

EXAMINATION OF OXFORD CITY LOCAL PLAN 2040

MATTER 1 PROCEDURAL / LEGAL REQUIREMENTS

JOINT MATTER STATEMENT BY
SOUTH OXFORDSHIRE DISTRICT COUNCIL &
VALE OF WHITE HORSE DISTRICT COUNCIL

MAY 2024

Introduction

This statement sets out both Councils response in relation to relevant Inspectors' Matter 1 questions regarding procedural and legal requirements, specifically on matters related to sustainability appraisal and how they relate to the duty to cooperate.

Sustainability Appraisal

8. Were all reasonable alternatives considered?

South Oxfordshire and Vale of White Horse ('S&V') consider there to be a breach of the duty to cooperate. For the same reasons Oxford have failed the duty, it is reasonable to conclude that the sustainability appraisal (SA) considerations of reasonable alternatives is not adequate.

There is no justification for seeking a preferred strategy of accommodating further housing need in neighbouring Districts beyond the City Councils boundaries. The SA should have fully explored the option of meeting Oxfords housing needs within its boundaries through a robust and thorough capacity assessment, and it should also have formed an understanding of the sustainability effects of that decision, as opposed to the decision to export housing need. There is no attempt to explore the impact of this choice in the SA.

Specifically, the alternatives explored for housing requirements are inadequate. Three approaches were tested – a capacity-based requirement, a standard method based calculation and one supporting economic growth. Early on in plan making, Oxford city council hinted that affordability might be their exceptional circumstances to uplift from the standard method. Whilst their ideas about exceptional circumstances have changed, consideration of an affordability-led scenario or reasonable alternative should have been considered in SA (and the HENA), but it has not been mentioned.

9. Overall, has the methodology for the SA been appropriate?

It is a methodological concern that Table 1.5 of the SA which explains what monitoring framework is proposed is so ineffective. The third SA topic is 'efficient use of land', something that we say Oxford are demonstrably not committed to delivering against. The only monitoring measure proposed to measure Oxford's performance with making efficient use of land is to measure how many green spaces Oxford loses. There is clearly no effective monitoring proposal to ensure that they genuinely attempt to be efficient with the use of land in Oxford.

Table 1.4 of the Sustainability Appraisal is a summary of the Local Plan's overall impacts. It states "*As a result of a memorandum of cooperation of 2016, the other*

Oxfordshire authorities' current local plan's are providing for about 15,000 homes to deal with Oxford's unmet housing needs. However, Since the Oxfordshire Plan 2050 was shelved and with the Duty to Cooperate no longer being required, the other Oxfordshire authorities may be less likely in the future to provide for Oxford's outstanding housing need". This SA and related Local Plan has been prepared in this context, and it explicitly states that the duty to cooperate doesn't exist to them. This is a methodological flaw, and a failure of Oxford to meet its legal duty.