

Scrutiny Committee

Report of Head of Planning Services

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To: SCRUTINY COMMITTEE

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Local Plan – Second Preferred Options

Recommendation

(a) To provide comments on the Second Preferred Options Local Plan.

Purpose of Report

1. To inform Members of the key issues within the emerging Local Plan for South Oxfordshire and to provide Members with the opportunity to feedback into the emerging Local Plan whilst it is available for public consultation.

Strategic Objectives

2. The delivery of the South Oxfordshire Local Plan will contribute towards four of the Council's six strategic objectives.
3. It has a key role to play in delivering the District's future as it sets out the level and distribution of development to 2033, which will shape the future of South Oxfordshire.
4. The potential of Didcot is supported by the retention of the existing allocations of land at Didcot for residential and employment related development. To further support this, additional allocations for residential development have been proposed which reflect extant planning permissions.
5. The key role of the South Oxfordshire Local Plan is to identify sufficient employment and housing land for existing and future communities. This directly supports the strategic objective to deliver 'homes and jobs for everyone.'

6. The other strategic objective which the emerging Local Plan relates to is to 'build thriving communities'. In addition to the provision for different land uses, the policies within the plan will ensure that developers provide the necessary infrastructure to support the new communities

Background

7. The Development Plan for South Oxfordshire comprises saved policies of the Adopted Local Plan, Adopted Core Strategy and made Neighbourhood Development Plans. The emerging Local Plan will replace the existing policies of the Adopted Local Plan and Adopted Core Strategy.

8. We have previously consulted at the following stages

Issues and Scope – June 2014

Refined Options – February 2015

Preferred Options – June 2016

9. The first two stages of consultation were based on a plan period up to 2031. We are required to ensure that, once the plan is adopted, it has a life of 15 years from the date of adoption so that it provides an effective plan for future development. Our work programme indicates that the plan is likely to be adopted in 2018, therefore the plan period is to at least 2033.
10. The June 2016 Preferred Option version of the Local Plan did not contain all of the policies which would be used in the determination of planning applications.

What level of development are we planning for?

Housing

11. In April 2014, the councils across Oxfordshire published a Strategic Housing Market Assessment (SHMA), and this identified that South Oxfordshire needs additional housing beyond that which is planned for in the existing Core Strategy.
12. As well as this, Oxford City Council indicated that they would have difficulties in meeting their identified housing need entirely within the city boundary and that other districts across the county could be asked to consider taking some of this "unmet housing need."
13. In response we decided that we need to review our existing plan and consider how we can plan for additional growth in the most advantageous and positive way. The Second Preferred Options document is the latest stage in that process.
14. The emerging Local Plan contains provision to meet a quarter of the unmet housing need from Oxford City. This is based upon the Oxfordshire Growth Board working figure of 15,000 homes to be addressed on a County wide basis. The figure we are proposing is lower than that which may be attributed to us. We are proposing to make contributions through the Duty to Co-operate from the adoption of the South Oxfordshire Local Plan and we will review this position on adoption of the Oxford City Local Plan.

15. The SHMA evidence considers that the provision of 750 dwellings a year would support economic growth in South Oxfordshire. This is primarily to meet the needs of our existing businesses wishing to expand and to allow for new business formation at similar rates to the past. A proportion of this provision would also meet the need for affordable housing in the district.
16. The SHMA made recommendations in terms of a housing range that we should be planning for which recognised that the affordable housing evidence provided a basis for considering higher housing provision. This was presented in the form of a range which identifies a total need for between 14,500 and 16,500 homes for South Oxfordshire over the twenty-year period 2011-2031. This would equate to an annual provision of between 725-825 new homes.
17. Given that we anticipate that the adoption of this Local Plan will be towards the end of 2018 as set out in the published Local Development Scheme. Government guidance requires Local Plans to have a time span of 15 years from the point of adoption, so it is proposed that the annual requirement for housing is rolled on for the additional two years.
18. The midpoint of the SHMA has been selected as the Objectively Assessed Need for housing which represents an appropriate and sound basis for the amount of new housing we need to plan for. This equates to 775 homes a year and a plan period total of 17,050 homes. This is based upon our evidence base prepared to support the emerging Local Plan.
19. In order to meet the level of housing required, there are a number of sources of housing supply which will ensure housing delivery across the plan period, and these include:
 - Strategic allocations made in this plan
 - Retained core strategy allocations
 - Existing planning commitments
 - Small scale (non-strategic sites) to be identified through neighbourhood plans or identified in this plan
 - Sites not yet identified that will come forward through the development management process in accordance with the policies in this plan, known as windfalls.

Supply of new homes to come forward 2011-2033	Net number of units
Completions 2011-2016	2,647
Commitments as at 31 March 2016 – sites under construction, with planning permission or resolution to grant planning permission and allocations carries forward from the Core Strategy	9,369
New strategic allocations	8,475
New Henley, Thame and Wallingford allocations	1,355
New allocations in the Larger Villages	1,122
Sites in the smaller villages (Neighbourhood Plans and	500

infill sites) and windfall sites	
Total	23,468

*strategic allocations continue to deliver beyond the plan period.

20. There are three new strategic allocations, Chalgrove Airfield (3,000), Land adjacent Culham Science Centre (3,500) and Berinsfield (2,100).
21. We have proposed a site allocation to redevelop land at Oxford Brookes University, Wheatley. The Local Plan also includes site allocations at Crowmarsh Gifford and Nettlebed where there is not a Neighbourhood Development Plan in preparation.

Employment

22. The plan identifies provision for at least 30 hectares to support the future requirements for employment land identified in the Employment Land Review. We propose to roll forward 20 hectares of employment land from the Adopted Core Strategy and also safeguards 5 hectares of existing employment land.
23. We propose to make changes to the Green Belt to accommodate two of the allocations identified. We also propose additional land to be inset from the Green at Wheatley to support the Neighbourhood Development Plan process.
24. We propose to safeguard land for infrastructure which may be required during the lifetime of the Local Plan.
25. We propose to safeguard existing Gypsy, Traveller and Travelling Showpeople sites and propose additional sites to meet the identified need.
26. The emerging Local Plan includes a full suite of development management policies to be used in the determination of planning applications, including those related to design, landscape, sports provision, town centres, water resources etc.

Engagement

27. To provide information to Councillors and disseminate evidence that has been compiled, we have held a series of round table sessions. These sessions have proven extremely helpful to support the drafting of the plan from an officer perspective and to challenge the presentation of material.

Public consultation

28. The Local Plan will be available for public consultation for seven weeks and we are holding some drop-in events to support the consultation process.
 - Didcot - Cornerstone, 1pm – 7pm on 5 April 2017
 - Wallingford - Regal Centre, 3pm – 7pm on 7 April 2017
 - Thame – Barns Centre, 10am – 4pm on Saturday 8 April
 - Henley – The Christ Church Centre, 10am - 4pm on Saturday 22 April

29. The next steps in the process are as below

- Second Public Consultation on Preferred Options (Regulation 18) March 2017
- Public Consultation on Pre-Submission (Regulation 19) September 2017
- Submission to Secretary of State (Regulation 22) Autumn 2017
- Examination in Public (Regulation 24) Spring 2018
- Inspector's report (Regulation 25) Summer 2018
- Adoption (Regulation 26) Summer 2018

Financial Implications

30. The preparation of the South Oxfordshire Local Plan is undertaken by officers within the Planning Policy team and is supported by an extensive evidence base. The activities of this team are met from the existing Planning Policy budget.

Legal Implications

31. The second Preferred Options version of the South Oxfordshire Local Plan has been produced for publication under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ("Local Planning Regulations").

32. Local authorities are required by law to prepare a development plan for their administrative area and the process for doing that is governed by statute. The regulations require local authorities to notify and invite comments from a range of specified persons and organisations on their development plan proposals.

33. In the absence of an up to date Local Plan, South Oxfordshire remains vulnerable to challenge given that they are unable to demonstrate a robust 5 year housing land supply (HLS). In the absence of a 5 year HLS, local authorities are having imposed upon them by decision of the Secretary of State, planning permissions which need not necessarily comply with the current or emerging Local Plan. It is therefore essential that the Local Plan is progressed expeditiously if the threat of adverse planning decisions is to be avoided.

34. Section 33A of the Planning and Compulsory Purchase Act 2004 (as inserted by the s110 of the Localism Act 2011) ("s33A") provides that local planning authorities must co-operate with other local planning authorities in maximising the effectiveness with which activities such as the preparation of local plan/development plan documents are undertaken so far as they relate to strategic matters. This 'duty to cooperate' requires the local authority to engage constructively, actively and on an ongoing basis in any process by means of which activities such as the preparation of Local Plan are undertaken.

35. If the person appointed to carry out the independent examination considers that the South Oxfordshire has not complied with its duty under s33A in relation to the preparation of its Local Plan the person can neither recommend adoption nor modifications and in such cases, South Oxfordshire cannot then adopt the Local Plan.

Equalities Impact Assessment

36. The council has reviewed the Second Preferred Options version of the Local Plan to ensure that the objectives and policies have been prepared in line with our public sector equality duties to have due regard to the need to:
- eliminate any potential for unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - advance equality of opportunity in service delivery and employment between people who share a protected characteristic^[1] and those who do not
 - foster good relations between people who share a protected characteristic and those who do not^[2].
37. The equalities officer has reviewed the objectives and policies, making suggestions to strengthen the policies where appropriate to take account of the needs people protected by the Act. Policy officers have considered these and where possible the policy has been updated to reflect the feedback. A copy of the Equality Impact Assessment will be published on the Council website alongside the Local Plan.

Risks

38. Failure to progress a Local Plan that identifies future development requirements for the area and strategic locations where these requirements can be accommodated will result in a policy vacuum, increasing the risk of ad hoc development proposals being submitted and potentially, to decisions being secured by appeal.
39. The absence of a Local Plan could result in an uncoordinated approach to development, leading to inappropriate and incremental development being allowed on appeal that does not take account of cumulative implications and requirements for supporting infrastructure, with the potential for adverse environmental impacts.
40. The Council is currently in a position where it cannot demonstrate a sufficient level of land for housing and there are planning applications pending which have been submitted on this basis. It is therefore critical that progress is made on agreeing the emerging Local Plan. Any delay in progressing the Local Plan to submission and examination increases the risk of inappropriate development and lack of delivery of key infrastructure.

Conclusion

41. The attached Second Preferred Options version of the South Oxfordshire Local Plan is currently available for public consultation. The comments received in respect of this version of the Local Plan will be considered and where appropriate, the Local Plan will be amended to reflect these as it progresses to its next stage – Pre Submission.

^[1] A 'protected characteristic' under the Act is colour, race, nationality, ethnic or national origin, disability, age, sex, gender reassignment, sexual orientation, religion, belief, marriage or civil partnership, pregnancy and maternity

^[2] Bullets two and three do not apply to the protected characteristic of marriage and civil partnership

42. Comments are sought on this version to help shape the next and formal stage of plan making. The next stage of the emerging Local Plan is the one which the Council will publish and submit to the Secretary of State for examination. At that stage there will be the option to make minor changes to the Local Plan, however in line with the NPPF, PPG and statutory regulations the Councils should not be making significant changes. Review of the representations received to the Pre Submission Local Plan will be managed through existing programme arrangements and representations packaged and passed to the Inspector considering the examination of the Local Plan.

Background Papers

- Issues and Scope – June 2014
- Refined Options – February 2015
- Preferred Options – June 2016
- Second Preferred Options – March 2017

Appendix

1. South Oxfordshire Local Plan – Second Preferred Options document