

REPORT TO CABINET, 15 NOVEMBER 2017
WEST OXFORDSHIRE DISTRICT COUNCIL
CABINET: WEDNESDAY 15 NOVEMBER 2017
FURTHER SUGGESTED CHANGES TO THE
WEST OXFORDSHIRE LOCAL PLAN 2031
REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING
(Contact: Giles Hughes, Tel: (01993) 861000)

(The Cabinet decision on this matter will be a resolution)

I. PURPOSE

To consider the findings of additional evidence undertaken to address issues that have arisen during the examination of the draft West Oxfordshire Local Plan 2031 and to consider further suggested changes to the draft Local Plan as a result of this work.

2. RECOMMENDATIONS

- (a) That Cabinet notes that the Landscape and Heritage Advice, the Sustainability Appraisal (SA) Further Addendum Report, Cotswolds AONB Topic Paper and Woodstock Topic Paper will be published for a four week period of public consultation as requested by the Local Plan Inspector in order to help him consider their findings; and
- (b) That Cabinet agree that the suggested further changes to the draft West Oxfordshire Local Plan 2031 as outlined in Section 5 of this report, and as set out in full at Appendix I, subject to any amendments agreed by Cabinet, are submitted to the Local Plan Inspector for his consideration in relation to the 'soundness' of the Local Plan.

3. BACKGROUND

- 3.1 The West Oxfordshire Local Plan 2031 was formally published in March 2015 and submitted for examination in July 2015. The Local Plan sets out a framework for managing the development of the District up to 2031 and will replace the current adopted West Oxfordshire Local Plan 2011. Examination hearing sessions began in November 2015 before an Independent Inspector. The Inspector had concerns regarding the overall housing requirement and, as a result, the examination was suspended in January 2016 to allow the Council to undertake further work.
- 3.2 That further work was carried out during 2016, alongside joint work with the other Oxfordshire local authorities in relation to the apportionment of 'unmet' housing need from Oxford. Proposed changes to the Local Plan were published for consultation during November/December 2016 which included an increase in the overall housing provision and the allocation of a number of new sites.
- 3.3 These proposed changes to the Local Plan were submitted to the Planning Inspectorate in March 2017, together with the consultation responses received and supporting background documentation. The examination hearing sessions resumed in May 2017, dealing with a number of general matters such as legal compliance, the overall spatial strategy and housing need (including Oxford's unmet housing need). In July 2017 further sessions dealt with the five sub-area strategies focusing in particular on proposed housing site allocations, as well as five-year housing land supply.

- 3.4 During the examination hearing sessions, Officers acknowledged that a number of further changes to the draft Local Plan would be required, in addition to those already published in November 2016, addressing issues raised by the Inspector and/or by others, changing circumstances and more recent evidence and analysis and to improve the clarity/application of policies through the development management process.
- 3.5 In September 2017 Cabinet considered these further suggested changes to the Local Plan and agreed that subject to some minor amendments, the changes should be submitted to the Local Plan Inspector for his consideration. The Inspector has now received the suggested changes and it will be for him to determine the extent to which they address any potential 'soundness' concerns he may have and to recommend 'main modifications' to the plan as appropriate. Any such modifications will be subject to statutory public consultation in due course.
- 3.6 The suggested changes have also been published on the Council's website, with a note making clear that: they have not been formally considered by the Inspector; they may be subject to change; and as such, comments on them are not being sought/nor will be accepted at this stage.

4. ADDITIONAL EVIDENCE AND TOPIC PAPERS

- 4.1 In addition to the suggested changes put forward in September, there were a number of other specific issues which arose during the examination hearings that required additional work by or on behalf of the Council. Four main pieces of work have been undertaken and all are inter-related.
- 4.2 The first study is some independent consultancy advice on the landscape and heritage impact of the proposed housing allocations at Woodstock and within the Cotswolds AONB. The report is attached at Appendix 2 and is summarised below.
- 4.3 The second study is an updated Sustainability Appraisal (SA) addendum report to ensure that all 'reasonable alternatives' have been considered through the plan making process. The updated SA report has also been prepared by independent consultants and is attached at Appendix 3. The main findings are also summarised below.
- 4.4 The third piece of work is a Topic Paper relating to the proposed housing allocations within the Cotswolds AONB. This has been prepared by Officers (although incorporates some external independent analysis on housing need) and takes into account the findings of the landscape/heritage advice as well as considering the extent to which 'exceptional circumstances' can be demonstrated to justify major development within the AONB. The topic paper is attached at Appendix 4 and is summarised below.
- 4.5 The fourth piece of work is a further Topic Paper prepared by Officers which relates to the proposed housing allocations at Woodstock. This takes into account the findings of the independent landscape/heritage advice and also considers the case for further housing development at Woodstock as a designated rural service centre. The topic paper is attached at Appendix 5 and is summarised below.

Landscape and Heritage Advice

- 4.6 The proposed main modifications to the Local Plan published in November 2016 took account of a proposed uplift in the overall housing requirement from 10,500 homes to 15,950 homes. This included the allocation of 15 'non-strategic' housing sites, with 3 sites identified at Woodstock and 4 sites identified within the Cotswolds Area of Outstanding Natural Beauty (AONB):

- Land east of Woodstock (300 homes)
 - Land north of Hill Rise (120 homes)
 - Land north of Banbury Road (250 homes)
 - Land north of Jefferson's Piece, Charlbury (40 homes)
 - Land north of Woodstock Road, Stonesfield (50 homes)
 - Land east of Burford (85 homes)
 - Land south of Milton Road, Shipton under Wychwood (44 homes)
- 4.7 The sites were allocated following positive evaluation through the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) and Sustainability Appraisal undertaken in 2016. A large number of representations were received objecting to these allocations, with particular concerns expressed about the potential impact of the allocations on the historic and natural environment.
- 4.8 The merits of the sites were discussed at the July 2017 examination hearing sessions, at which it was agreed that it would be appropriate for the Council to undertake further landscape and heritage assessment of the proposed allocations at Woodstock and within the AONB to better understand their potential impact, such as in relation to the Blenheim Palace World Heritage Site (WHS).
- 4.9 The Council commissioned independent advice from specialist landscape and heritage consultants Chris Blandford Associates (CBA) on landscape and heritage. Their report is attached at Appendix 2 and the findings and recommendations fed into the further Sustainability Appraisal (SA) work and Topic Papers attached at Appendices 3, 4 and 5.
- 4.10 In broad terms the CBA report endorses the Council's decision to allocate the seven sites listed above albeit subject to some specific recommendations/changes to address a number of issues they have identified.
- 4.11 In relation to Woodstock, the CBA report concludes that in landscape and heritage terms, all three allocations are acceptable although recommends that in order to address some specific concerns including the rural setting of the Blenheim Palace World Heritage Site (WHS) and the cumulative impact of the proposed developments, that both the land north of Banbury Road and land east of Woodstock are reduced in scale. The report makes a number of other detailed recommendations in relation to each site.
- 4.12 In relation to the Cotswolds AONB, the CBA report concludes that in landscape and heritage terms, all four proposed allocations are acceptable although recommends that in order to address some specific concerns regarding the land east of Burford that the scale of development is reduced from around 85 homes to around 70 homes. The report also makes a number of other detailed recommendations in relation to this and the other three sites.
- 4.13 Having regard to the findings and recommendations of the CBA report, the further Sustainability Appraisal (SA) work and the two topic papers prepared in relation to Woodstock and the AONB – further discussed below, Officers remain of the view that it is appropriate to continue to seek to allocate the seven non-strategic housing sites listed above.
- 4.14 However, it is recognised that to take proper account of the landscape and heritage issues raised by CBA in their report, and the conclusions of the further SA work, further modifications to the Local Plan are required including the allocation policies and their supporting text. Officers have therefore drafted some further suggested changes

which, subject to the agreement of Cabinet will be submitted to the Inspector for his consideration. These are attached at Appendix 1 and outlined at Section 5.

Sustainability Appraisal (SA) Addendum Report

- 4.15 In accordance with legislative and policy requirements, a Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) must be carried out of a Local Plan. The SA/SEA of the West Oxfordshire Local Plan 2031 has been on-going since the start of the Local Plan process and is being undertaken alongside with SA Reports subject to public consultation at key stages.
- 4.16 Some parties have been critical of the SA undertaken, including the SA Addendum Report published for consultation alongside the proposed Local Plan Main Modifications during November – December 2016. In response to these criticisms further SA work has been undertaken and the updated report is attached at Appendix 3.
- 4.17 To summarise, the additional SA work comprises:
- Refreshed (i.e. checked and updated) appraisal of the main strategic directions of growth at Witney, Carterton and Chipping Norton together with a comparative appraisal of each option;
 - Consideration of reasonable alternatives to the Oxfordshire Cotswolds Garden Village (including land north of the A40 at Barnard Gate and the Barnard Gate Garden Village being promoted near South Leigh);
 - Consideration of reasonable alternatives to the West Eynsham Strategic Development Area (including land adjacent to Hanborough Station and a split site option between the West Eynsham SDA and land adjacent to Hanborough Station);
 - Refreshed (i.e. checked and updated) appraisal of the 15 non-strategic housing site allocations to take account of any additional evidence including the landscape and heritage advice commissioned by the Council for 7 of the sites;
 - New SA of a number of other non-strategic reasonable alternatives. These are referred to as ‘grey sites’ and are sites that were identified as having some potential suitability for housing in the Strategic Housing and Economic Land Availability Assessment (SHELAA) 2016 but were not formally allocated in the Local Plan;
 - New SA of a potential stepped/staged approach to delivering the overall housing requirement (as discussed during the hearing sessions in July 2017).

4.18 The main findings of the updated SA report are briefly summarised below.

Refreshed SA of main strategic directions of growth

4.19 The SA has been updated to take account of updated evidence where available and also to check the original findings took into account all relative considerations. This has resulted in some very minor changes to the likely significant effects identified however these have not changed the overall SA findings significantly and the reasons for selecting and rejecting strategic site options remain relevant and valid and as reported in the previous SA Addendum report (October 2016).

New SA of alternatives to the Oxfordshire Cotswolds Garden Village

- 4.20 The previous SA of the Oxfordshire Cotswolds Garden Village has been refreshed and checked with minor changes to the likely significant effects identified in relation to the historic environment as a result of the potential impact of development on the listed buildings in the northern part of the site. The assessment also identifies the small areas of Flood Zone 2 and 3 that exist within the site but concludes that there will be a neutral effect as built development can avoid these areas.
- 4.21 A new SA has been undertaken of two additional new village options, land north of Barnard Gate and the Barnard Gate Garden Village being promoted near South Leigh. A comparison table of all three options is included.
- 4.22 The assessment identifies a number of positive and negative impacts for each option. There is greater uncertainty in relation to SA Objective 1 in relation to housing provision given that these two options are further from Oxford than the Oxfordshire Cotswolds Garden Village in terms of meeting the City's unmet housing needs. The land north of Barnard Gate option also has some potential negative impacts in relation to soil resources and the historic environment. All options have potential negative effects on landscape. Both the Oxfordshire Cotswolds Garden Village and the Barnard Gate Garden Village options would help to deliver new jobs with new science parks included in the emerging draft proposals albeit at a much larger scale in relation to the Oxfordshire Cotswolds Garden Village.
- 4.23 The updated SA report outlines the reasons why the Oxfordshire Cotswolds Garden Village option is being taken forward including its closer relationship to Oxford in spatial terms and planned proposals for strategic transport improvements on the A40 nearby including park and ride and bus priority as well as 'in-principle' support from Government via the garden villages programme and within the Eynsham Neighbourhood Plan.

New SA of alternatives to the West Eynsham SDA

- 4.24 The previous SA of the West Eynsham SDA has been refreshed and checked with minor amendments made to reflect the presence of some best and most versatile agricultural land and also the Grade II listed Chil Bridge.
- 4.25 A new SA has been undertaken of land adjacent to Hanborough Station (for up to 900 homes as indicated by the site promoter) as well as a split-site option between the West Eynsham SDA and land adjacent to Hanborough Station.
- 4.26 The refreshed SA identifies a number of positive and negative likely effects for all three options. Concerns are identified in relation to land at Hanborough Station in relation to traffic impact on the A4095 and potential biodiversity impact due to the presence of a nearby local wildlife site and two SSSIs. Some concerns are also noted in relation to the ability of the site to integrate with the existing community in Long Hanborough.
- 4.27 The reasons for continuing to progress the West Eynsham SDA are outlined including the delivery of the western spine road for Eynsham and good ability to integrate the proposed development with the existing community in Eynsham.

Refreshed SA of the non-strategic housing allocations

- 4.28 The previous SA of the 15 non-strategic housing sites identified in the Local Plan proposed modifications (November 2016) has been refreshed and checked to take account of new evidence where available. This includes the additional landscape and

heritage advice commissioned by the Council in relation to the four AONB sites and three sites at Woodstock.

- 4.29 Taking account of the additional landscape and heritage evidence the likely significant effects in relation to SA Objective 14 have been amended in a number of instances. For the three Woodstock sites the previous assessment already identified minor negative effects in relation to landscape and that assessment has remained the same having regard to the potential mitigation measures identified in the landscape and heritage study. For the historic environment, the Woodstock sites were originally assessed as having a neutral effect but this has now been changed to reflect the potential for some negative effects albeit with an element of uncertainty and subject to appropriate mitigation.
- 4.30 The four allocated sites within the Cotswolds AONB were all previously assessed through SA as having major negative effects in terms of landscape however having regard to the findings of the Council's landscape and heritage evidence, the effect is now identified as minor negative (with some uncertainty) assuming the recommendations of the evidence in terms of mitigation are followed. The likely significant effects in relation to the historic environment have also been adjusted in light of the new landscape and heritage evidence with minor negative effects identified for all of the sites except the land north of Woodstock Road, Stonesfield where a neutral effect has been identified.

New SA of other non-strategic site options (grey sites)

- 4.31 A new assessment has been undertaken of 13 additional non-strategic site options (referred to as 'grey sites'). These are sites that were identified as having some potential suitability in the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) but were not allocated in the proposed main modifications published in November 2016. As part of the examination process the Council agreed to subject these additional sites to Sustainability Appraisal.
- 4.32 The assessment findings identify a range of positive, negative and neutral effects against the SA framework objectives with the majority of sites being negative in terms of the efficient use of land as a result of them comprising greenfield land. A number of sites are assessed as having potentially negative effects in relation to soil resources due to the loss of best and most versatile agricultural land. Sites within the Cotswold AONB are identified as having major negative effects in terms of landscape impact due to lack of identified mitigation at this stage. The updated SA report provides an outline summary of the reasons for selection and non-selection as well as the reason why a number of other 'grey sites' were not considered to be 'reasonable alternatives' and were thus not subject to SA.

New SA of stepped/staged housing requirement

- 4.33 As part of the submission of suggested modifications put forward to the Inspector in September 2017 the Council included a potential stepped/staged housing requirement whereby during the first years of the Local Plan period a lower overall housing requirement is applied and then increased during the latter years of the plan. For completeness the updated SA report has assessed the implications of this approach compared to a more uniform approach to housing delivery.
- 4.34 Generally the assessment has found little difference between the two approaches although with the longer lead-in time for strategic sites including the new garden village

development, there is likely to be less uncertainty for delivery with the stepped approach and major positive effects were confirmed for the stepped approach in respect of SA Objectives 1 Housing, 2 Communities and 15-16 Employment, when compared with the uniform approach where some uncertainty for delivery remains.

Cotswolds Area of Outstanding Natural Beauty Topic Paper

- 4.35 Taking account of the additional landscape and heritage advice and further SA work, Officers have prepared a separate Topic Paper regarding the suitability of the proposed AONB housing allocations as well as the need for housing within the AONB. The AONB topic paper is attached at Appendix 4.
- 4.36 The topic paper considers the findings of the CBA report in the context of national policy requirements, in particular the extent to which 'exceptional circumstances' exist to justify major development within the Cotswolds AONB.
- 4.37 The paper concludes that the case for allocating each of the sites proposed in the Burford-Charlbury Sub-Area is fully justified.
- 4.38 There is a clear need for housing including affordable housing within the sub-area. Independent analysis included as part of the Topic Paper demonstrates the negative consequences for failing to deliver a sufficient number of new homes over the remaining plan period to 2031 – in particular a decline in the size of the resident labour force.
- 4.39 In addition to supporting the resident labour force, the delivery of new homes as proposed through the four allocations within the AONB, is likely to lead to a number of economic benefits including additional support for local shops and services in the area.
- 4.40 Further analysis of house prices within the Burford – Charlbury sub-area demonstrates that the price of housing in this part of the District is much higher than average and there are currently a significant number of households in affordable housing need. As the 'right to buy' has been exercised, the stock of available affordable homes within the sub-area has fallen and this has been compounded by a lack of new housing delivery in the sub-area since 2011 including new affordable homes.
- 4.41 In terms of the availability of reasonable alternatives, the Topic Report notes that although the Council identified through the SHELAA a number of other potentially suitable 'grey' sites within the Burford-Charlbury Sub-Area, these are all also located within the Cotswolds AONB and have now been subject to SA with the reasons for non-selection identified as appropriate. No other sites have been identified as potentially suitable outside the AONB and within the Burford-Charlbury Sub-Area.
- 4.42 Across the rest of the District whilst a number of potentially suitable 'grey' sites have been identified outside the Cotswolds AONB, the majority of these are either very small, are in current active use for non-residential purposes or are already 'committed' through the planning process.
- 4.43 Of the small remaining number of sites there are a number of specific issues of concern with each and furthermore, if they were to be allocated they would fail to meet the need for new housing within the AONB and would fail to foster economic growth and the rural economy. The updated SA report assesses a number of reasonable alternatives and provides an outline of the reasons for selection and non-selection.

- 4.44 Furthermore, the independent landscape and heritage advice from CBA has confirmed that the four allocated sites within the AONB are able to come forward without causing significant harm in landscape and heritage terms, subject to appropriate mitigation including a reduction in the quantum of development in relation to the land east of Burford.

Woodstock Topic Paper

- 4.45 Taking account of the additional landscape and heritage advice and further SA work, Officers have prepared a separate Topic Paper regarding the suitability of the three proposed Woodstock housing allocations as well as the justification for further housing at Woodstock as a designated rural service centre. The Woodstock Topic Paper is attached at Appendix 5.
- 4.46 The topic paper considers the findings of the CBA report in the context of national policy requirements, in particular the potential impact on designated heritage assets and the requirement to weigh any harm against the public benefits of the proposals.
- 4.47 The topic paper identifies that Woodstock is one of the District's most sustainable settlements in terms of services and facilities ranking 5th in the District behind only Witney, Carterton, Chipping Norton and Eynsham. It also highlights the excellent accessibility and transport links enjoyed by the town including the A44 corridor which has been identified by Oxfordshire County Council as a key priority for strategic improvements.
- 4.48 The topic paper also demonstrates the economic potential of the Woodstock area in relation to Oxford and the city region economy, in short the proximity to Oxford being a particular advantage that lends support to the principle of further growth.
- 4.49 Finally the paper highlights the lack of housing completions in recent years with only 168 new homes built since 2011 including 52 affordable homes. This relative lack of delivery has been compounded by much higher than average house prices in this part of the District.
- 4.50 The paper concludes that there is a clear case for further housing development at Woodstock but acknowledges that a number of further changes to the Local Plan are needed to address the findings of the landscape/heritage advice and the further Sustainability Appraisal (SA) work. These suggested changes are attached at Appendix I and summarised in Section 5 below.

5. FURTHER SUGGESTED CHANGES

- 5.1 In order to address the findings of the landscape and heritage advice and further SA work, Officers acknowledge that a number of further changes to the Local Plan are required. Attached at Appendix I is a schedule setting out a number of suggested further modifications to the Local Plan which could be made to address the findings of the additional evidence that has been prepared.
- 5.2 It is important to note that like the schedule of further modifications submitted to the Local Plan Inspector in September 2017 these are suggested changes only and have no status as such.
- 5.3 Ultimately it will be for the Inspector to determine what is and isn't appropriate and what changes may be capable of rendering the Local Plan 'sound' and to recommend any 'main modifications' in due course.
- 5.4 The suggested further changes can be summarised as follows:

Land East of Woodstock

- 5.5 Number of homes reduced from 300 to 270. Additional emphasis placed on protecting the wider rural setting of the Blenheim WHS. Various amendments to ensure appropriate mitigation in terms of landscape and heritage impact including the retention and strengthening of existing hedgerows, use of appropriate building heights and materials and the provision of structural planting and semi-natural green space particularly in the southern part of the site to protect the rural setting of the WHS and to achieve a positive enhancement of the approach to Woodstock from the south east.

Land North of Hill Rise, Woodstock

- 5.6 Number of homes retained at around 120. Additional emphasis placed on protecting the rural character and nature of the setting of the Blenheim WHS. Various amendments to ensure appropriate mitigation in terms of landscape and heritage impact including retention and strengthening of existing hedgerows, use of appropriate building heights and materials, retention of key views and the provision of structural planting and extensive areas semi-natural green space, with built development kept away from the eastern and northern parts of the site.

Land North of Banbury Road, Woodstock

- 5.7 Number of homes reduced from 250 to around 180. Additional emphasis placed on protecting the Blenheim WHS, Woodstock Conservation Area and the listed buildings on Banbury Road. Various amendments to ensure appropriate mitigation in terms of landscape and heritage impact including the retention and strengthening of existing hedgerows, use of appropriate building heights and materials, retention of key views and the provision of structural planting and extensive areas semi-natural green space, with built development kept away from the western parts of the site. Particular regard to be had to the setting of the listed buildings on Banbury Road including the provision of a substantial landscape buffer.

Land North of Woodstock Road, Stonesfield

- 5.8 Number of homes retained at 50 units. Various amendments to ensure appropriate mitigation in terms of landscape impact including appropriate building heights and materials, the retention and strengthening of existing hedgerows and an extensive landscape buffer (incorporating semi-natural greenspace and woodland planting) on the eastern edge of the site.

Land East of Burford

- 5.9 Number of homes reduced from 85 to around 70. Additional emphasis placed on the need to minimise any harmful impact on the Burford Conservation Area and key views including to the Burford Church Spire and the backdrop of hills to the north of the site. Various amendments to ensure appropriate mitigation in terms of landscape and heritage impact including appropriate building heights and materials, use of appropriate landscape buffers, retention and management of existing hedgerows, the provision of large areas of semi-natural green space and the protection of key views including of the Burford Church spire and the general backdrop of hills to the north of the site.

Land North of Jeffersons Piece, Charlbury

- 5.10 Number of homes retained at 40 units. Various amendments to ensure appropriate mitigation in terms of landscape and heritage impact including consideration of appropriate building heights and materials, the need to have appropriate regard to the

setting of the two non-designated historic buildings to the north of the site and the retention of existing mature hedgerows and vegetation along site boundaries together with the provision of appropriate landscape buffers along the northern edges of the site.

Land South of Milton Road, Shipton under Wychwood

5.11 Number of homes retained at 44 units. Additional emphasis placed on the need to take account of the Conservation Area and Shipton Court Registered Park and Garden. Various amendments to ensure appropriate mitigation in terms of landscape and heritage impact including appropriate building heights and materials, use of appropriate landscape buffers along the western and southern parts of the site, the provision of semi-natural green space and the retention and management of existing hedgerows.

6. NEXT STEPS

- 6.1 The additional further suggested changes set out in Appendix I to this report will be submitted to the Inspector for his consideration. At this point the suggested changes have no status as such and are simply being put forward to assist the Inspector in his deliberations. He may or may not agree that the changes are necessary or may identify other changes himself.
- 6.2 The four main pieces of additional evidence including the landscape and heritage advice, Sustainability Appraisal (SA) addendum report, Cotswolds AONB Topic Paper and Woodstock Topic Paper will be subject to a four week period of public consultation as requested by the Inspector.
- 6.3 Any responses received to these four documents will be considered by the Inspector who will then determine the most appropriate way forward for the Local Plan.
- 6.4 Depending on the view of the Inspector, the potential timescales for the remainder of the Local Plan process could be as follows:
 - Four week consultation on additional evidence and topic papers – November/December 2017
 - Inspector's Interim Findings – December 2017/January 2018
 - Statutory Consultation on Main Modifications Identified by the Inspector – January/February 2018
 - Inspectors Final Report – March/April 2018
 - Local Plan Adoption – Spring 2018

7. FINANCIAL IMPLICATIONS

- 7.1 As explained in the September 2017 Cabinet report, there are ongoing cost implications associated with the examination of the Local Plan including in particular professional fees and consultancy advice as well as costs associated with any further potential public consultation. There would also be costs associated with the preparation of an Area Action Plan (AAP) for the Oxfordshire Cotswolds Garden Village should the Inspector conclude that the proposed allocation is sound.
- 7.2 To ensure these costs are able to be met, Cabinet agreed in September to set aside a further £150,000 from the Council's Housing and Planning Delivery Grant reserve.

8. RISKS

- 8.1 The further suggested changes to the draft Local Plan set out at Appendix I are intended to address various issues that have arisen through the Local Plan examination process. Whilst it will ultimately be for the Inspector to determine if these changes

are capable of addressing any concerns he may have in relation to the 'soundness' of the Local Plan, if the suggested changes are not put forward there is a significant risk that he will conclude that the Local Plan as drafted is not sound and cannot be adopted.

- 8.2 The current lack of an up to date adopted Local Plan has put the Council at a greater risk of speculative planning applications being approved on appeal against the Council's wishes, and this is evidenced by recent appeal decisions. The longer the period before an adopted Local Plan is in place the longer the period of uncertainty for development management decision making and for the communities served by the Council.

9. REASONS

The Local Plan is a key mechanism to enable the Council to manage the future growth of the District. It enables the Council to protect and enhance the environment of West Oxfordshire and maintain the district as a clean, beautiful place with low levels of crime and nuisance. It will also support the Council's ability to work in partnership to sustain economically prosperous towns and villages with full employment.

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Appendices

- Appendix 1 – Suggested Further Modifications
- Appendix 2 – Landscape and Heritage Advice
- Appendix 3 – Sustainability Appraisal Further Addendum Report
- Appendix 4 – Cotswolds AONB Topic Paper
- Appendix 5 – Woodstock Topic Paper

Background Papers:

1. West Oxfordshire Local Plan 2031, Submission Draft, West Oxfordshire District Council, March 2015
2. West Oxfordshire Local Plan Examination - Inspector's Preliminary Findings – Parts I and II, December 2015
3. West Oxfordshire Local Plan 2031, Submission Draft including Proposed Modifications, West Oxfordshire District Council, November 2016
4. West Oxfordshire Local Plan 2031 - Further Main Modifications (FMM), West Oxfordshire District Council, September 2017

EXTRACT FROM CABINET MINUTES OF 15 NOVEMBER 2017

68: FURTHER SUGGESTED CHANGES TO THE WEST OXFORDSHIRE LOCAL PLAN 2031

The Cabinet received and considered the report of the Head of Planning and Strategic Housing which sought consideration of the findings of additional evidence, undertaken to address issues that had arisen during the examination of the draft West Oxfordshire Local Plan 2031, and to consider further suggested changes to the draft Local Plan as a result of this work.

In introducing the report, Mr Haine reported receipt of a letter from Ms Rosemary Parrinder, the former Chair, Eynsham Neighbourhood Plan Steering Group, which he read in full. A copy of that letter appears as Appendix A to the original copy of these minutes.

Mr Haine went on to summarise the content of the report and outline the suggested further changes to the emerging plan and the rationale underpinning them.

(Miss G R Hill joined the meeting at this juncture)

With regard to the land to the east of Burford, Mr Haine contended that, following the grant of planning permission on appeal in respect of the site to the south of the town, Paragraph 116 of the NPPF now came into play and questioned whether there was a need for further development on the land identified at paragraph 5.9 of the report.

He indicated that he wished these comments to be incorporated into the Council's response but acknowledged the possibility that removal of this site could give rise to legal challenge. Accordingly, he proposed that the recommendation at (a) be approved as, that Officers be requested to seek legal advice on the potential impact of removing the allocation at Land East of Burford and the final decision on that matter be delegated to the Head of Planning and Strategic Housing in consultation with the Cabinet Member for Strategic Planning and Economy and the Leader of the Council and that, subject to the above, the Cabinet agrees that the suggested further changes to the draft West Oxfordshire Local Plan 2031 as outlined in Section 5 of the report be submitted to the Local Plan Inspector for his consideration in relation to the 'soundness' of the Local Plan.

The proposition was seconded by Mr Dingwall who stressed that the Council would remain subject to speculative development so long as it did not have a local plan in place. He emphasised the unquestionable need for more affordable housing for young people and key workers and noted that the emerging Local Plan envisaged an increase from the current level of delivery of 92 units per annum to 274.

Mr Cotterill welcomed Mr Haine's proposal, indicating that the site to the east of Burford had a chequered planning history which could make it difficult to sustain as a late addition to the Local Plan. He also welcomed the heritage report but suggested that it contained some errors. It made no mention of the Grade II* palladian great house set against the site and believed that the photograph in the report had been taken from the wrong part of the footpath as it did not show the setting of the town. Mr Cotterill also considered the invitation to tender to be questionable as he considered the phraseology relating to this site to be prejudicial.

Mr Emery was pleased to note that the impending consultation would be open to all; not just previous respondents. He considered the evidence provided to be important but did not agree with its conclusions. The west Eynsham sub area had been compared with Long Hanborough and a split site between Hanborough and Eynsham. Mr Emery considered that there were inconsistencies in this and believed a 50/50 split between Hanborough and Eynsham to be the most logical solution. He noted that, in the long term, the plan envisaged a

1,000 space park and ride facility at Eynsham whilst the County Council was now only looking to provide 500 spaces albeit with the scope for 1,000 spaces in the longer term.

Mr Emery expressed concern that the proposals had received insufficient scrutiny and that the route taken by the report had been wrong. He suggested that, following the consultation, the matter should be considered by the Economic and Social Overview and Scrutiny Committee or debated at full Council.

On 30 October the Eynsham Neighbourhood Plan had called for a 20 MPH street running north to south. Mr Emery failed to see the need for what amounted to a major spine road and, whilst this had been ignored, he contended that the Sustainability Appraisal suggested that such a route was not required if the scale of development were to be reduced.

Mr Kelland indicated that the proposals for the Eynsham Garden Village had been sent to Government for approval direct from the Cabinet without any further scrutiny. He believed that further debate was required before the proposals were submitted to the Planning Inspectorate.

Mr Cooper considered that the Council's scrutiny process was flawed and that the matter should have come before the Economic and Social Overview and Scrutiny before consideration by Cabinet. Mr Cooper also made reference to a question he had raised at the last Council meeting in relation to the calculation of Oxford City's unmet housing need.

With regard to development at Woodstock, Mr Cooper suggested that it was not only the impact of traffic on the main road through the town that was relevant, but also the impact on the A4095 through Bladon. He also expressed concern over the relocation of the Under Fives Association from the primary school and the car parking requirements identified by the Council's parking survey. Mr Cooper contended that there were several missing pieces in the Council's analysis.

Mr Howard agreed that the matter should have been considered by the Overview and Scrutiny Committee. There were implications for the A40 that needed to be addressed. Whilst reference had been made to the road to the west of Eynsham, including the proposed park and ride, no mention had been made of the fact that the alternative garden village site at South Leigh proposing to include the dualling of the A40 from the end of the Witney Bypass to the Eynsham roundabout.

Mr Dingwall indicated that it was for the overview and scrutiny committees to set their own work programmes and call for reports. In reply, Mr Emery indicated that he had been unaware of the content of the report until it had been published the preceding week. Mr Cooper reiterated his belief that the matter should have been referred to the Overview and Scrutiny Committee.

The Strategic Director advised Members that the work had been carried out at the request of the Local Plan Inspector and it was the Inspector who would decide whether or not it was adequate to address the concerns he had raised. In many respects, the Local Plan was out of the Council's hands at this juncture.

Mr Haine noted that the Local Plan process was well advanced and had been the subject of significant debate. He indicated that the proposed comments were no more than suggestions to the Planning Inspector and questioned whether consideration by the Overview and Scrutiny Committee would bring any benefit at this stage.

Mr Fenton made reference to speculative development in his own Ward and suggested that any delay would be prejudicial in this respect.

Mr Emery stressed that the next four week consultation period would be critical and requested that it be publicised more widely than on the Council's website alone.

The Planning Policy Manager advised that a letter/email would be sent to all those who had engaged in the process to date; those who had made representations on the original proposals and the 2016 modifications numbering around 2,000 individuals. There was a general awareness of the plan and a press release would be issued to advise local residents of the impending consultation.

Mr Mills noted that the consultation would not now start until the legal advice required as a result of Mr Haine's amendment had been received. The Planning Policy Manager confirmed that any delay would be kept to a minimum but that there was a need to assess the potential ramifications on the decision. Accordingly, he anticipated that the consultation would start during the following week.

Mr Morris emphasised that it was for the Planning Inspector to decide on the proposed modifications. Any representations should be made to the Inspector who would take these into account in reaching his decision. Mr Morris was pleased to note that it would be open to all rather than only previous correspondents to submit representations to the Inspector and stressed that the consultation process was important.

The Inspector would review the evidence and accept, reject or amend the proposed amendments as required to present a sound Local Plan. The Plan would then be subject to further consultation and debated by the Council prior to its final adoption. There had already been significant debate and it now fell to the Planning Inspector to determine whether or not the Plan was sound. Mr Morris asked all Councillors to encourage local residents to engage with the consultation process.

Mr Mills drew attention to paragraph 5.3 of the report 5.3 which indicated that, ultimately it was for the Inspector to determine what was and was not appropriate and what changes may be capable of rendering the Local Plan 'sound' and to recommend any 'main modifications' in due course.

The Strategic Director confirmed that the process as outlined was correct and indicated that all Members would be advised when the consultation period commenced.

In response to a question from Mrs Fenton, Mr Mills confirmed that all town and parish councils would also receive notification of the consultation.

DECISIONS:

- (a) That the Cabinet notes that the Landscape and Heritage Advice, the Sustainability Appraisal (SA) Further Addendum Report, Cotswolds AONB Topic Paper and Woodstock Topic Paper will be published for a four week period of public consultation as requested by the Local Plan Inspector in order to help him consider their findings; and
- (b) That Officers be requested to seek legal advice on the potential impact of removing the allocation at Land East of Burford and the final decision on that matter be delegated to the Head of Planning and Strategic Housing in consultation with the Cabinet Member for Strategic Planning and Economy and the Leader of the Council.
- (c) That, subject to (b) above, the Cabinet agrees that the suggested further changes to the draft West Oxfordshire Local Plan 2031 as outlined in Section 5 of the report (and as set out in full at Appendix I) are submitted to the Local Plan Inspector for his consideration in relation to the 'soundness' of the Local Plan.

REASONS: The Cabinet considered the proposed amendments to accord with the Council's aim to maintain and enhance West Oxfordshire as one of the best places to live, work and visit in Great Britain.

OPTIONS: None appropriate.