

# Policy and Programmes

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Dear Cherwell District Council

Thank you for the engagement opportunity on your [Cherwell Local Plan 2040](#) regulation 18 consultation.

## Vision and Strategic Objectives

The consultation presents three overarching themes for the local plan to focus on:

- *Meeting the Challenge of Climate Change and Ensuring Sustainable Development*
- *Maintaining and Developing a Sustainable Local Economy*
- *Building Healthy and Sustainable Communities*

We generally support these proposed themes and the Cherwell Local Plan vision which are aligned at a high level to the [Oxfordshire Strategic Vision](#). We suggest you could be more ambitious on climate and natural environment, given that the Oxfordshire Strategic Vision includes aims to become the first generation to leave the natural environment in a better state than we found it, and by 2050 for Oxfordshire to have achieved carbon neutral status and be accelerating towards a carbon negative future, removing more carbon than it emits each year.

## Spatial Strategy

The proposed spatial strategy for Cherwell District is:

- *Minimise carbon emissions and achieve set net gains in biodiversity wherever possible in delivering new development;*
- *Raise design standards and improvements to the built environment to elevate the attractiveness of our towns and villages;*

- *Ensure that new development improves well-being wherever possible through design, accessibility, social interaction, the provision of amenities and facilities and opportunities for active travel and recreation;*
- *Encourage new development that improves opportunity for all and in particular provides access to housing to meet all needs.*

There will be a difficult balance to strike between your strategy of wanting to provide housing for all sectors of Cherwell's communities who have needs (presumably also meeting all affordable needs) with other parts of the strategy such as to minimise carbon emissions or the provision of amenities/facilities and opportunities for active travel.

Also you have a separate and specific spatial strategy for rural areas which states:

- *Protect the identity and character of our villages and rural areas and avoid unplanned development in the open countryside;*
- *Provide for limited development to meet local community and business needs and help support the vitality of these more rural settlements and the viability of existing businesses and farms;*
- *Direct the development of new housing to the larger and more sustainable villages that offer a wider range of services and are more well-connected to our urban areas than the smaller villages;*
- *Maintain the designated Green Belt but consider a limited release at Kidlington to meet local housing needs if there are exceptional circumstances to do so;*
- *Protect the Cotswolds National Landscape (Area of Outstanding Natural Beauty).*

Cherwell District Council should provide some clarity about what, if any, exceptional circumstances exist for taking the option to remove land from the Oxford Green Belt. You are choosing to go above the government's standard method for housing need and accepting unmet need from Oxford. We also question why you have not considered and tested an option of not meeting Oxford's 'unmet need' (which is a further uplift of housing need above the standard method) if the only way to accommodate it is through removing land from the Green Belt.

### Housing Need

The Government sets out in the NPPF/PPG that it expects all authorities to follow the standard method to determine the number of homes needed, unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals (National Planning Policy Framework paragraph 61).

Cherwell is choosing to go above the standard method for housing need. The case for not choosing the standard method that's presented within your accompanying Housing and Economic Needs Assessment (HENA) reads like a critique of the government's standard method calculation itself, specifically the use of the 2014 population projections rather than the 2021 Census. It is important that we comment on this because your HENA (without discussion or collaboration with us) attempts to make the same judgements about all Oxfordshire authorities, including our district. There is no reason to use an Oxfordshire-wide study area (again, without involving us) because the NPPF does not recognise housing market areas as the basis for calculating housing need any longer. Whilst housing market areas were in the 2012 version of the NPPF it was removed in the 2018 version when the standard method was introduced.

Your Local Plan consultation then takes an approach of devising a theoretical Oxfordshire-wide strategy for distributing Oxford's 'unmet need' between us by stating:

*"Were that unmet need to be distributed to the other districts to the same percentages as previously occurred in 2014, Cherwell would accommodate approximately 33% of the unmet need".*

If there is unmet need from Oxford (which is contested pending further analysis of Oxford's need and capacity), we think this improvised approach in your Local Plan is crude and potentially damaging considering the complexities of the constraints in all of our districts.

## Employment

Chapter 3 Theme 2 – Maintaining and developing a sustainable local economy sets out the employment needs from the HENA by stating:

*"The Housing and Economic Needs Assessment (2022) identifies a need for between 274 and 283 hectares of employment land in Cherwell over the period 2021 to 2040."*

This is a very large employment need. You go on to explain that you have existing allocations as yet un-implemented, plus windfall employment sites which will contribute towards meeting this very large employment need, as well as some additional supply that your Employment Needs Assessment has identified.

It isn't clear from paragraph 3.119 the extent that your previous allocations and windfalls will contribute to meeting the need for employment set out in the HENA. The final sentence is especially unclear: *"We may need to plan for more and would welcome your views on this"*. When read alongside the core policy 25 draft text which says *"74.8 hectares of land is identified for future development on the following strategic and retained Local Plan 2015 allocations"* this potentially presents a picture of a very significant shortfall of employment land supply against a high need, especially because

no windfall figure is presented in this policy. Policy 25 doesn't explain which sites are retained allocations and which sites are new from the Employment Land Review.

The figure of 74.8 hectares of supply seems low when compared with your adopted local plan's strategic employment sites at Bicester (138.5 hectares) and Banbury (48 hectares). The accompanying sustainability appraisal<sup>1</sup> on page 50 provides some more information about supply than the policy does, but the sustainability appraisal still seems to imply a 50 hectare shortfall.

We think that you need to explain clearly how much employment supply you have from previous allocations, windfalls and new supply. You should set out to what extent this supply meets the minimum employment need of 274 hectares proposed by the HENA. If there is such a substantial gap between employment supply and the HENA assessed need (184 hectares), we think that you should consider if the economic ambition that the HENA sets up for Cherwell District is realistic or achievable.

This section also says that you intend to prepare another Employment Needs Assessment. Please clarify if the current Employment Needs Assessment should be considered as an interim position on employment supply.

### Duty to Cooperate

Whilst not a part of the Local Plan content on consultation, we need to make some observations about your newly prepared Interim Duty to Cooperate Statement dated September 2023<sup>2</sup> which we believe will require some updates.

Paragraph 4.2 discussing housing needs states:

*"The NPPF states that authorities must work to address housing needs within their housing market area."*

This sentence claims that the NPPF explicitly states something which it does not, because housing market areas do not feature within the NPPF any longer.

Paragraph 4.2 goes on to try and summarise the NPPF requirements in relation to housing need and the Duty to Cooperate, stating:

*"It also expects authorities to cooperate on meeting one another's housing needs if it cannot be accommodated within the authority where it arises."*

This is a misrepresentation of what is required in national policy with regards to cooperation on housing needs. We ask that you accurately reflect what is required in the NPPF on this matter. The NPPF paragraph 26 states *"In particular, joint working should help to determine where additional infrastructure is necessary, and whether*

<sup>1</sup> <https://www.cherwell.gov.uk/download/downloads/id/12528/interim-sustainability-appraisal-august-2023.pdf>

<sup>2</sup> <https://www.cherwell.gov.uk/download/downloads/id/12529/interim-duty-to-cooperate-statement.pdf>

*development needs that cannot be met wholly within a particular plan area could be met elsewhere.”*

The final sentence of paragraph 42 of your Duty to Cooperate statement states:

*“The HENA identifies Oxfordshire as the Housing Market Area and Functional Economic Market area.”*

This statement is a misinterpretation of national policy again because it relates to creating evidence of need in a housing market area. This paragraph is concerning because it is not aligned with national policy, and it ignores the standard method. There is no mention of the standard method in the housing need section of your Duty to Cooperate statement.

The HENA is a document that was commissioned by Cherwell District Council and Oxford City, with no consent or involvement from the other districts, it was not a cooperative endeavour.

Table 2 of your duty to cooperate statement lists regular partnership meetings. It describes Future Oxford Partnership (FOP) and the engagement with FOP as *“Regular meetings held informing cross boundary strategic matters for the Local Plan Review.”* Whilst it isn’t clear what the ‘informing role’ being described by this statement means, we think it should be clear that FOP does not have a decision-making function with regards to Local Plans or cross-boundary strategic matters.

We would welcome the opportunity to discuss our comments with you and wish you well in the next stages of the development of your local plan.

Yours sincerely

