

Minutes



Listening Learning Leading

OF A MEETING OF THE

Scrutiny Committee

HELD ON MONDAY 7 DECEMBER 2020 AT 6.30 PM

THIS WAS A VIRTUAL MEETING

The meeting can be watched here: https://www.youtube.com/watch?v=UP8001w_liY

Present:

Ian White (Chair)
Mocky Khan (Vice Chair), Anna Badcock, Sam Casey-Rerhaye, Stefan Gawrysiak,
Alexandrine Kantor and George Levy

Officers:

Emma Baker, Emily Cockle, Adrian Duffield (Head of Planning), Suzanne Malcolm (Deputy Chief Executive), Candida Mckelvey, Lucy Murfett, Margaret Reed (Head of Legal and Democratic) and Mark Stone (Chief Executive)

Also present:

Cabinet member for Planning, Councillor Anne-Marie Simpson.
James Goudie QC and Robert Walton QC.

Members of the public: four

76 Apologies

The chair welcomed everyone to the committee, and introduced the officers taking part in this meeting. The chair also welcomed the QC's who were present to assist with any legal queries.

The chair read out an introduction to explain the procedure for virtual council meetings.

There were no apologies for absence, and a roll call of the committee and officers present was conducted.

77 Declarations of interest

None.

78 Minutes

The minutes of the meeting held on 9 November 2020 was agreed as a correct record, and the chair will sign them as such.

79 Urgent business and chair's announcements

None.

80 Public participation

The chair informed that there were four members of the public speaking at this meeting, speaking on the only item on the agenda – the South Oxfordshire Local Plan. Each person had three minutes to speak, followed by questions of clarification from the committee, if needed.

The first speaker was Ginette Camps-Walsh, who is Chair of the Beckley and Stowood neighbourhood plan steering group, and a member of the Parish council. She clarified that she also spoke for neighbouring parishes, Stanton St John and Forest Hill. She spoke to object against accepting the new Local Plan.

There was a question from Councillor Casey-Rerhaye about the significant financial risks not outlined in the report, as stated by Mrs Camps-Walsh. Mrs Camps-Walsh responded that this was regarding the risk of a developer from an omissions site taking the plan to judicial review.

The second speaker was Eugenie Buchen. She thought that the sustainability appraisal should have been challenged more. She spoke to object against accepting new Local Plan.

The third speaker listed was David Adams, a Sandhills Parish Councillor, but he was unable to connect to the meeting.

The fourth speaker was Angela Dickenson, on behalf of Beautiful Barton and Friends of Bayswater Brook. She spoke to object against accepting new Local Plan.

There were no further questions of clarification.

82 South Oxfordshire Local Plan

The chair introduced this section, to discuss the Local Plan paper.

The chair briefly stated that all councillors had received legal advice that was confidential. If anyone wished to discuss this, it would need to be dealt with in confidential session.

Cabinet member for Planning, Councillor Anne Marie Simpson, introduced the paper. The new South Oxfordshire Local Plan had been six years in the making, replacing the Local Plan 2011 and the core strategy, adopted in 2006 and 2011 respectively. The Council had a statutory duty to have a plan for its area and to review it regularly. The plan was overdue.

The plan contained the starting point for future planning applications and matters. There were seven strategic housing sites to help meet the unmet housing needs of Oxford City. The local plan had been through thorough preparation, consultation and examination by the Planning Inspector. There were over 15,000 views of the examination meetings online. The public were able to voice their concerns at hearings. There were some important

changes made during examination. The inspector instructed the changes (main modifications) needed to make the plan sound, and consultation on these changes was published to the public during September – November 2020. The Inspectors report issued in November found the Local Plan to be sound, after the main modifications were made and the consultation responses considered.

The main changes since the submission of the plan in 2019 were:

- Density policy – now to optimise density and preserve South Oxfordshire character.
- Carbon reduction – 40 per cent greener than current regulations, to step up to 2030 targets.
- Policy for 40 per cent affordable housing, and 50 per cent on Oxford adjacent sites, there is inclusion of C2 use class properties.
- Biodiversity net gain – there is bespoke wording for each strategic site on achieving this.
- Green belt – new requirements of mitigation measures
- Layout and design of strategic sites will take place next – through a master planning stage that included local stakeholders.
- Specialist consultants had been involved, and there was an additional addendum to the sustainability appraisal.
- Appendix G had been published and circulated to the committee.

The Council had a legal direction from the Secretary of State to adopt the Local Plan by December 2020, and officers had worked hard to achieve this.

The decision was binary – to adopt or not adopt the new South Oxfordshire Local Plan in its entirety.

The Inspector found the plan sound after making some changes and further consultation. No changes could be made except for minor amends before publication. Part of the recommendation was to delegate authority to make minor amendments to the Head of Planning, in consultation with the Cabinet Member for Planning.

Adoption of the Local Plan would allow Neighbourhood Plans to progress and allow certainty for communities over housing and not speculative growth. Communities could see the benefits of increased community infrastructure levy receipts and also the Housing Infrastructure Funding (HIF) can be utilised if the new plan was in place. The plan allowed for provision of more affordable housing (11,300), and for the first time, allowing for those who wished to build their own home on strategic sites. New houses would have the highest standard of carbon reduction in Oxfordshire.

Scrutiny was asked for views on the officer's report and the recommendation to be presented to Cabinet on 8 December.

Chair opened the questions section of the meeting.

Questions of clarification:

- The current plan was written under a previous corporate plan. The council had a new corporate plan- how did the new local plan align with this?

Officer responded that the new plan delivered on affordable homes, as per the new corporate plan. There was policy DES 11, which was the greenest policy the council had, in line with corporate objectives. It was confirmed that all new homes will be built to meet

policy requirements, and applications could be rejected for not meeting this, so this was a step forward.

- Carbon reduction figure of 40%, what was it before, and now?

Officer responded that previously there was no policy on this. The code for sustainable homes fell away a number of years ago. This was a positive step towards action on climate emergency.

- Sustainability reports received – what is the context of Appendix G? Was it commentary rather than actuality?

Officer replied that this was a signposting document.

- Strategic sites – if the council said no to this plan, what would happen to Chalgrove? What quality control there would be?
- Impact on HIF and Growth Deal? Impact on Watlington and Chalgrove and the relief roads?

Cabinet member responded that HIF might not come forward if the plan was not adopted. Head of Planning added that the Ministry of Housing, Communities and Local Government had responded in a letter (attached to agenda papers) that if the housing wouldn't be delivered as per the plan, the HIF funding for roads would be at risk.

- A formatting issue was raised on paragraph 329 – can be a minor amend before publication. Officer confirmed that would be considered.
- Officers would take forward ideas about retrofitting to meet carbon targets by 2030. This would not be through planning system however. Current applications approved after adoption of the plan would have to meet new policy. The council could not go back and retrofit progressing developments, this was outside of the scope of planning.
- Five-year housing land supply – the council was at risk of dipping below land supply in 2024-25?

It was confirmed that this had been well tested. When strategic sites started delivering, the supply would increase, and the over-delivery for one year would compensate for the years where it was close to dipping below. The council always had to look five years ahead.

- Had the inspector considered Brexit and Covid-19 impact?

Officer confirmed that the inspector was clear that he was not considering impact of Covid-19, but he asked for a thorough examination of contingency. Detailed projections and trajectory were worked out by officers, even with key sites theoretically not progressing in testing, it worked out as a healthy five-year land supply. It was added that it was not just non-green belt sites that were affected by speculative development.

- What was the purpose of the delay? When was the advice given? Cost of the delay? Impact on large strategic sites and engagement with developers?

The Acting Deputy Chief Executive for Place replied that having a plan in place helped with engagement, to guide and shape discussions. The Head of Legal and Democratic responded that the meeting was to consider the report – looking forward to decisions being made this week. The cost details were not available now, and any breakdown of fees was private to the parties involved. There were no figures to present at this committee meeting, which must consider the report before it.

- MM4 - main modifications – a site like Chalgrove did not seem to fit strategy to have local employment and no need to commute.

Officer responded that this was weighed out and tested and approved by the Inspector.

- Concern of incentivising quick building (lower quality) at the beginning of the plan. Officer confirmed that there were stronger building requirements as the plan progressed. It was also expected that the costs for building these homes to a higher standard would come down over time also, and people were willing to pay more for a higher quality, efficient home that was cheaper to run.

- Queried the sustainability appraisal inclusion in examination

Officer confirmed that it was considered in examination and appears in the matters statements. It was a core document in the examination library.

The questions section was closed by the chair and he asked the committee for a recommendation. A motion was moved to note the report, but provide no recommendation to Cabinet, as this was a decision for Cabinet, and no changes could be made to the plan at this stage.

The motion was seconded. The motion was carried on being put to a vote.

RESOLVED: to

note the Cabinet report of the Head of Planning on the adoption of the South Oxfordshire Local Plan.

The meeting closed at 7.57 pm

Chairman

Date