

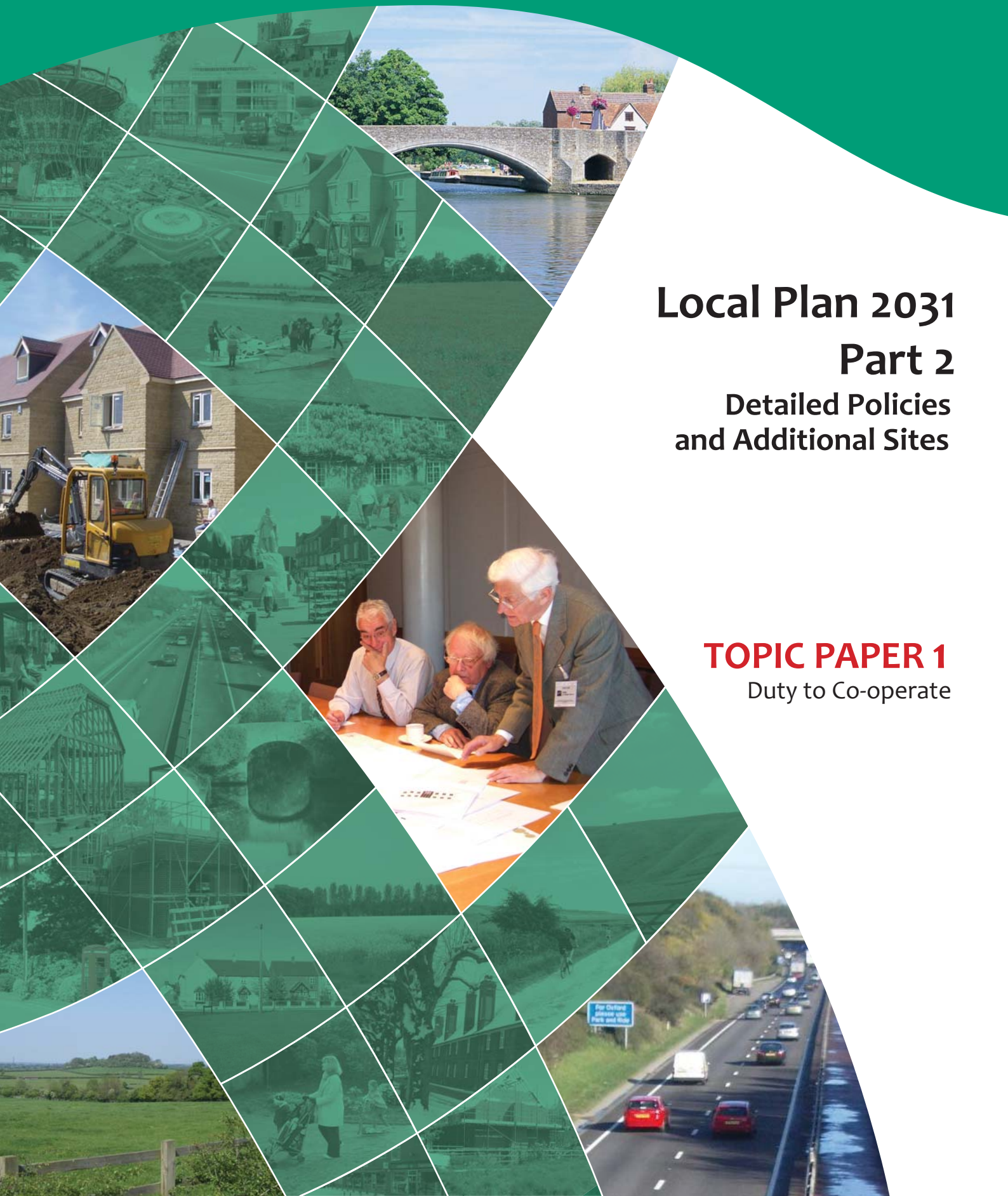


**Vale
of White Horse**
District Council

Consultation Draft
March 2017

Local Plan 2031 Part 2 Detailed Policies and Additional Sites

TOPIC PAPER 1 Duty to Co-operate



This paper is one of 6 topic papers, listed below, which form part of the evidence base in support of the draft Vale of White Horse Local Plan 2031 Part 2.

These topic papers have been produced to present a coordinated view of the evidence that has been considered in drafting the Local Plan 2031 Part 2. It is hoped that this will make it easier to understand how we have reached our conclusions.

The Topic papers will be revised following the 'preferred options' consultation to inform the next stage of plan preparation, which is known as the 'publication' stage. Final versions of the Topic Papers will be published alongside this final stage, which is timetabled for publication in the autumn of 2017.

The papers are available to view and access from the council website:

www.whitehorsedc.gov.uk/LPP2

Topic Papers

1. Duty to cooperate
2. Site selection
3. Housing and community facilities
4. Supporting economic prosperity
5. Transport and accessibility
6. Built, historic and natural environment

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1.0 INTRODUCTION

- 1.1. The duty to co-operate is a legal requirement of local planning authorities when plan-making. Whilst it is not a 'duty to agree' its primary purpose is to help achieve positive and effective local plans in relation to matters of wider than local importance. Meeting our obligations under the duty-to-co-operate is also an important part of plan making and forms one of the key 'tests of soundness' set out within the National Planning Policy Framework (NPPF).
- 1.2. The processes summarised in this paper have helped to inform the preparation of the Preferred Options of the Vale Local Plan 2031 Part 2 – Detailed Policies and Additional Sites.
- 1.3. Local Plan 2031 Part 1 sets the strategic priorities for the district and the focus upon delivering sustainable development. The Part 1 Plan identifies the number of new homes and jobs to be provided in the area for the plan period up to 2031. It also makes appropriate provision for new retail, leisure and commercial development and the infrastructure needed to support them.
- 1.4. The Local Plan 2031 Part 2 complements the Part 1 Plan by setting out:
 - Policies and locations for new housing to meet the Vale's proportion of Oxford's housing need, which cannot be met within the City boundaries, as agreed by the Oxford Growth Board;
 - Policies for the part of Didcot Garden Town that lies within the Vale of White Horse District;
 - Detailed development management policies to complement the strategic policies set out in the Part 1 plan and replace the remaining saved policies of the Local Plan 2011, where appropriate; and
 - Additional development site allocations.
- 1.5. This topic paper provides an overview of how the Council is meeting its obligations under the 'duty-to-co-operate', in accordance with the Localism Act 2011 and National Planning Policy Framework (2012).
- 1.6. The local planning authorities with which the Vale of White Horse District needs to primarily co-operate with under the duty, are listed below (they are also shown by Figure 1.1):

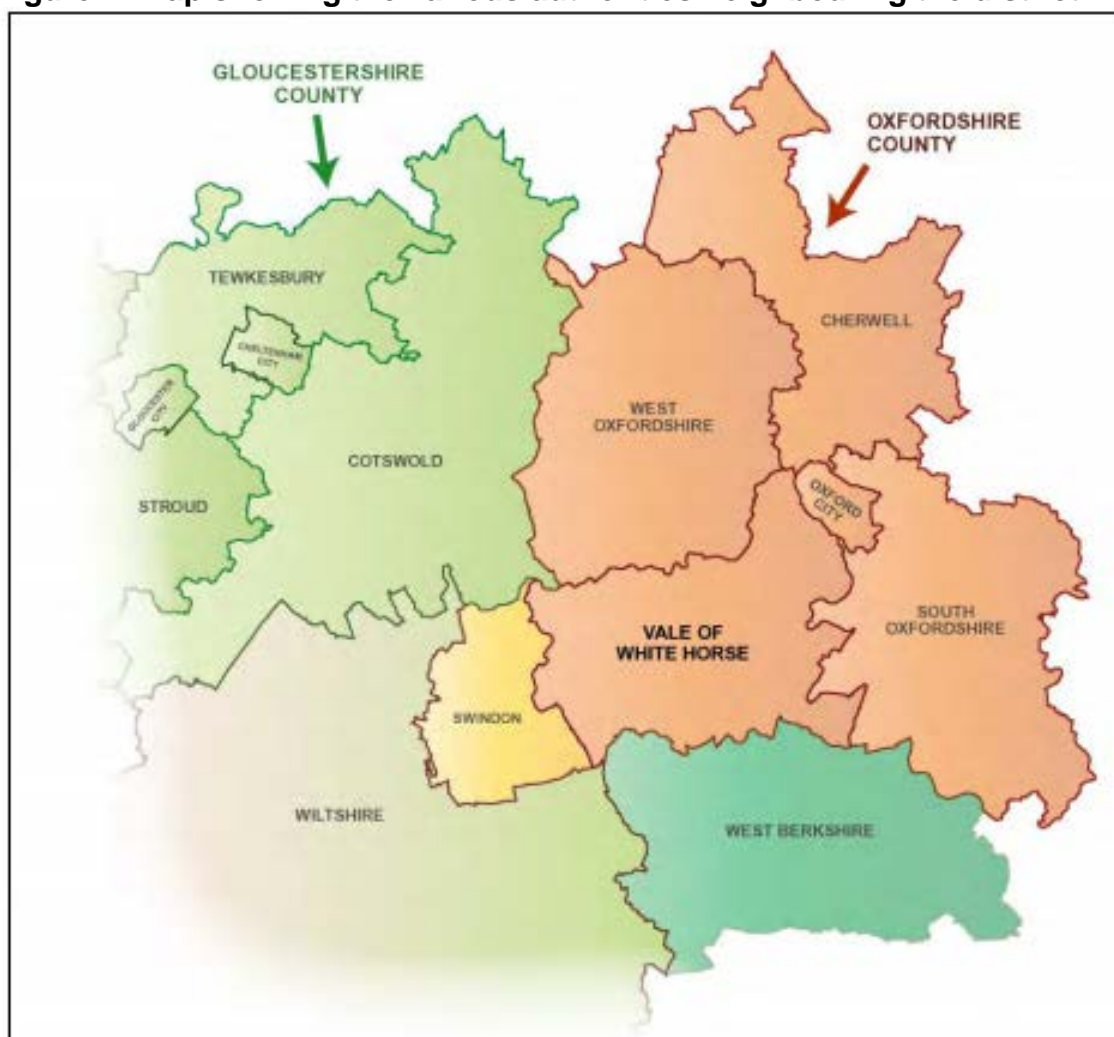
Oxfordshire county and housing market area:

- West Oxfordshire District Council
- South Oxfordshire District Council
- Cherwell District Council
- Oxford City Council
- Oxfordshire County Council

Other neighbouring authorities:

- West Berkshire Council
- Swindon Borough Council
- Wiltshire Council
- Cotswold District Council
- Gloucestershire County Council

Figure 1: Map showing the various authorities neighbouring the district



- 1.7. In addition to local planning authorities, other public bodies subject to the duty to co-operate, are prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012¹ as amended by the National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013². The prescribed bodies most relevant to the Vale of White Horse are listed below:

- The Environment Agency

¹ <http://www.legislation.gov.uk/ukxi/2012/767/regulation/4/made>

² <http://www.legislation.gov.uk/ukxi/2013/235/made>

- English Heritage
- Natural England
- Highways England
- Clinical Commissioning Groups (NHS)
- The Civil Aviation Authority
- Local Enterprise Partnership
- The Homes and Communities Agency
- The Office of Rail and Road Regulation
- Highway Authorities (Oxfordshire County Council)
- Local Nature Partnership

2.0 DUTY TO CO-OPERATE AND LOCAL PLAN 2031: PART 1

2.1. The Local Plan 2031: Part 1 was formally adopted by Vale of White Horse District Council on the 14 December 2016. Local Plan 2031 Part 1 addressed a number of strategic cross border issues, including the following:

- An agreed process for delivering a portion of un-met housing need for Oxford City.
- The comprehensive planning of housing and employment development and accompanying infrastructure across Science Vale, including the town of Didcot and the employment site of Culham Science Centre within South Oxfordshire;
- The accommodation of Gypsy, Traveller and Travelling show people across Vale of White Horse, South Oxfordshire and Oxford City;
- The detailed planning of development proposed at the Swindon Eastern Villages and in the Western Vale sub area, including appropriate infrastructure on the surrounding road network, including the A420;
- The planning of development within the district and in neighbouring districts, to ensure it does not unduly add to the congestion already present on the A34 without adequate mitigation;
- Delivery of the economic objectives of the County, such as those set out by the Oxfordshire Local Enterprise Partnership;
- Delivery of the objectives of the Water Framework Directive;
- The assessment and mitigation of development pressures at Oxford Meadows Special Area of Conservation through the cumulative impact of growth in Vale of White Horse District and neighbouring authorities;
- Preservation of the protected view cones of Oxford City, which extend into Vale of White Horse; and
- The need to safeguard land for mineral resources, aggregates, rail depots and waste management facilities through the Oxfordshire Waste and Minerals Core Strategy.

- 2.2. The Inspector, in his Report on the examination of Vale of White Horse Local Plan 2031: Part 1, came to the following view on matters relating to the Duty to Co-operate:

“In conclusion, having regard to all that I have read and heard, including the Statements of Common Ground between the Council and Oxfordshire, South Oxfordshire, West Oxfordshire and Cherwell Councils (in which these authorities state that they consider the Vale has met the Duty) I conclude that in relation to matters of strategic importance the Council has engaged constructively, actively and on an ongoing basis with all relevant organisations in order to maximise the effectiveness of the preparation of the plan. It has therefore met the Duty to Co-operate.”³

- 2.3. Further evidence on how the council is continuing to meet its Duty to Co-operate for Local Plan 2031: Part 1 is contained in Topic Paper 1: Duty to Co-operate and Cross Boundary Issues⁴.

³ The Planning Inspectorate, Report on the Examination into Vale of White Horse Local Plan 2031: Part 1, 30 November 2016, File Ref: PINS/V3120/429/5

⁴ Available to view online as part of the Examination Library at <http://www.whitehorsedc.gov.uk/services-and-advice/planning-and-building/planning-policy/new-local-plan-2031/evidence-base>

3.0 MEETING THE DUTY TO CO-OPERATE AND LOCAL PLAN 2031: PART 2

Strategic Matter 1: Oxford Un-Met Housing Needs

- 3.1. As set out in the section one above, Local Plan 2031 Part 2 sets out policies and locations for new housing to meet the Vale's proportion of Oxford's housing need, which cannot be met within Oxford City boundaries.

Process of Engagement

- 3.2. The Oxfordshire Growth Board is a joint committee comprising the six councils of Oxfordshire and other key strategic partners, including the Local Enterprise Partnership, Environment Agency, Network Rail, Highways England and the Homes and Communities Agency.
- 3.3. The Board facilitates joint working on economic development, strategic planning and growth, in full accordance with the Duty to Co-operate. In September 2013, a Statement of Co-operation was signed by the council leaders of the local authorities in Oxfordshire. This set out a process to manage the outcomes of the Strategic Housing Market Assessment (SHMA, published in April 2014), should any of the Local Planning Authorities in Oxfordshire not be able to meet their fully objectively assessed housing need. It was identified and agreed by the Oxfordshire Growth Board at an early stage that Oxford City would be unable to meet its housing needs in full, and that further work was required to determine a suitable apportionment of this un-met need which would need to be delivered by each of the neighbouring Oxfordshire authorities.
- 3.4. The post SHMA strategic work programme has been discussed at a number of Growth Board meetings⁵ since the publication (Regulation 19 public consultation) of Local Plan 2031 Part 1. The meetings took place on the following dates:
- 20 November 2014
 - 25 June 2015
 - 30 July 2015
 - 19 November 2015
 - 2 February 2016
 - 31 March 2016
 - 26 May 2016
 - 26 September 2016

⁵ Details of meetings of the Oxfordshire Growth Board are available to view online at: <http://mycouncil.oxfordshire.gov.uk/ieListMeetings.aspx?CId=970&Year=0>

- 3.5. As part of the post SHMA strategic work programme, a number of joint evidence base studies⁶ were commissioned by the Growth Board to assist in the process of apportionment. These included:
- *Advice Note on Oxford's Development Capacity* (Fortismere Associates, August 2015) – Following this note, all of the authorities agreed a working assumption of 15,000 homes for Oxford City's unmet need up to 2031;
 - *Oxfordshire Green Belt Study* (LUC, October 2015) – This study assessed how the land within the existing Oxford Green Belt performs against the five main purposes of Green Belt designation. The study did not advise on the suitability or potential of land in the Oxford Green Belt for development;
 - *Strategic Options Assessment* (LUC, September 2016) – This assessment looked at areas of search for development consideration. 36 areas of search were included and looked at issues such as infrastructure, water supply and flooding;
 - *High Level Transport Assessment of Spatial Options* (ITP, May 2016) – This assessment considers the implications of development at the 36 areas of search identified in the Strategic Options Assessment;
 - *Education Assessment of Spatial Options for Oxford's Unmet Housing Needs* (Oxfordshire County Council, September 2016) – This report looks at the implications for the provision of primary and secondary school places of development at the 36 areas of search identified in the Strategic Options Assessment.

Agreed Apportionment of Un-met Housing Need

- 3.6. On the 26 September 2016, a Memorandum of Co-operation between the local authorities in the Oxfordshire Housing Market Area⁷ was presented to the Growth Board. The purpose of the memorandum was to formally record and make public the Oxfordshire Local Authorities' agreement under the Duty to Co-operate and assist Oxford City with its unmet housing needs.
- 3.7. Following the collection of projects and assessments as set out above, the councils agreed an apportionment of the 15,000 dwellings to the districts neighbouring the City. The agreed apportionment was as follows:

⁶ All documents are available to view on the Oxfordshire Growth Board website at:
<https://www.oxfordshire.gov.uk/cms/content/oxfordshire-growth-board>

⁷ Available to view online at
<https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/communityandliving/partnerships/GrowthBoard/MemorandumofCooperartion.pdf>

Table 1: Apportionment of unmet house need for Oxford City

Local Planning Authority	Proportion of unmet need apportioned
Cherwell District Council	4,400
Oxford City Council	550
South Oxfordshire District Council ⁸	4,950
Vale of White Horse District Council	2,200
West Oxfordshire District Council	2,750
Total	14,850

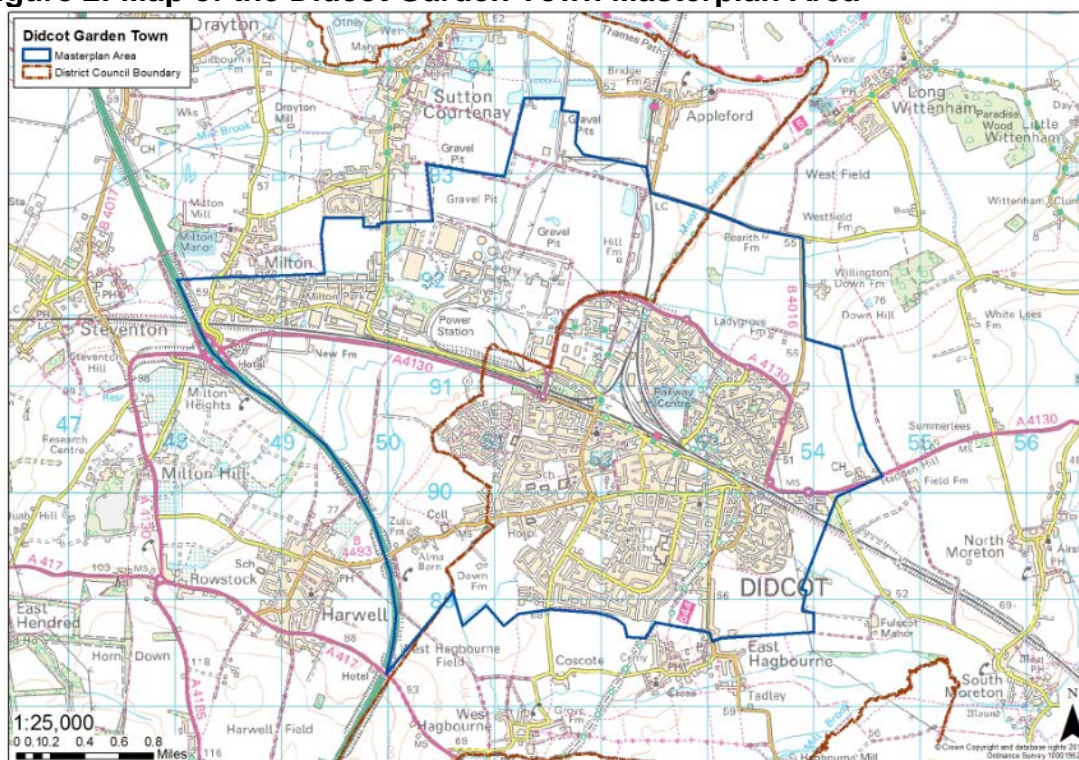
- 3.8. The memorandum notes the timetable for each of the districts to address their apportionment. For Vale of White Horse District Council, it will be for Local Plan 2031: Part 2 to address the agreed proportion of Oxford's unmet need in the district.
- 3.9. The Preferred Options of Local Plan 2031: Part 2 seeks to address the apportionment of 2,200 dwellings in full, subject to the plan making process. This will be delivered through a combination of existing strategic site allocations in Local Plan 2031: Part 1 and additional sites proposed in Local Plan 2031: Part 2. Taken together, the plan will ensure timely delivery of housing to meet both the needs of the district, as well as the needs of Oxford City.

Strategic Matter 2: Didcot Garden Town

- 3.10. Vale of White Horse District Council is working with South Oxfordshire District Council and other key stakeholders including Oxfordshire County Council to prepare a masterplan for Didcot Garden Town.
- 3.11. The masterplan boundary includes land in both districts, as shown on the map below.

⁸ South Oxfordshire District Council have not agreed to their respective apportionment figure of 4,950 dwellings.

Figure 2: Map of the Didcot Garden Town Masterplan Area



- 3.12. This includes a number of strategic development sites in the district, including part of Great Western Park, Valley Park, North West of Valley Park, Milton Park and the large brownfield site at Didcot A.
- 3.13. Local Plan 2031: Part 2 contains policies and proposals for the part of Didcot Garden Town that lies within the Vale of White Horse District, including a number of important development and design principles. Policies have emerged through the joint work undertaken on developing the masterplan.

Strategic Matter 3: Transport Infrastructure

- 3.14. Vale of White Horse District Council, continues to engage with Oxfordshire County Council on matters relating to highways and public transport, including the provision of new cycleways and footpaths. The councils have jointly prepared the Evaluation of Transport Impacts – Technical Note⁹ to inform the preferred options consultation, and takes account of planned growth in neighbouring authorities. Both councils have also worked closely to identify new land to be safeguarded for future transport schemes¹⁰.
- 3.15. The Council is also working constructively with Network Rail on priorities for future investment and capacity upgrades in the area. This includes looking at options for expansion of the train station in Didcot Garden town, including opportunities for improved pedestrian and cycle access,

⁹ Available to view as part of the evidence base informing the Preferred Options consultation.

¹⁰ See the Local Plan 2031: Part 2 appendices.

passenger facilities, and long term platform capacity upgrades. The council is also undertaking further studies looking at the potential for a new train station to the north of Grove.

- 3.16. As discussed further below, the Council has engaged with local bus companies, including Oxford Bus, Thames Travel and Stagecoach on future public transport provision in line with planned growth through Local Plan 2031: Part 2.

Strategic Matter 4: Impact of Growth on Oxford Meadows Special Area of Conservation (Sac)

- 3.17. It is considered likely that housing across Oxfordshire will have an effect on the air quality within a small part of the Oxford Meadows SAC as it lies adjacent to the A34 and A40.
- 3.18. Through the Oxfordshire Growth Board, the local planning authorities are undertaking strategic studies to investigate transport scenarios and air quality effects within the SAC, which will in turn inform specific mitigation interventions. The findings of this study will be considered in later iterations of the council's Habitats Regulations Assessment as Local Plan 2031: Part 2 is developed. Local Plan 2031 Part 1 contains plan-level measures to address this issue until the studies are completed.

Policy Drafting and Site Allocations for Local Plan 2031: Part 2

- 3.19. The council has engaged with a number of statutory and prescribed bodies as part of the process of drafting policies and identifying additional sites allocations to be included in the Preferred Options of Local Plan 2031: Part 2.
- 3.20. In September 2016, the council underwent an informal consultation on a shortlist of thirty sites it considered had potential for allocations in the Part 2 Plan, Preferred Options document.
- 3.21. Feedback received from this informal consultation assisted in discounting a number of sites from further testing, as well as identifying a number of specific requirements for each of the remaining sites. In November 2016, a second informal consultation took place, which looked at a number of refined scenarios for the remaining sites. It also sought feedback on draft site specific requirements which would inform the site development templates of Local Plan 2031: Part 2¹¹.
- 3.22. In parallel, the council also consulted with many of these organisations on draft development management policies for the plan. Feedback received has helped to shape the policies which are now included in the Preferred Options document.

¹¹ Site Development Templates are included in Appendix A of the Preferred Options of Local Plan 2031: Part 2

3.23. In the months preceding the preferred options consultation, the council has met separately with Oxfordshire County Council, Oxford City Council, the Environment Agency and Natural England to address specific matters relevant to each organisation and to seek to overcome issues raised through the informal consultation events.

3.24. Table 2 below lists the various organisations which the council engaged with as part of this informal consultation process;

Table 2: Engagement with statutory and prescribed bodies as part of the process informing the Preferred Options Local Plan 2031: Part 2

Organisation	Duty to Co-operate Body
Environment Agency	Yes
Natural England	Yes
Historic England	Yes
Highways England	Yes
Oxfordshire County Council on matters relating to: <ul style="list-style-type: none"> • Highways • Education • Minerals and Waste • Libraries • Ecology • Public Transport • Archaeology • Public Health 	Yes
Oxfordshire Clinical Commissioning Group	Yes
National Health Service (NHS)	Yes
National Rail	No
Health and Safety Executive	No
Thames Valley Police	No
Oxford Bus/Thames Travel	No
Stagecoach	No
Thames Water	No
Scottish and Southern Energy	No
Wales and West Utilities	No
Gas (British Gas, Southern Gas Network, Wales and West Utilities)	No
Electricity (National Grid, UK Power Networks)	No
Mobile Operators (Vodafone, O2, BT)	No

4.0 CONCLUSION

- 4.1 The evidence provided in this topic paper demonstrates that the Vale of White Horse District Council has maintained and continues to maintain active engagement with neighbouring authorities, statutory organisations and prescribed bodies on matters of strategic importance and other cross-boundary issues.
- 4.2 The council continues to meet its Duty to Co-operate on cross boundary issues, and has sought to address these issues at the earliest possible opportunity, prior to the Preferred Options consultation.
- 4.3 The consultation provides a further opportunity for the council to engage with Duty to Co-operate bodies on the evolution of Local Plan 2031: Part 2 before the Part 2 Plan is finalised for submission, currently timetabled for the end of 2017.
- 4.4 Further detail on how the council continues to meet the Duty to Co-operate will be provided in an updated Topic Paper to be published alongside the “Publication” version of Local Plan 2031: Part 2 which is expected to take place later this year.

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