

# Notes

## OF A MEETING OF THE



# The Future Oxfordshire Partnership Planning Advisory Group

HELD ON FRIDAY 15 MARCH 2024 AT 10.00 AM  
VIRTUAL VIA MS TEAMS

### Present:

**Members:** Councillor Diana Lugova, Councillor Charlie Maynard, Councillor Judy Roberts and Councillor Louise Upton

**Officers:** David Butler, (Oxford City Council), Susan Harbour, (Future Oxfordshire Partnership), Chris Hargraves, (West Oxfordshire District Council), Giles Hughes (West Oxfordshire District Council), Kevin Jacob, (Future Oxfordshire Partnership), David Peckford, (Cherwell District Council), Nick Perrins, (Oxfordshire County Council), Rosie Rowe. (Oxfordshire County Council), Paul Staines, (Future Oxfordshire Partnership) and David Yates, (Future Oxfordshire Partnership)

## 26 Election of Chair for the meeting

In the absence of Councillor Andy Graham as Chair of the advisory group, Councillor Louise Upton was elected as Chair for the meeting.

## 27 Apologies for absence and notification of substitutes; declaration of interests; Chair's announcements

Apologies for absence were submitted by Councillor Andy Graham (Chair), Councillor Dan Sames, (Cherwell District Council) and Councillor Anne-Marie Simpson, (South Oxfordshire District Council).

There were no declarations of interest.

## 28 Notes of previous meetings

Kevin Jacob outlined comments on the draft notes made by Councillor Simpson which had been circulated to members in advance of the meeting by email.

Following discussion of these points, the notes of the previous meeting held on 15 December 2023 were agreed as a correct record subject to the amendment of:

- Minute 18, page 7 second paragraph to read as follows: “the limited ability of the ICB to own estate which currently met that that the *Buckinghamshire, Oxfordshire and Berkshire West* ICB did not own any estate including accommodation. *It was noted that there currently there was only one known instance of an ICB owning estate in England.*”

## **29 Update on joint working with regard to viability assessments**

The advisory group considered a report on potential opportunities for joint working between the councils about the issue of development viability following the identification of this issue at the Future Oxfordshire Partnership’s workshop in September 2023.

The report which was presented by Giles Hughes, Planning Advisory Group Senior Responsible Officer and David Yates, Future Oxfordshire Partnership Policy and Project Officer explained the development viability issues might best be solved or improved upon through closer partnership working and how this might be taken forward following an officer group on the subject held in November 2023.

Giles Hughes and David Yates commented that increasingly the councils were collectively receiving an increasing number of viability objections from developers at Local Plan making stage and on the grounds of viability on individual development viability through the planning application process. This represented a challenge for the councils in delivering local policy objectives around issues such as affordable housing, biodiversity net gain etc. A series of next steps for operational collaboration on viability challenges had been identified as set out on pages 14-15 of the agenda which the advisory group was asked to note and comment upon.

In the advisory group’s discussion, Councillor Upton referred to the comments made by Councillor Anne-Marie Simpson that the proposed next steps were operational in nature with without a role for councillors and expressing concern about the resource impact of taking the proposed next steps through the Planning Advisory Group, recognising that individual council Development Managers already corresponded and shared best practice about viability.

In response, officers commented that impact on resources had been considered and it was fully recognised that such conversations between Development Managers took place already. Whilst operational, the next steps had been designed to seek to make it easier for officers to work in a more systemic way across the county and to add additional value to the existing arrangements. It was also felt that the next steps and focus on the issues around viability would not have been discussed and taken forward in the same way had viability challenges not been identified as a common challenge at the FOP workshop.

Other members commented that much of the data around viability challenges was already recorded by the councils and that it was a question of how this might be better presented and organised. It was also suggested that there could be value and benefit to all the councils if a more consistent and joined up approach was taken across the county. This might allow councils to respond to challenges more effectively.

Giles Hugest stress that a key aim was around encouraging the sharing of best practice so that if a council was faced with a developer challenge it could have knowledge and a

broader picture of whether other councils had faced similar challenges and how they responded so as not to be blindsided, whilst remaining cognitive of local differences.

**RESOLVED:** That the report the report including next steps for Future Oxfordshire Partnership and Planning Advisory Groups officers below be noted:

1. Produce a resource sharing best practice in relation to the drafting of S106 agreements where viability is accepted to be more marginal and on practices around transparency and public availability of viability assessments.
2. Arrange a meeting to discuss County contributions and how to assess infrastructure contributions, affordable housing and other factors in the context of overall development viability.
3. Support the taking forward Stage II of OXIS, noting its potential to help identify funding streams associated with strategic infrastructure and its potential importance in compiling strong bids.
4. In relation to the green spaces, share best practice between Councils on any alternative stewardship delivery models that have already come forward or are proposed to come forward.
5. Explore a common framework agreement to speed up procurement of viability assessments.
6. Explore sharing information on benchmark (threshold) land value assumptions across Oxfordshire in order to ensure greater consistency of understanding and to potentially expedite any viability assessments which are undertaken on behalf of the LPAs.

### **30 Salt Cross Garden Village - The Net Zero Debate**

Chris Hargraves, Planning Policy Officer, West Oxfordshire District Council gave a presentation on the Salt Cross Garden Village development and the potential wider implications of the successful third party high court challenge to the Planning Inspector's 2023 decision that the requirements set out the Salt Cross Area Action Plan, (AAP) for proposals for development at Salt Cross to demonstrate net zero operational carbon were inconsistent with national planning policy and unjustified.

The advisory group were advised of the Judge's conclusion in their judgement that the Planning Inspectorate had made errors in its analysis of then applicable Written Ministerial Statement in 2015 which affected how it had considered West Oxfordshire District Council's on Net Zero set out in the APP.

Whilst the judgement was applicable to the 2015 Written Ministerial Statement only and not the most recent statement in 2023 it was felt that the judgement had reiterated that local planning authorities were entitled to set their own local energy efficiency standards including standards more than the Future Homes Standard if they could support this in light of other planning considerations, for instance around viability.

In discussion, members of the advisory group strongly welcomed the decision and its potential implications for local planning authorities within the county.

**RESOLVED:** That the presentation be noted.

### **31 Update on Local Plan progress**

Officers and Members presented a summary of progress in respect of each council's Local Plans.

### **32 Forward work programme**

Giles Hughes referred to the presentation the advisory group had received in December 2023 from colleagues at the Buckingham, Oxfordshire and Berkshire Integrated Care Board, (BOB) regarding the constraints and challenges in delivering new primary care health estate. The lack of what was felt to be an effective delivery model for new primary care estate to meet the needs of residents remained an issue of concern across the councils and he suggested to the advisory group that officers work with ICB colleagues to bring an item to the group's next meeting in July around how local authorities and the ICB could work together.

There was a need for Local Plans to take account of future models for delivering care which might impact on the provision of health estate and to have a delivery model for new primary care estate where expansion of existing facilities was not practical or would not provide sufficient additional capacity.

Rose Rowe spoke to these elements and informed the advisory group that representatives of the ICB now had quarterly regular meetings with Development Managers from across the county, although it was important to recognise their capacity was limited given the size of the BOB area.

It was suggested that a potential joint item might be focused around the following lines of enquiry although they would need to be discussed further with BOB colleagues:

1. An overview of the new primary care strategy and its implications for primary care estates (including spatial requirements)
2. What the ICB strategy was for meeting the needs of residents in new housing if it cannot be accommodated either through existing capacity or extension of existing premises
3. What is the commissioning approach if practices near new housing do not wish to expand.
4. How local authorities could support the ICB to make new premises viable.
5. What plans were in place to increase the capacity of the BOB primary care estates team.

In discussion, members of the advisory group supported bringing the item to its next meeting and also referred to the role that principles around shared facilities, mixed models of development and One Public Estate might provide in finding potential solutions to the current constraints and challenges.

**RESOLVED:** That an item on planning for future primary care health estate be added to the advisory group's forward plan.

### **33 Dates of future meetings**

The provisional date of the next meeting was noted.

The meeting closed at 11.20 am