

Oxford Local Plan 2040 Examination

Matters, Issues and Questions identified by the Inspectors – Part 1

Matter 1 – Procedural/legal requirements

Issue

Whether the Council has complied with relevant procedural and legal requirements.

Questions

Plan preparation and scope

1. Has the preparation of the Local Plan been in accordance with the Local Development Scheme in terms of its form, scope and timing?
2. Have requirements been met in terms of the preparation of the Local Plan, notification, consultation and publication and submission of documents?
3. Has the preparation of the Local Plan complied with the Statement of Community Involvement?
4. How does the Local Plan relate to Neighbourhood Plans and how would they be affected by the adoption of the Local Plan?
5. What existing and proposed Supplementary Planning Documents (SPD) are there? What is the intended relationship of SPDs with specific policies in the Local Plan and what purpose will they serve? Is this clear and appropriate?

Sustainability Appraisal

N.B. The merits of potential options for the scale and distribution of growth will be dealt with under other matters, including options for housing need and the housing requirement

6. How has the Sustainability Appraisal (SA) informed and influenced the preparation of the Local Plan at each stage and how has it been recorded/reported?
7. How and when were options considered for:
 - a) The overall scale of housing and other growth
 - b) The distribution of development
 - c) Potential site allocations
 - d) Policy approaches
8. Were all reasonable alternatives considered?
9. Overall, has the methodology for the SA been appropriate?

Habitats Regulations Assessment

10. When and how was the Habitats Regulations Assessment (HRA) for the Local Plan carried out and reported?
11. Was the methodology appropriate and robust, and is the evidence sufficiently clear to justify the conclusions?
12. What issues were raised by Natural England and how have these been addressed/resolved?
13. In terms of the approach to “in combination” effects, what is the current position of Natural England and the Council.
14. Is the Council's position justified?
15. Given that the Council identifies a significant amount of unmet housing need, to be accommodated by other authorities, how has this been taken into account in the HRA? How does this affect the issue of “in combination” effects?
16. Are there any other concerns regarding the HRA and if so, how have these been resolved?

Other matters

17. Does the Local Plan include policies in relation to the mitigation of and adaptation to climate change? If so, which?
18. Has the Council had regard to the other relevant specific matters set out in S19 of the 2004 Act (as amended) and Regulation 10?
19. How have issues of equality been addressed in the Local Plan?

Matter 2 – The duty to co-operate

Issue

Whether the Council has complied with the duty to co-operate in the preparation of the Local Plan.

N.B. the duty to co-operate concerns the preparation of the Local Plan as far as it related to strategic matters. This covers the period up to, but not after the submission of the Local Plan and strategic matters are defined in S33A (4) of the Planning and Compulsory Purchase Act 2004. Issues of soundness will be dealt with under other matters.

Questions

Housing needs and the housing requirement

1. Who has the Council engaged with in terms of housing needs and the housing requirement. When did this take place and what form did it take?
2. What factors led to the decision to cease work on a joint plan for Oxfordshire?
3. How did engagement with other authorities in Oxfordshire change after this decision?
4. How and when did the Council engage with other authorities in Oxfordshire in relation to the Housing and Economic Needs Assessment (HENA)? Why was it only commissioned by Oxford City and Cherwell District Councils?
5. Why was the decision taken to assess housing needs on an Oxfordshire wide basis and then set out a distribution of this by individual district authorities? Were the other authorities involved in this decision?
6. What was the response of the other authorities to the Regulation 18 consultations on the issue of housing need and the housing requirement? How did the Council take this into account going forward?
7. How has the Council engaged with the other authorities in relation to the capacity of Oxford City to accommodate housing?
8. How and when did the Council discuss the conclusions of the HENA, the estimate of capacity, the resultant housing requirement and the implications for unmet need?
9. How and when did the Council directly request the other authorities to assist in accommodating unmet housing need? What implications did this have for co-operation?
10. What is the position of the other authorities in terms of the duty to co-operate in relation to this issue?

Other strategic matters

11. Are there any other genuinely strategic matters as defined by S33A (4) of the Planning and Compulsory Purchase Act 2004, including any site allocations that may have cross boundary implications?

12. If so, taking each in turn, who has the Council engaged with? How and when did this engagement take place? What is the outcome of this engagement?

Overall

13. In overall terms has the Council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Local Plan?

Matter 3 – Housing need and the housing requirement

Issue

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to housing need and the housing requirement.

Questions

The HENA and housing need

1. Why does the HENA seek to assess the housing need for Oxfordshire and all of the individual authorities? Is this justified?
2. How does the HENA arrive at the four scenarios for housing need? What evidence sources and assumptions are used? Are these appropriate and justified?
3. What is the basis for choosing the CE Baseline scenario and departing from the standard method scenario? Is this justified?
4. What is the basis for choosing the apportionment between authorities based on the distribution of forecast jobs? Is this justified?
5. What are the objectives of identifying a housing need of 1,322 homes per annum (26,440 over the plan period) for Oxford City and what are the intended outcomes?

Capacity within Oxford City and the resultant housing requirement

6. How has the capacity to accommodate housing within Oxford City been assessed? Has the process been sufficiently thorough and robust? Could the capacity estimate be increased by altering assumptions or policy approaches? If so, what effect would this have?
7. Is it appropriate to set the housing requirement to exactly match the identified capacity (notwithstanding the use of some discounting)? What implications would this have for future assessments of housing land supply? Should more flexibility be built in between the requirement and the estimate of capacity?

Unmet housing need

8. How and where is it intended to meet the unmet need of 841 homes per annum (16,828 over the plan period)?
9. What agreements are in place to do this and what is the position of other authorities, including in relation to continuing commitments in existing adopted Local Plans?
10. How do housing requirements in adopted Local Plans in other authorities compare with standard method calculations of housing need?
11. Will the full unmet need realistically be delivered by other authorities?
12. What are the implications for emerging Local Plans in these authorities?
13. How would delivering unmet need in other authorities achieve the objectives and outcomes intended, for example in terms of commuting and addressing affordable housing needs in Oxford City?

14. If Oxford City's housing need was calculated using the standard method, what would be the implications for the scale of unmet need and the potential for it to be met by other authorities?