

Cabinet Report



Listening Learning Leading



Report of Head of Policy and Programmes

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To: Joint Scrutiny Committee, 27 November 2023

To: South Cabinet, 30 November 2023

To: Vale Cabinet, 1 December 2023

Joint Local Plan 2041 – Approval of Preferred Options Document for Public Consultation

Recommendation for Joint Scrutiny Committee:

The Committee is being asked to review this report and share any comments or recommendations with South and Vale Cabinets (meeting on 30 November & 1 December respectively).

Recommendations for South and Vale Cabinets:

- (a) To approve the Preferred Options version of the South Oxfordshire and Vale of White Horse Joint Local Plan 2041 and supporting documents for a six-week period of public consultation in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (b) To delegate authority to the Head of Policy and Programmes, in consultation with the South Cabinet Member for Planning and the Vale Cabinet Member for Corporate Services, Policy and Programmes, to make any necessary minor amendments, updates or corrections to the Joint Local Plan and supporting documents/ mapping/ appendices, prior to commencement of the consultation period.

Purpose of report

1. To summarise the progress made to date with preparation of the Joint Local Plan, including explaining how comments raised during previous public and internal consultation have influenced its structure and content.
2. To seek both Cabinets' approval for the next stage of public consultation on the Joint Local Plan, which will be a Preferred Options consultation proposed for January – February 2024.

Corporate objectives

3. The key themes for the Joint Local Plan have been identified from, and inspired by, the main planning issues and priorities set out in the councils' Corporate Plans. These themes are:
 - Reducing Carbon Emissions
 - Nature Recovery and Landscape
 - Protecting and Enhancing Local Heritage
 - Thriving Inclusive Communities
 - Transport and Facilities
 - Healthy Lifestyles and Safe Communities
 - Jobs and Opportunities for Innovation

Background

4. Vale of White Horse and South Oxfordshire District Councils are working together to produce a Joint Local Plan. Local planning authorities must prepare their local plan, setting planning policies for their area, in a manner consistent with national policy, in accordance with the National Planning Policy Framework (NPPF) and Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended).
5. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires public consultation as part of the process of local plan preparation in its formative stages, where local authorities should invite representations about what a local plan ought to contain.
6. The NPPF, at paragraph 16c, also requires 'early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.'
7. The Joint Local Development Scheme highlighted the intention to split the Regulation 18 consultation into two main stages, with an 'Issues' consultation in 2022, followed by a 'Preferred Options' consultation in 2024.
8. In accordance with the above, we undertook a six-week period of public consultation from 12 May to 23 June 2022 on an Issues Consultation Document, in order to facilitate timely and effective preparation of our emerging Joint Local Plan. This document set out a draft Vision for the Plan, highlighting goals for the future and explaining what the councils wanted to achieve. Seven key themes were then identified to support delivery of the Vision and, under each, the document asked for comments and suggestions on what the Joint Local Plan could do to address important spatial challenges and opportunities within South and Vale.

9. The Planning Policy Team worked closely with communications colleagues to prepare an online, interactive version of the Issues document, which sat alongside the more traditional desktop-published version. Through the use of engaging visuals, a range of media types and a concise, user-friendly and specifically ordered consultation document, the aim was to encourage a wider range of new audiences to engage with our Local Plan process from the outset, in addition to the usual residents, businesses and organisations.
10. Overall, the Issues Consultation Document was very well received, with high praise for the innovative approach we took towards greater engagement using StoryMaps as an effective digital consultation tool, which led to the councils being shortlisted for the Digital Impact category in the Local Government Chronicle (LGC) Awards. Our websites were also recognised by the Department for Levelling Up, Housing and Communities as excellent examples of a digital-first approach to planning.

Progress with Joint Local Plan preparation since Summer 2022

11. For the Issues consultation on the Joint Local Plan, we experimented with inviting both anonymous and named responses, to try to widen participation. This worked well, and we found the views expressed were broadly similar from the anonymous respondents as those who gave their details. We received 314 completed responses to the full Issues Consultation survey from respondents who gave their name, which included those individuals or organisations who responded via email. In addition, we received a total of 2,564 responses from those answering anonymously by clicking answers on the interactive website (adding all their answers to all questions together – NB: this does not mean 2,564 separate respondents). After analysing all the responses received, we updated our **interactive Issues Consultation website** to share the consultation results in February 2023. We also published a full '**Issues Consultation Results**' document in a more traditional document format. The consultation findings have provided a useful insight into the main issues facing our districts and how we can use the Joint Local Plan to address them.
12. Over the past year we have commissioned a wide range of evidence base studies (including a Town Centres and Retail Study, a Zero Carbon Study, and an Employment Land Needs Assessment), the findings of which we have used to help shape our policies and overall Plan strategy. Other studies are currently being produced and will be used to refine our policies and site allocations before we reach the Regulation 19 'Draft Plan' stage in autumn 2024.
13. We have carried out a Settlement Assessment (in-house) to gain a better understanding of how well residents' everyday needs are met in the towns, villages and smaller settlements of South Oxfordshire and Vale of White Horse. This Assessment included the collection of information on levels of service provision, population size, number of households, employment opportunities and access to employment, shops, and schools. We sought the help of all the Parish and Town Councils in South and Vale, firstly to shape the methodology we applied to conducting the Assessment and again in July/August 2022, where we asked them to help identify what services and facilities were available within each of the settlements within their administrative area. The findings of the Settlement Assessment have informed the development of our Settlement Hierarchy policy (Policy SP2).

14. Officers have also carried out a Housing and Economic Land Availability Assessment (HELAA) in-house, which identifies a future supply of land which is suitable, available and achievable for housing and/or economic development uses across South Oxfordshire and Vale of White Horse districts over the Plan period. The assessment is an important source of evidence to inform plan-making.
15. In order to help draft and refine the emerging Joint Local Plan's policies, we have sought the views of officers from across council departments, holding meetings and sharing draft content with colleagues in Planning (Development Management), Economic Development, Housing, Garden Communities, Climate, Ecology, Landscape and Urban Design.
16. We have received invaluable input and guidance from Members during the Plan preparation process to date. The JLP Steering Group has met nineteen times over the last two years to receive presentations from officers and to comment/provide feedback on particular topics during each meeting. We have also held eight All-Councillor Roundtable sessions covering key JLP matters (including climate change; housing affordability, numbers & mix; spatial strategy; settlement hierarchy; green infrastructure; transport; town centres & retail; and economy & employment), and we have consulted Steering Group Members on the wording of our draft chapters for the Preferred Options consultation document, with amendments made to reflect the comments received, where appropriate.

Preparation of our Preferred Options Document

17. Since our Issues Consultation last year, there have been a number of key changes which have influenced the way in which we have approached the development of our Joint Local Plan Preferred Options.
18. The most significant change has been the unanimous decision of all the Oxfordshire local authorities in August 2022 not to progress with the preparation of the Oxfordshire Plan 2050 (see the [joint statement](#) published online). This has meant that our Joint Local Plan will now identify the housing and economic land requirements for South and Vale, as well as setting the spatial strategy for the districts over the Plan period to 2041, while engaging with our neighbours under the duty to cooperate.
19. In terms of setting housing numbers, officers at South and Vale recommend following the Government's Standard Method for calculating future housing requirements (which is a lower number than the last local plans), plus an uplift to account for the existing unmet need from Oxford that was agreed through the last local plans. We have not included a figure for any new unmet need from Oxford at this time, although Oxford City Council is raising this as an ask of its neighbours.
20. With the new lower requirements and given the healthy level of supply in the pipeline, our new evidence for both housing and employment land needs indicates there is no need to find new greenfield sites like the strategic allocations that South and Vale made in the last local plans.
21. A detailed review of our existing allocated strategic sites has taken place, with a proposal to remove some allocations or a part of an allocation, either because they do not comply with our new preferred spatial strategy or because there are other significant reasons which affect successful delivery of development on the site.

22. In the Joint Local Plan Preferred Options consultation document, we set out our preferred options for each policy topic, alongside other alternatives that we have considered where relevant. We have also included draft policy wording to show what the policy would look like for our preferred option. Draft policy wording is typically provided at the next consultation stage – Regulation 19 – but we feel it is important to share (as bonus material) the detailed draft plan content now, in order to ensure our local communities have the best opportunity to feed into policy development at this key stage of plan preparation.
23. When formulating each draft policy, we have sought to take forward the best aspects from existing South and Vale local plan policies, harmonising policy approaches and taking a cross-boundary view, where appropriate, whilst also recognising the uniqueness of each district and the need for differing policy approaches in certain circumstances. We have also looked at best practice in across all policy areas (such as in relation to net zero and climate change policies), with the ultimate aim of producing a plan which is at the forefront of policy development and is ground-breaking in terms of its style and accessibility to wider audiences.
24. After the Preferred Options stage, the plan will undergo further refinement and testing before we reach the stage of consulting on the Draft Joint Local Plan in the Autumn of 2024. At this stage there will be further material in the evidence base such as viability testing of each policy and each site allocation.

Format of the Consultation

25. Just like with the Joint Local Plan Issues consultation in summer 2022, the councils are taking new approaches to improve accessibility of our plan and boost public participation. Rather than a lengthy pdf document, we anticipate that most users will interact with the plan using a version built using ArcGIS Storymap. This provides a navigable and image-rich experience designed for viewing on a mobile phone or tablet, with the opportunity to use interactive maps and other engaging features.
26. A short online document, which we are calling the ‘Joint Local Plan in a Nutshell’, will provide a summary of our plan, with simple questions around its key headlines and direction. We anticipate that this will be a popular and straightforward way for the general public to give feedback on the plan.
27. We have prepared an interactive digital online Policies Map to show where different policies will apply and where the allocations are located. This map enables users to click a hyperlink to see the relevant written policy in the local plan.
28. Various evidence base reports and topic papers will also be published, which we have prepared to explain the background/ rationale to the formulation of particular policies, site allocations etc.
29. The community engagement team is working with the planning policy team to help design multi-format consultation materials and plan a series of exhibitions/ engagement opportunities, with the aim of achieving wide participation and ensuring that needs of different groups are met.

Supporting documents

30. Alongside the Joint Local Plan, we need to carry out both Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) of our emerging policies and site allocations. These assessments will make sure the Plan considers the relevant environmental, social, and economic issues and minimises any potential negative impacts.
31. We have appointed consultants to conduct both the SA and HRA of our Plan and they have worked with officers to revise our draft SA Framework and sustainability objectives and to develop a series of detailed decision-making criteria, against which the emerging policies and site allocations have been assessed and refined. The latest iteration of the Sustainability Appraisal report, as well as a high-level preliminary HRA screening report (appended to this report), will be published alongside Preferred Options consultation document to allow consultees to consider and comment on the assessed effects of our preferred approach and the alternative.

Options

32. There are some changes on the horizon to the planning system and to Government planning policy. A Government consultation on a new National Planning Policy Framework (NPPF) has been anticipated for some time now. Consequently, we could choose to consult on our 'Preferred Options' at a later date, when we have more certainty about the direction that national planning policy and the new Levelling Up legislation will be taking. However, this would delay our progress with preparing the Joint Local Plan and prevent us from meeting the JLP timescales set out in the Joint Local Development Scheme, approved in September 2023. It would also delay the councils from introducing stronger planning policies that help us to address the climate emergency.
33. Opting to wait is likely to mean that we find ourselves in a situation where we cannot submit the Plan for examination before the deadline proposed by government under the transition arrangements to a new local plan system. This could mean we would be limited to adopting a narrower suite of local plan policies, set at national level. There is concern that these nationally-set policies could potentially stifle our policy ambition and innovation if they do not go as far as the policies currently drafted in our Preferred Options document, particularly those relating to net zero and taking action on climate change. Government's latest consultation indicated that current emerging local plans would need to be submitted for examination no later the 30 June 2025 and adopted by 31 December 2026. If either are missed, then the Councils would need to prepare a new style local plan instead.

Climate and ecological impact implications

34. The Corporate Plans have inspired the key themes and direction of the Joint Local Plan. In particular, the Plan provides a clear opportunity to further Corporate Plan objectives on reducing carbon emissions, supporting nature recovery and protecting valued landscapes.
35. The draft vision for the Joint Local Plan sets ambitions for our districts to become:
 - carbon neutral districts for current and future generations;

- places where local residents can reach the facilities they need for everyday living on foot, bicycle or by zero-emission and low carbon transport choices; and
- places where people are safe from pollution, flooding, and the effects of climate change.

36. The Joint Local Plan Preferred Options consultation document has been shaped throughout by recognising that the councils have a commitment and a duty to tackle the climate emergency, reduce carbon emissions, increase biodiversity and reverse nature's decline. The Plan contains policy options designed to improve and address these challenges, and these are now ready for consultation.

Financial implications

37. The decision to commence 'Preferred Options' consultation will incur some costs associated with the engagement activities, editing, printing and couriering of documents for deposit at local libraries/Abbey House as well as the production costs of leaflets and display boards. These costs can all be met from within existing budgets.

Legal implications

38. All aspects of Joint Local Plan preparation have been undertaken in accordance with the relevant planning legislation and regulations.

Risks

39. If consultation on the Joint Local Plan (Preferred Options) does not commence in January 2024 as proposed in this report, the councils will not be able to meet the plan preparation timetable set out in the Joint LDS, which would have several consequences as highlighted in paragraphs 32 and 33 above.

40. This report will be considered separately by South and Vale Cabinets, so in order to progress with the Preferred Options consultation, there is a requirement for approval from both Cabinets.

Other implications

41. An Equalities Impact Assessment of the Joint Local Plan has been carried out by officers and will be published alongside the Preferred Options consultation document. This identifies policy options that may differentially impact different groups within the community (positively or negatively), considering the nine protected characteristics, rural communities and areas of deprivation. A commentary describes any differential impacts and identifies any actions or mitigations to reduce any negative impacts.

42. Most of our policies are considered unlikely to differentially impact any specific groups and we anticipate that several policies may offer positive impacts for some groups. However, the EQIA does indicate that Policy SP1 (Spatial Strategy) may require mitigation. This policy directs new development towards the most built-up settlements in the districts and therefore supports development in the most sustainable locations. This is expected to have a positive impact for rural communities in maintaining the character of smaller settlements. However, it could also have negative impacts in

directing the new infrastructure and services associated with new development towards more built-up settlements rather than to more rural parts of our districts.

43. We will review feedback from the Preferred Options Consultation, as well as any emerging evidence, to determine whether Policy SP1 requires further amendment. If this policy were to be adopted with little or no amendment, we would need to monitor the above potential impacts. SP1 encourages neighbourhood planning groups to address the needs of local communities, which could offer some mitigation for any potential negative impacts faced by rural communities.
44. The Equality Impact Assessment will require updating for the next stage of plan preparation (Reg 19), taking into account any changes to policy wording resulting from new evidence and/or consultation feedback.

Conclusion

45. Publishing a Preferred Options document for a minimum of a six-week consultation period will facilitate timely and effective progression and preparation of the Joint Local Plan for Vale of White Horse and South Oxfordshire District Councils, allowing the Planning Policy team to gather a wide range of comments and views which will help us to refine our policies and site allocations, before finalising our Draft (Regulation 19) Plan next year.
46. Any necessary minor amendments or corrections to the Joint Local Plan or supporting documents/mapping that are required prior to commencement of the public consultation will be agreed by the Head of Policy and Programmes, in consultation with the South Cabinet Member for Planning and the Vale Cabinet Member for Corporate Services, Policy and Programmes.

Appendices

1. Preferred Options Consultation Document (link to Storymap interactive version and PDF version)
2. Joint Local Plan in a Nutshell
3. Emerging Policies Map (link to the interactive site)
4. Equalities Impact Assessment
5. Sustainability Appraisal and Strategic Environmental Assessment of the South Oxfordshire and Vale of White Horse Joint Local Plan - Nov 2023
6. Habitats Regulations Assessment (HRA) Preliminary Screening Report – Nov 2023