having regard to the most recent version of the National Planning Policy Framework (NPPF) published in July 2021. It

incorporates discussion on many of the Government's policy changes and includes questions on specific matters such as street trees and design codes.

- 3.18 Paragraph 22 of the NPPF requires careful consideration of the period the Cherwell Local Plan will cover. The anticipated period for the Local Plan Review is to 2040 to ensure that the requirement for a minimum 15-year period following adoption of the Plan is met. However, the NPPF update states,

"[...]Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery."

- 3.19 The Options Paper captures this, highlighting that the proposed plan period will need to be considered further as the Plan progresses and its strategy emerges. Further guidance from government on the application of this paragraph is anticipated shortly.
- 3.20 The Government is consulting on developing the vision for the Oxford-Cambridge Arc Spatial Framework. It is anticipated that, once approved, this document will carry the same 'weight' as the NPPF. Progress on the Spatial Framework and the implications for Cherwell and the Local Plan specifically will be monitored throughout the Plan preparation process.

Next Steps

- 3.21 If the Options Paper is approved, public consultation would commence as soon as possible. Documents would be published on-line with hard copies available in 'deposit' locations (Bodicote House, and the Cherwell Libraries). Hard copies would also be available on request for those unable to access on-line services.
- 3.22 Public engagement would take place using online meeting systems and resources. The consultation would be promoted by press and social media releases strategy and underpinned by the Council's Statement of Community Involvement. A consultation strategy would be agreed with the Lead Member including specific engagement with town and parish councils. Consultation will be supported by a summary leaflet and accessible means to provide feedback.
- 3.23 There will be a further opportunity to comment on a draft Local Plan in due course and an opportunity to submit representations on a Proposed Submission Plan before formal submission of the Local Plan for examination is considered by Council.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A Cherwell Local Plan Options Paper has been prepared to help continue dialogue with communities and other stakeholders in the interest of early engagement in the plan preparation process. The paper is the second stage in the preparation of the Local Plan. The Executive's approval of the Options Paper is sought to proceed to public consultation.

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 Options Paper until the Oxfordshire Plan process is further advanced

A delay would affect the overall Local Plan programme and put the objective of adoption in 2023 at significantly higher risk.

Option 2: To reconsider the content of the Options Paper

The Options paper has been produced having regard to national policy and guidance, existing Local Plans, the emerging Oxfordshire Plan 2050 and other plans, programmes and policies. It is considered by officers to be an appropriate consultation document balancing technical information with discussion.

7.0 Implications

Financial and Resource Implications

7.1 There are no significant finance and resource implications arising from this report. The work arising is to be met within existing budgets. To ensure that the timescales can be achieved resources will be made available from the existing budget.

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Legal Implications

7.2 The proposed consultation under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) will assist to demonstrating compliance with statutory requirements.

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Risk Implications

7.3 The Options Paper is the second step in preparing an up-to-date Local Plan for Cherwell. A positively prepared, up-to-date Local Plan reduces the risk of speculative planning applications and provides communities and investors with certainty over decisions. There is a need to continually monitor risks such as

Background papers

Report to Executive 6 July 2020 - Cherwell Local Plan Review:

Planning for Cherwell to 2040 - A Community Involvement Paper:

<https://modgov.cherwell.gov.uk/ieListDocuments.aspx?CId=115&MId=3366&Ver=4>

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