



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and Date of Committee	EXECUTIVE – 11 OCTOBER 2023
Subject	WEST OXFORDSHIRE LOCAL PLAN 2031 – REGULATION 10A REVIEW
Wards Affected	ALL
Accountable Member	Councillor Carl Rylett – Executive Member for Planning and Sustainable Development. Email: carl.rylett@westoxon.gov.uk
Accountable Officer	Chris Hargraves – Planning Policy Manager. Email: chris.hargraves@westoxon.gov.uk
Report Author	Chris Hargraves – Planning Policy Manager. Email: chris.hargraves@westoxon.gov.uk
Summary/Purpose	To consider a review of the West Oxfordshire Local Plan 2031 in accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.
Annexes	Annex A – Regulation 10A review of the West Oxfordshire Local Plan 2031.
Recommendation(s)	<i>That the Executive Resolves to:</i> <i>a) Note the content of the report;</i> <i>b) Approve the Regulation 10A review of the West Oxfordshire Local Plan 2031, attached at Annex A.</i>
Corporate Priorities	<ul style="list-style-type: none">• A Better Environment for People and Wildlife• Responding to the Climate and Ecological Emergency• Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO

Consultees/ Consultation	None.
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1. INTRODUCTION

- 1.1 National planning policy stipulates that Local Plans should be reviewed at least once every five years to assess whether the policies they contain need to be updated.
- 1.2 Reviews should be completed no later than five years from the adoption date of a plan and should take into account changing circumstances affecting the area and any relevant changes in national policy.
- 1.3 The West Oxfordshire Local Plan 2031 was adopted in September 2018 and as such a formal review of its policies has now been undertaken.
- 1.4 The purpose of this report is to summarise and agree the outcome of that review.

2. BACKGROUND

- 2.1 The West Oxfordshire Local Plan 2031 was formally adopted on 27 September 2018 and sets out the overall planning framework for the District from 2011 to 2031.
- 2.2 Members will be aware that the plan is based on an overall housing requirement of 15,950 homes, which comprises 13,200 homes for West Oxfordshire's needs and a further 2,750 homes for Oxford City's unmet housing needs.
- 2.3 To ensure that Local Plans are effective, they must be kept up to date. The NPPF therefore requires policies to be reviewed at least once every 5 years to determine whether they need to be updated.
- 2.4 Members will be aware that the District Council has already committed to the preparation of a new Local Plan for West Oxfordshire with informal consultation currently ongoing in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.5 However, the District Council has not previously undertaken a formal review of the current Local Plan and so to ensure that legislative requirements are met, a review has now been carried out.
- 2.6 The review document has been prepared in tabular form for ease of reference and is attached to this report at Annex A.

3. OVERVIEW

- 3.1 As can be seen from Annex A, whilst many of the Local Plan policies remain generally consistent with current national policy, the vast majority would benefit from being updated/replaced as part of the ongoing review of the Local Plan.

- 3.2 One area of discrepancy with current national policy relates to the current Local Plan housing requirement (which is primarily set out in Local Plan Policies H1 and H2).
- 3.3 Members will be aware that these policies are based on evidence which dates back to 2014 (the Oxfordshire Strategic Housing Market Assessment or SHMA) and, importantly, pre-date the introduction of the Government's standard method for assessing local housing need in 2018.
- 3.4 None of the Oxfordshire Local Authorities are looking to the Oxfordshire SHMA to inform their emerging Local Plans. Oxford City and Cherwell District Council have jointly commissioned a new Housing and Economic Needs Assessment (HENA) and South Oxfordshire and the Vale of White Horse District Councils are jointly commissioning a separate housing needs assessment to inform their emerging Joint Local Plan.
- 3.5 West Oxfordshire District Council is in the process of commissioning its own housing needs assessment as part of the ongoing Local Plan review. This will help to inform a new housing requirement to 2041.
- 3.6 In light of the above, the review document attached at Annex A concludes that Policies H1 and H2 of the Local Plan require updating in the context of national policy and Oxfordshire-specific local circumstances.

4. IMPLICATIONS FOR HOUSING NUMBERS

- 4.1 Although the review which has been undertaken has concluded that Policies H1 and H2 of the current Local Plan need to be updated, this does not render them obsolete. They still form part of the statutory development plan, as do the sites which have been allocated to deliver the overall requirement. This will continue to be the case until the new Local Plan has been adopted.
- 4.2 What it does mean however, is that for the purposes of calculating its 5-year housing land supply position, the District Council will use a different approach from 27 September 2023 onwards i.e. when the current Local Plan becomes more than 5 years old.
- 4.3 Members will be aware that the Council is required to demonstrate a five-year supply of deliverable housing land and that, to date, this has been calculated against the housing requirement set out in Policies H1 and H2 of the Local Plan which include provision for Oxford City's unmet housing needs.
- 4.4 However, national policy (NPPF paragraph 74) states that, unless a local authority's strategic housing policy requirement has been reviewed and found not to require updating, that any calculation of 5-year housing land supply should be based on local housing need where the strategic policies are more than five years old.
- 4.5 In this instance, because policies H1 and H2 of the Local Plan have been found to require updating, once they become 5-years old (i.e. from 27 September 2023 onwards) the District Council will calculate its 5-year housing land supply position using the Government's standard method for assessing local housing need rather than using the housing requirement set out in Policies H1 and H2 of the Local Plan in accordance with paragraph 74 of the NPPF.

- 4.6 This means that whilst making provision for Oxford City's unmet housing needs will remain a material planning consideration, because those unmet needs do not form part of West Oxfordshire's local housing need calculated under the standard methodology, they will not be taken into account for the purposes of calculating the District Council's housing land supply position in accordance with the requirements of national policy.
- 4.7 It is anticipated that a new housing land supply position statement will be published on this basis in October 2023.
- 4.8 In parallel with this, the Council's planning policy team will continue to take forward the new Local Plan to a more advanced stage which will help to determine a new housing requirement to 2041 along with a planned supply of housing sites to deliver it.

5. NEXT STEPS

- 5.1 Members will be aware that the District Council has already committed to preparing a new Local Plan to ensure that it has in place an up-to-date framework of robust and ambitious policies to guide future development.
- 5.2 The review of the current Local Plan which has now been undertaken (Annex A) ensures that the legislative requirement for such a review to take place within 5-years of the date of adoption has been met.
- 5.3 It also provides a useful summary overview of where there have been notable changes in national policy or circumstances which will help to inform the development of the new Local Plan as it takes shape during 2024.
- 5.4 Subject to the approval of Members, the review document attached at Annex A will be published online alongside the current West Oxfordshire Local Plan 2031.

6. ALTERNATIVE OPTIONS

- 6.1 The Executive could choose not to approve the review document attached at Annex A, however there is a legislative requirement to undertake such a review within 5-years of the date of adoption.

7. FINANCIAL IMPLICATIONS

- 7.1 The report raises no direct financial implications.

8. LEGAL IMPLICATIONS

- 8.1 Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 stipulates that a local authority must complete a review its Local Plan within 5 years of the date of adoption.

9. RISK ASSESSMENT

- 9.1 The report presents no significant risks, although the calculation of the Council's five-year housing land supply position is likely to continue to be challenged through planning appeals.

- 9.2 Legal advice has been sought and Officers are confident that this is a robust and defensible position to take.
- 9.3 It should be noted that similar reviews have been undertaken by Cherwell District Council and the Vale of White Horse District Council with both authorities using the standard method to calculate their 5-year housing land supply position.
- 9.4 Although both authorities include a separate allowance for Oxford's unmet need, it is understood that this is because their Local Plan Policies which deal with the unmet need issue are not yet 5 years old, unlike the position in West Oxfordshire.

10. EQUALITIES IMPACT

- 10.1 The report raises no specific equality implications for any specific group/protected characteristic.

11. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 11.1 None.

12. BACKGROUND PAPERS

- 12.1 None.

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